Liberty

January 1992 Vol 5, No 3 $4.00

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The National Park Disgrace

by Karl Hess and R. W. Bradford

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America's Bipartisan Apartheid

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Liberty (ISSN 0894-1408) is a libertarian and classical liberal review of thought, culture and politics, published bi-monthly by Liberty Publishing, 1532 Sims Way, #1, Port Townsend, WA 98368. Second-Class Postage Paid at Port Townsend, WA 98368, and at additional mailing offices. POSTMASTER: Send address changes to Liberty, PO Box 1167, Port Townsend, WA 98368.

Subscriptions are $19.50 for 6 issues, $35.00 for 12 issues. Foreign subscriptions are $24.50 for 6 issues, $45.00 for 12 issues. Recent single issues are $4.00 each, plus $1.00 for postage & handling. Manuscripts are welcome, but will be returned only if accompanied by SASE. Queries are encouraged. A Writer's Introduction is available: send request and SASE. Address *all* correspondence to: Liberty, PO Box 1167, Port Townsend, WA 98368.

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Letters

Give Me Accuracy or . . .

Historical inaccuracies usually lay hidden in some obscure paragraph, so you can imagine my surprise and dismay to see one in the headline of an advertisement in the November *Liberty*.

Patrick Henry made his famous speech which concluded with "Give me liberty or give me death" on March 23, 1775.

What he was doing in 1776 I know not nor do I care. Mr. Henry gerrymandered James Madison's district in an attempt to stop him from being elected to the House of Representatives (he had already blocked his appointment to the Senate) and I haven't forgiven him for it yet.

John R. Carter
Earlysville, Va.

First Things First

One little correction of David Horowitz's article ("The Road to Nowhere," November 1991): He states that the Soviets celebrated the fortieth anniversary of the revolution by launching a man into space in 1957. Actually, the first man launched into space, Yuri Gagarin, made his trip in 1961. (Sputnik was an unmanned satellite.) Not a big deal, but it's nice to get these things straight.

Gary McGath
Penacook, N.H.

Marx: Worse Than You Think

The argument of David Horowitz is overwhelming. Yet even now he is still understating the case. Thus he says, "From the very beginning . . . the critics of socialism had warned that it would end in tyranny . . ." But the critic he cites is Bakunin, writing in 1872. Yet nearly thirty years earlier, in 1844, before even the first publication of the *Communist Manifesto*, his then collaborator Arnold Ruge, who was "still a democratic not a socialist revolutionary," protested that the realization of the dreams of Marx would be "a police and slave state."

It is of the last importance to appreciate the significance of such refusals to attend to seriously argued criticism. For his indifference to the likelihood of that servile outcome indicates that Marx himself was not, what so many have asserted that he was, someone who — however misguided — was sincerely and wholeheartedly devoted to the cause of human emancipation and betterment. Had he been, Marx could not but have been worried by that likelihood. For abundant biographical evidence of his actual motivation, compare Leopold Schwartzschild's *The Red Prussian*.

Antony G. N. Flew
Bowling Green, Ohio

Vulgar Politicians

I question R.W. Bradford's attribution of "vulgar" notions of the economic and ecologic systems to "the man on the street," in his "Economics and Ecology, Sophisticated and Vulgar" (November 1991). I believe that the "average citizen" has a reasonably correct intuitive sense of his proper place in society and nature. It is the politician that is convinced that "the economy will run amok if left unregulated by the state" and that "nature is chaotic if left alone." It is the politician's constant exhortations and promises that stir up a vocal minority to become political activists. It is an avalanche of legislation that forces the average citizen to take sides on issues that he sees will have an important effect on his life and well-being. I think that the statistics on low voter turn-out and low return rates of survey questionnaires support my view that the average citizen really wants to be left alone to make his own contracts, to take his own risks and to be responsible for the resultant consequences. How else can Bradford account for the robustness of the systems he remarks upon?

Maribel Montgomery
Albany, Ore.

No Replacement Intended

I am sorry, but not surprised, that Tibor Machan (Letters, November 1991) viewed my combination of humor and inquiry (in my article "Questions on the Phylogeny and Ontogeny of Rights," September 1991) as "nasty quips and put-downs" and "denigrating all the hard work natural rights libertarians have undertaken . . ."

In the field of science, theories are constantly challenged by conditions they fail to explain. But new theories that do explain the exceptions to the rule are almost never developed by — and are almost always resisted by — those who brought forth the preceding theories. Indeed, a whole generation of adherents must frequently die off before an old theory can be replaced by a superior version. This is because we humans invest so much identity in our ideas (as opposed to our thought process) that curiosity withers, and any question raised against our ideas assumes the nature of personal attack. So it would seem in the field of philosophy as well.

While providing no replacement theory, my offering of exceptional cases clearly points to the need for further evolution in thought. It is my hope that these questions raised will spark new work by minds more agile than mine.

Jim McClarin
Cool, Calif.

Machan Sí, Yeager No!

I was astounded, angered, and dismayed to read Leland Yeager's review of Tibor Machan's *Capitalism and Individualism: Reframing the Argument for the Free Society* ("Ethics vs Economics," November 1991). Yeager is guilty of precisely the failings for which he faults Machan, and it is clear that Yeager doth protest too much. Yeager's main objections rest on what he tells the reader are Machan's misrepresentations of several writers. This is a serious charge to level against a scholar, more so when prefaced with the *ad hominem*, "I wonder whether Machan is equipped to supply focused criticism." A paragraph later, the reader finds Yeager shooting himself in the foot as he tries to set Machan straight with the following claim: "Thomas Hobbes did not maintain that human nature consists in the ruthless pursuit of narrow self-interest." I laughed out loud when I read this. My philosophy students would have wondered to see such a howler in print. They, at least, have read the first chapter of Hobbes' *De Cive*.

Yeager also misfires when he attempts to disarm criticism: "One occasional device is to hold doctrines in supposed rivalry with his own guilty by association. For example, Hobbesian individualism is determinist and nominalist. (Determinism is bad, freedom good; but the discussion of this technical issue of philosophy on pages 39–40 is hardly satisfactory.)" How much

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Letters Policy

We invite readers to comment on articles that have appeared in *Liberty*. We reserve the right to edit for length and clarity. All letters are assumed to be intended for publication unless otherwise stated. Succinct, typewritten letters are preferred. Please include your phone number so that we can verify your identity.

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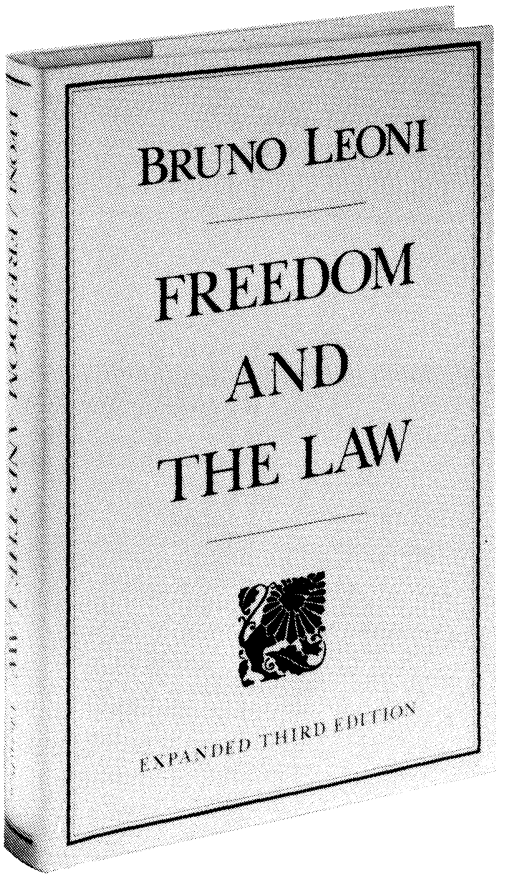

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discussion does Yeager need here to get the point? Hobbes is a determinist; determinism categorically precludes freedom of choice; since "ought" implies "can," Hobbes' metaphysics renders morality inoperative. This is a simple matter of fact and logic, not guilt by association.

I am astounded that Yeager was so patently in error about such basic matters as these; I am angry at his sophistic attempt to manipulate the reader and I am dismayed that such a piece was ever published. It is the nastiest diatribe parading as a book review that I have ever read.

J. E. Chesher
Santa Barbara, Calif.

Ad Hominems on Stilts?

In his review of my book, *Capitalism and Individualism*, Leland Yeager has given very low marks to how I attempt to upgrade the defense of the free market advanced by many free market economists. I don't wish to dwell on Yeager's *ad hominem* attacks in which he asserts, without even bothering with a few direct quotations, that my book is pretty worthless. One cannot contest a case that has not been given even a modicum of defense.

I do wish to note, however, that the claim Yeager makes about how my position is in some sense utilitarian is one he has asserted over and over again not only about me but about nearly all the natural rights libertarian positions that have been placed on record. Yeager made this point at length in a piece he wrote some years ago for *Cato Journal*. I responded in a discussion note in the next issue of that journal, pointing out that Yeager has lumped together distinct notions — e.g., the teleological position of classical egoism and the consequentialist position of utilitarianism.

Why is my philosophy not utilitarian? Because utilitarianism is essentially only a value theory, while the classical egoism I defend is a moral value theory. Utilitarianism stresses that certain good end-states are to be achieved and if a system facilitates this achievement better than others, it is a good system. The classical egoist, in contrast, stresses that it is the facilitation of moral values that needs to be achieved, and if a system furthers such achievement in a superior fashion, it is better than others. The central difference between the two is that the former omits the essential role of human initiative — the moral component — in the achievement of values, while the latter makes such a human initiative a vital ingredient of the human good, both in ethics and in politics.

This is important for classical liberal and libertarian politics because while for utilitarianism it is feasible to argue that some coercive policies may (at least temporarily) facilitate the achievement of certain good end-states or values, for classical egoism it is not feasible that coercion could be good public policy. In some rare or emergency cases there may be some justification for coercion but not as a general policy.

Though I have argued against Yeager that this distinction is important, he has never even addressed it. He hasn't done so in his so-called review of my book, either. It would be at least civil of him to do that and not waste readers' time on all his *ad hominems* instead.

Tibor R. Machan
Auburn, Ala.

That's Not Libertarian, That's Sick

Your magazine is not worth the paper it is printed upon. I was appalled to read Chester Arthur's sick "report" ("My Kind of Town," November 1991) on the LP Convention in Chicago, which I was fortunate enough to attend. Your articles are hurting libertarianism. Friends who are trying to learn about libertarianism think we are a joke after reading your magazine. I suggest you close up shop, or change your format to report factual information about the principles of libertarianism. Your magazine should be a *professional* forum of ideas that will make the reader want to learn more about the philosophy.

R. Michael Borland, MD, PhD
Colora, Md.

Fungible Fellows

Chester Alan Arthur is interchangeable with Murray Rothbard or Lew Rockwell; and they are some of the most disingenuous fellows I've had the displeasure of an acquaintance.

I read *Liberty* for libertarian perspectives, not hatchet jobs on the Libertarian Party/movement by Arthur. I've read far more positive LP reporting in *The Wall Street Journal*.

Is a refund for my remaining issues available? Never mind — I wouldn't trust the editors of *Liberty* to send the check.

William J. Hickman
Granville, Ohio

One Small Non-vote for . . .

As a devout Szaszian, I resist having others define me. Thus, I must take issue with Chester Alan Arthur's reference to me. "Richman [was] an alternate (though he refused to pick up his credentials)," Arthur reported.

I was *not* an alternate. An alternate is someone who *asks* to be one and is so designated by a state delegation. Someone else, with neither my consent nor knowledge, designated me an alternate. I did not seek or express any desire for that status, which is why I refused to pick up the (not my) credentials.

I hope that sets the record straight.

Sheldon Richman
Woodbridge, Va.

A Noted Improvement

Just a short note to say thank you for your story on the Libertarian Party nominating convention. It put some of the missing pieces together for us.

However, you did commit one factual error in your coverage. Based on the board of directors' own personal experience with "rubber chicken" in Philadelphia, the entrée for the Presidential Banquet was tasty filet mignon with sinful chocolate cake for dessert. There was both wine and champagne for table libation. The operator of the convention, Libertarian Enterprises, remembered to have souvenir mugs and a dance band for those that complained in 1989.

Sue Walton
Libertarian Enterprises
Chicago, Ill.

Arthur responds: *I am surprised at Mr Hickman's finding that my report on the LP convention a "hatchet job on the Libertarian Party/movement," and his bemoaning the fact that "he has read far more positive LP reporting in* The Wall St Journal." *I am an active supporter of the LP. But I am not a public relations flack for the party. My job is to report accurately and analyze honestly what I observe. If Mr Hickman disagrees with what I say, I invite him to state his disagreements and explain where I have gone wrong.*

Ms Walton is quite right about the food at the banquet; at least I have been told by several mouth-witnesses that it was bodacious. My "rubber chicken" comment was a reflection on the usual fare at political banquets. I have asked Liberty's *editor to send our restaurant critic along next time.*

As for Mr Richman, well . . . some men achieve alternateness, others have alternateness thrust upon them.

Capitalist Psycho?

Panos Alexakos and Daniel Conway ("A Case of Mistaken Identity: the Boycott of *American Psycho*," November 1991) have ably defended their case that B.E. Ellis attempted to depict nihilism in his

continued on page 76

Reflections

None so blind as those who cannot eat

— In a recent article about deforestation in China, Chicago *Tribune* staffer Uli Schmetzer remarked, *inter alia*, that most people in one particular part of Yunnan province had been "bypassed by socialism's main achievements — adequate food production and modernization."

I wonder: do some journalists join the profession straight from another planet? Saying that food production is the main achievement of socialism (which in this context means communism) is like saying that emancipating European Jewry was the main achievement of Nazism. —WPM

David Duke and Teddy Kennedy, separated at birth? — The great David Duke threat to democracy has come and gone since the last issue of *Liberty*. At least that's the way the media had portrayed it. Personally, if I had had the misfortune of being a voter in the Pelican State, it would have been a tough choice. Edwards is a sleazy crook, and Duke a racist (or, if we believe his change of heart, an ex-racist). Based solely on the issues, I suppose I would have voted for Duke: after all, I agree that welfare ought to be cut and that affirmative action is bad public policy. On the other hand, a Duke victory would no doubt increase the mischief he might do on the national stage. It is even possible that he might one day be president, if the economic situation gets much worse. This would be very bad news: Duke still advocates some of the stupidest and most destructive views imaginable (e.g. his opposition to free trade exceeds even that of Pat Buchanan and Richard Gephart).

I suppose it comes down to a question of Duke's character. As I see it, there are three ways to explain his behavior:

1. Duke remains a crypto-Nazi and crypto-Klansman right-wing nut. His denunciation of racism and his past bigotry is entirely false.

2. Duke had a genuine change of heart and mind. He is now a political conservative, sincere in his views.

3. Duke is a typical politician: he has no real convictions, but seeks power for the sheer pleasure of exercising it.

Personally, I think the third explanation is the likeliest, mostly because I don't think Duke ever had a seriously held conviction in his life. For one thing, I can't think of another highly visible political nut of any stripe, let alone any as exotic as Duke's Nazi-Klan variety, that simply put his goofy views behind and became a mainline politician.

This is not a case of a political nut cracking a major party to further his nutball ends, or attaining a major following for his goofy position. Since he became a Republican, Duke has advocated more-or-less respectable conservative Republican ideas, not much different from, say, Pat Buchanan's.

And Duke's career as a racist, though extensive, doesn't seem to support the notion that he was ever very sincere. At the same time he was a professional racist, for example, he worked part time writing a sex manual for women, and one of his Nazi buddies has said that he has witnessed Duke snorting cocaine. These seem more like the actions of an opportunist with no serious convictions than of a right-winger.

My own guess is that the American politician most similar to David Duke is Teddy Kennedy. He has advocated positions that he believes will advance his own political career and following. Kennedy was born into a wealthy Democrat family, so he adopted Democrat views. He was elected to the Senate on the basis of his brother's popularity. He has since advocated a rather silly version of left-liberalism, which has stood him well with the left-liberal Democrats and electors of Massachusetts, and allowed him to build a serious following within the Democratic Party.

Duke, on the other hand, was born into a poorer family in a rural backwater. Within that framework he achieved considerable success, at any rate as much success as one can manage in a tiny goofy movement. Somewhere along the line, it occured to him that there wasn't much future as a crypto-Nazi, but that there was considerable public support for political conservatism. So he had plastic surgery to make him handsome, declared himself a Republican, and articulated propositions that most Republicans believe but feel too intimidated to advocate openly. He parlayed the free publicity of his Klan past into election to office, and continues to exploit that notoriety today.

So who would have been a better governor, Edwards or Duke? Probably Duke. If elected, he would have been under extreme scrutiny. The first act of corruption would have been celebrated by the news media, local and national. He would have had every incentive to keep his nose clean, since he plainly aspires to play on a broader political stage.

On the other hand, a Duke victory would likely have fueled his presidential ambition and credibility, thereby advancing his idiotic anti-immigration, anti-free trade agenda. And, if I read his character incorrectly and he secretly is still a Nazi, he could cause even more mischief.

As I say, I'm glad I'm not a Louisianan. —CAA

The Tragedy of Earvin Johnson — At a hastily-called press conference only a week into the National Basketball season, Magic Johnson told a stunned world that a routine physical examination for insurance purposes had discovered that he was HIV-positive.

Magic Johnson is by a wide margin the most famous person ever known to be infected with the AIDS virus. He brought to the basketball court a *joie de vivre* that made him more than a star basketball player. In an era in which sports stars are encouraged to be all-too-human, Magic seemed too

good to be true. Deeply involved in community affairs, always cheerful, never associated with any of the vices of star athletes, Magic was a role model that just about anyone could respect and admire. His grin was as wide as the Pacific Ocean and lit up his face with a joy that made him an effective spokesperson for just about everything he talked about: the need for kids to stay in school, the NBA, Pepsi, Converse shoes, Kentucky Fried Chicken, America . . .

But Johnson is more than an ordinary basketball star. He is the best player ever to play basketball. Knowledgeable students of basketball can argue long and hard about who else belongs on an all-time all-star team. They can argue forever about who is the second-best player. But there is no argument about who is the best.

True, other players are sometimes considered to be in Johnson's league by casual fans. For sheer scoring intensity, Michael Jordan is his superior. For elegance and beauty, Johnson didn't hold a candle to Julius Erving. All sorts of players have run the court faster, have jumped higher, have shot better. Johnson's hook shot was denigrated as a "baby hook"; it lacked the grace and beauty of teammate Kareem Abdul-Jabbar's. When Johnson broke for the basket, he often looked outright clumsy. His outside shot looked like something you might see in the schoolyard. His dunk was inelegant, almost geeky. His only skill liable to impress the casual fan was his ability to pass the ball with amazing accuracy.

Where Johnson excelled was at the mental game of basketball. He understood better than anyone else the seamlessness of basketball, the most synergetic of team games. Johnson understood this intellectually at such a level that it infused his being. When he stepped onto the court, he always seemed to know without looking where the ball and every other player were. He knew when a man was open for an easy shot. He knew when a defender could be beaten. He knew what to do all the time. And his skills were always adequate to do what he did best: win basketball games. His intellectual understanding permeated the core of his being. It was never a matter of his thinking what he ought do. It was always a matter of his knowing what to do and doing it, autonomically. But he was as far from being an automaton as a human being can be.

No one who ever saw him play questioned his hunger for victory. His intensity and devotion to basketball were like that of no other human being. He was emotionally transparent: the joy, the intensity, and the enthusiasm infused his soul.

One is tempted to compare him to Babe Ruth, who stands head and shoulders over all others who played the other great American game. But the similarities don't run very deep. Ruth excelled by having a single skill that transcended that of every other man to play the game: his ability to hit a baseball harder and farther. Johnson excelled by re-inventing the way the game is played, and excelling at virtually every aspect of the transformed game.

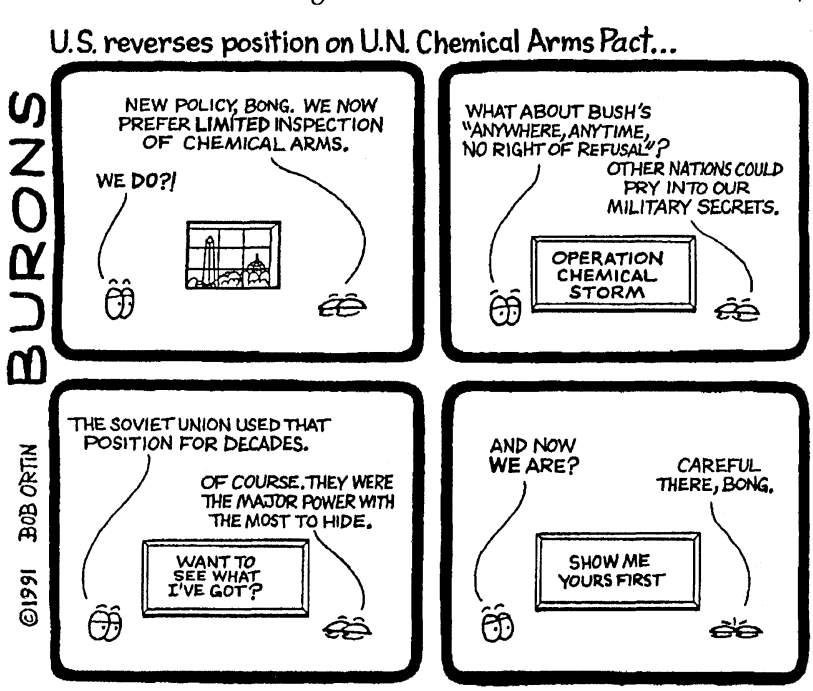
Earvin Johnson was the best at his life's work. He made the game of basketball an art of astonishing beauty.

I first saw Magic play when he was still called Earvin. It was 1977 and a friend told me I really ought to see this local high school kid play. "Earvin Johnson plays basketball like you've never seen," he told me. "You've got to see him." I was very busy with my work, so I told him to pick out an especially interesting game, and I would go.

The game he selected was between two high schools in Lansing, Michigan. Earvin played for Everett High, a suburban white school to which he had been bussed. The opponent that night would be Lansing Eastern, a huge inner-city school, with over 5,000 students. Eastern was a traditional powerhouse, and featured two players that year who eventually were to play in the NBA. I managed to get tickets when the game was moved from Eastern's home court, which seated only 5,000, to the Michigan State University's fieldhouse, which seated 15,000. Despite the NBA-sized arena and broadcast on local television, the game was a sell-out.

After the huge crowd packed the place, the lights were turned off and rock music turned on at a deafening volume. Spotlights focused on a huge hoop in one corner of the court. The announcer screamed over the blaring music, "Ladies and gentlemen, the Lansing Eastern Quakers!" Suddenly, black kids dribbling basketballs and dancing burst through the tissue-paper-covered hoop and a deafening roar filled the arena. The spotlight turned to another hoop in another corner. "Ladies and gentlemen, the Lansing Everett Vikings!" Through the hoop burst a bunch of little white kids and one tall black kid.

The game that followed was remarkable. Eastern played disciplined, high quality black bas-



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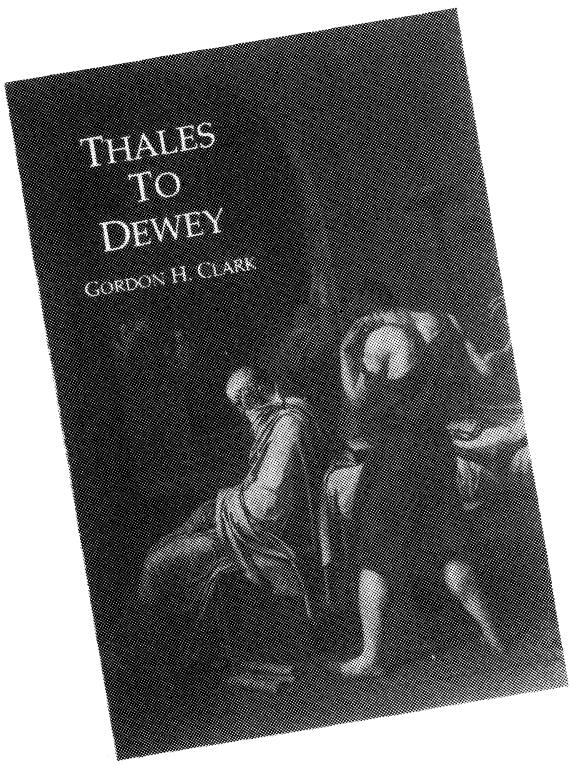

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ketball. Everett was a typical bunch of clumsy white kids and Earvin Johnson. Earvin already played the way that would amaze basketball fans when played in college and the pros. His team was grossly outmatched at every position but his. But that didn't seem to matter. He was double-teamed or triple-teamed, but somehow he'd get the ball and shoot an amazing bullet pass to a white kid who was open for a ridiculously easy shot. Or he'd move to the basket himself. Or he'd shoot long.

Earvin fouled out late in that game, and his team lost by a small margin. It was the only game his team lost that season, and the only game he fouled out of. He took that team of clumsy white kids on to a state championship, beating teams of giant, skilled black kids from huge schools.

Earvin got some national press, but mostly people said, "A 6'8" point guard? Who needs that?" The next season, he decided to go to the local college; when reporters asked what position Earvin would play, his coach responded, "Court." The team he joined was a run-of-the-mill college team. With Earvin running the team, it shocked the world by easily trouncing the top-rated Big 10 teams. It lost in the tournaments in a very close game with the team that went on to win the championship.

By Earvin's sophomore year, he was called "Magic" in the papers, thanks to the efforts of a university public relations man. He took Michigan State to a remarkably easy national championship. In the semi-finals, he led his team to an incredible 51-17 lead at the end of the first half, before the coach rested Earvin and the other starters. In the finals, the team easily defeated an unbeaten Indiana State team starring Larry Bird.

Earvin (he will never be "Magic" to me) turned pro the next year. He was drafted by the Los Angeles Lakers, an indifferent NBA team with only one star, Kareem Abdul Jabbar, a 7'2" giant center who never seemed to be terribly motivated. The story was the same: Earvin's mastery of the court made his teammates look like stars; his enthusiasm motivated them to play like champions. The Lakers breezed to a division championship and through the early rounds of the playoffs.

Going into the sixth game of the championship round, the Lakers held a 3-2 lead over the Philadelphia 76ers. The game was to be played in Philadelphia and the Lakers were expected to lose that game to the tough 76er team. Kareem, who had missed occasional games all year because of migraine headaches, announced that he had been stricken with another migraine headache and would not be able to play. He would be ready for game 7, which would be played on the Lakers' home court in Los Angeles and determine the championship.

The Laker coach decided to start Earvin at Kareem's position. Earvin took charge. In one of the greatest games in basketball history, the Lakers obliterated the 76ers. Kareem watched the game on television in L.A. There was no seventh game. Kareem played another decade never suffering another migraine sufficient to cause him to miss a game.

In four years, Earvin had joined three different teams, none of whom were expected to contend, and led each to a championship. He has played eleven more years with the Lakers, playing in 9 more NBA finals, winning four more NBA titles. He had more moments of triumph, and his share of injuries.

At first, his great talent was not widely recognized, and even today there are some who don't appreciate his contribution: *Earvin transformed basketball.* When he came to basketball, it was a game played by five guys anxious to show their individual talents, with scoring and rebounding considered the most important skills. Today, basketball is a team sport like no other. The best teams are those that play with a lightning-fast intelligence, always controlling the ball and the court, always knowing their teammates' and opponents' positions and abilities. This was Earvin Johnson's greatest contribution to the game. All the while, he brought an enthusiasm, a happiness and an intensity to the game that no one had seen before. He was always a joy to watch.

At his press conference, Earvin explained that he had tested positive for HIV and would be retiring from basketball immediately. But his life would go on. He would be a spokesman for HIV. He didn't know how he had become infected. He was happy to say that his wife was not infected. He was dignified, graceful, and charming, lighting up the room with his genuinely magic smile. He didn't shed a tear over his tragedy. I was not so strong.

Earvin Johnson was the best at his life's work. He made the game of basketball an art of astonishing beauty.

Basketball — and life — will not be the same without his presence on the court. —RWB

The joy of AIDS — What's remarkable to me about the Magic Johnson case is not the fact that a popular basketball player has been stricken by AIDS. I never imagined that popular basketball players were immune to disease.

What's remarkable is the overwhelmingly favorable publicity that the event has produced. No, I'm not referring to the outpourings of sympathy for Johnson; they are both proper and predictable. I'm referring to the outpourings of what can only be called glee about his having contracted the disease.

"America's Wakes Up to AIDS." That's the general format for headlines. "Now at last America can see that anybody can come down with the disease. And now at last something can be done about it." That's the general format for commentary.

How sickening this spectacle will seem to the general population, I can only guess. I know how sickening it is to those of us who have seen friends and neighbors die of AIDS, and know that it is far from an appropriate cause for political joy.

Every advocacy group on the cultural left seems to be impressed, excited, pleased. Johnson's terrible plight has bought them another huge slice of the spotlight. Or so they think. We'll see if they can make the general public, which for nearly a decade has been systematically scared to death by the liberal media, believe that

— although the government has been spending many times the money on AIDS that it spends on any other health problem, including problems more destructive of life than AIDS, it is culpable for not spending more;

— President Bush is an evil man for failing to provide a

cure for AIDS (much as, one supposes, medieval kings were thought to be evil if they were unable to cure victims of disease by touching their flesh);

— the sickness of a very wealthy man is conclusive proof of everybody's need for national health insurance.

Preposterous? Yet these are the conclusions that immediately leaped from the mouths and typewriters of countless liberal commentators brooding gleefully over Johnson's plight.

How sickening this spectacle will seem to the general population, I can only guess. I know how sickening it is to those of us who have seen friends and neighbors die of AIDS, and know that it is far from an appropriate cause for political joy. —SC

Lesion lessons — Having written in these pages about the scarcity of straight males contracting AIDS, I feel obliged to deal with the Magic Johnson story. I find dubious Johnson's claim that he doesn't know who gave it to him.

Remember that AIDS is transferred from the semen or blood of a carrier to the blood of a recipient. That accounts for why the most common path of dissemination is anal intercourse to a climax, where an erect penis has already torn rectal walls. Straight women are far more likely to contract it than straight men for the simple reasons that female genital lesions are not visible and many are insensible. A man, however, cannot only see such lesions, he can *feel* them. He knows about them when he washes himself; he can certainly feel them when his penis penetrates a woman. There is no way, other than operations requiring intravenous needles, that a straight male can become HIV-positive unless his lesioned penis penetrates a woman who not only has AIDS but lesions as well.

Assuming that Johnson was as generous with solicitous women as he was with solicitous reporters, and assuming as well that he has not been continuously plagued with lesions, I think he must have remembered the woman, or even women, with whom sex would have been, for him, an untypical pain. My hunch is that he's protecting, not the identity of his infector, but his reputation, from a partner, whom he'd rather not, because of *her* reputation, publicly identify. I know, because, less generous than Johnson (and less universally desirable as well), I have more than once decided it would be better, alas, to desist and apologize. Now that Johnson has made so much of his story public, the additions would be instructive. —RK

Enviro-communism — When the Cuban Communist Party held a conference in October, it seemed that the Caribbean Communists might finally join their former Soviet and East European counterparts and institute some form of economic and political reform. But at the end of the conference all that emerged was a call for a new war on crime — meaning a campaign against those few souls brave enough to engage in free-market activity in Cuba.

Facing an end to its Soviet subsidies, Cuba is reverting to a semi-industrial age. Oxen-training facilities have been set up to domesticate bulls to replace tractors. Bicycles from China ("socialist transportation") are replacing motor vehicles. Industries are failing, and agriculture is becoming more peasant-intensive.

The fate of Cuba under Maximum Leader Fidel Castro is another irony of Marxism. Where Marx saw a state withering away, there is a total state. Where Marx saw self-actualization there is regimentation in thought, action and dress. Where Marx saw peace there is perpetual war ("In the battle for agricultural production our hands are rifles!" a Cuban farm laborer stated). Where Marx saw technological progress, there is collapse. Where Marx saw plenty, there is poverty.

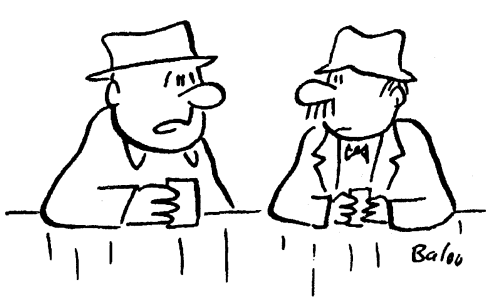
But this reversion to low-tech (or no-tech) may be appealing to EarthFirst!ers and other neo-Luddites. By their stan-

This reversion to low-tech (or no-tech) may be appealing to EarthFirst!ers and other neo-Luddites. By their standards, Cuba represents progress, not collapse.

dards, Cuba represents progress, not collapse. So why not declare Cuba a Technology Free Zone (TFZ) and preserve it as a refuge for radical environmentalists, peasant revolutionaries and glorifiers of the noble savage? All man-made items, from aircraft to medicines to clothing, would be banned from the island. Cuba would be left to revert to its natural, pre-Columbian state. Then everyone who thinks that this is a proper mode of human existence can go to Cuba (or whatever they rename the place — EarthMother, Eden, Sanctuary, BioHaven, Bedrock, etc. — and escape the worries of the modern world. With luck it would take the inhabitants only a few years to achieve a paleolithic society. Guantánamo Bay naval base could be converted to a monitoring station from which anthropologists could gather data on life in primitive communities. The reintroduction of top predators would help keep population levels in check, though it might spur illegal weapons production among the humans — clubs, spears, perhaps even advanced bows and arrows. —JSR

The cycles of freedom — In the November *Liberty*, Sheldon Richman wrote a eulogy for Soichiro Honda, the barely-educated Japanese mechanic and businessman who built one of the world's greatest industrial firms from scratch, against the wishes of his own government, in the post-war ruins of his country. In recognition of Richman's eloquence, I renounced my editorial *droit de seigneur* and passed up the opportunity to publish my own tribute to Honda. But I owe a very personal debt to Soichiro Honda, and I feel obliged to add a few words to Richman's.

Those who drive the exquisite automobiles manufactured



"I didn't mind when my wife first started talking to plants, but yesterday she threw a bar mitzvah for her wandering jew!"

by Honda Motor Company feel indebted to its founder, for the comfort, performance, economy and superb engineering of their cars. Those who value liberty are indebted to Honda for his superlative demonstration of what a good man, with practically no education, can accomplish to make the world a better place, if only he is left alone by his government. These are very great debts. But, like millions of people around the world, I owe far more to Soichiro Honda.

Honda's greatest achievement, not mentioned by Richman, was the virtual reinvention of the motorcycle. Prior to Honda, motorcycles were lumbering behemoths. Few dared to ride them far from their homes, thanks to unreliable engines and butt-breaking ergonomics. They were the toys of a tiny minority of individuals who didn't mind the endless maintenance, the cloud of smoke and broken parts left in their wake, the discomfort, the high purchase prices, or the constant danger of accidents from breakdowns at highway speeds.

Honda changed all that. He was a mechanic and designer. Gas was scarce in post-war Japan, and Honda hated public transportation. He made his first motorcycles in 1948. It was a natural thing for him.

Honda was never satisfied with what he did. He always worked to improve his product. His first motorcycle was a crude two-stroke engine, requiring the user to mix oil into the gas. Within a decade, Honda was winning international motorcycle races and exporting motorcycles to the United States. The 50 cc "Cub" sold for $215, got nearly 100 miles to the gallon, and ran like a watch. It introduced motorcycling to millions who would never have otherwise known its pleasure or utility.

In the years since, Soichiro Honda and the company he founded never stopped improving and re-inventing the motorcycle. Today, you can still buy a Honda with a 50 cc engine that gets 100 mpg. You can also buy a Honda with a 1500 cc engine that you and a passenger can ride all day in comfort, a Honda that you can ride up mountains and down ravines, a Honda that will do a quarter-mile from a standing stop in less than 11 seconds and will cruise at 157 miles per hour. Soichiro Honda invented whole new kinds of motorcycles.

I got my first motorcycle in 1966, when I was still a teenager. I was living by myself and working two jobs at the time, earning money to finance my college education. I bought the bike in hopes of cutting the expense of commuting among my jobs and the place I lived. But I quickly fell in love with the freedom of the road. My bike was Italian, not much better than the clunkers with which Honda competed two decades earlier, when he began making motorcycles. I never drove it more than 50 miles without a breakdown. But I loved every mile I drove.

When my father learned about it, he made me choose between it and the financial aid he provided for my college education. I sold it. The day I got my first job after college, I bought another motorcycle. This time, I bought a Honda. Since that day, I have always owned at least one Honda motorcycle and have ridden as much as I have been able to find time.

I got my first big motorcycle in 1984. It was a Honda Silverwing, a downsized version of a touring motorcycle, designed for long distance travel. My wife and I drove it across the continent that first summer. We were punished by the long days on the dreadfully overloaded motorcycle. But the bike never complained and we saw 12,000 miles of America, feeling the texture of the land and experiencing the freedom of the open road in a way impossible in an automobile.

"Motorcycling has always been about freedom," the magazine ad said. And anyone who ever sat on a motorcycle with the road stretched out before him knows that it's true. It's not surprising that four of the founding editors of this magazine ride motorcycles.

The next year, my wife bought her own Honda, and since then we have taken as many motorcycle trips as we could manage. We have ridden about 40,000 more miles on our motorcycles. We have ridden through America's great cities, across her scorching deserts (you haven't really lived until you have driven 500 miles in temperatures above 110°), over her rugged mountains, along her wild rivers, through her small towns, through her uncivilized places. I have ridden my Honda as many as 1,000 miles in a single day.

To ride a motorcycle is to experience freedom in the most visceral way possible. "Motorcycling has always been about freedom." That's the caption in a current ad for Honda motorcycles beneath a photograph of a highway stretching out to the horizon. Anyone who ever sat on a motorcycle with the road stretched out before him knows that it's true. It's not surprising that four of this magazine's founding editors ride motorcycles.

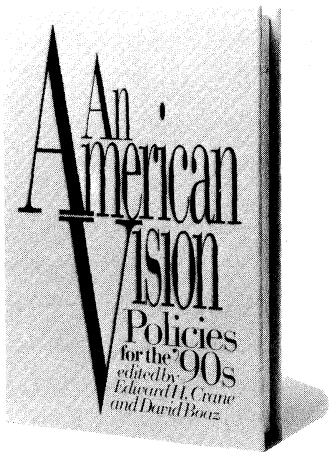
I would never have experienced this feeling of freedom, the intense physical and psychic pleasure if Soichiro Honda had been satisfied with public transportation in post-war Japan, or if he had obeyed the officials of his government who told him there was no future in motorcycles and tried to discourage him, or if he hadn't had the indomitable spirit and the devotion to continual improvement that characterized his life. For that, I owe him a lot. —RWB

"Can't you find a more realistic beard? My parents *believe* in this stuff, you know!"

Some rights are wrong — In Washington state a commission appointed by the governor is working to establish guidelines for revamping the state's health care system. In

"The high-beta think tank of the '90s will be the free-market libertarians at the Cato Institute."

— Lawrence Kudlow, "Money Politics," March 25, 1990



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mid-August the committee revealed some preliminary recommendations, which were succinctly expressed by the headline in the Seattle *Times* (Aug. 17, 1991): "Health care for everyone. Commission agrees on that, regardless of who pays for it." Could anyone, even in jest, more damningly characterize a government program?

The newspaper report led me to recall what U.S. Supreme Court Justice William R. Day once wrote (dissenting in *Wilson* v. *New*, 1917):

> Such legislation . . . amounts to the taking of the property of one and giving it to another in violation of the spirit of fair play and equal right which the Constitution intended to secure in the due process clause to all coming within its protection, and is a striking illustration of that method which has always been deemed to be the plainest illustration of arbitrary action, the taking of the property of A and giving it to B by legislative fiat.

Needless to say, the Supreme Court has not expressed such a view of the Constitution for more than 50 years.

The Washington commission envisions alternate systems for financing the state's new health-care program, which would guarantee a comprehensive set of services to which "every citizen should be entitled." One option would put the financial burden on employers and employees, another on taxpayers; or perhaps some combination of parties would finance the universal care. Individual recipients of care "would help pay for services based on their income." Regardless of the option selected from among these alternatives, many people will be forced to pay for the care of others.

Of course those others will remain perfectly free to behave as they wish, preserving or jeopardizing their health as their pleasure or caprice dictates. It's a free country. Your neighbor is free to smoke cigarettes, eat too much, drink to excess, use dangerous drugs, drive recklessly, or otherwise place at risk his and his children's prospects of physical wellbeing. You are free to pay for dealing with the consequences.

Besides the fundamental violation of genuine rights inherent in such programs, they are doomed to produce unsatisfactory outcomes. Socialism doesn't work in the USSR, and it doesn't work in Washington state. Much of the problem now plaguing the state's (and the nation's) health care system arises precisely because those who decide how to conduct their lives (i.e., what health risks to accept), whether to purchase insurance, and when to seek treatment do not bear the full costs of their treatment. When government compels third parties to shoulder the burden, in a system administered by a politically appointed "professional" commission that decides which treatments are "basic" and therefore should be a "right," the costs escalate and justifiable rights — the ones that every person can enjoy without trenching on the equal rights of others — go down the drain. —RH

One man's sensitivity is another man's callousness — A friend of mine, who doesn't share my political beliefs, sometimes suggests that I (along with others of my ilk) am deficient in caring for others. I try to remind him that *everyone's* sympathy is limited, and that individualists (like me) are sensitive to aspects of social discord that he is, in fact, remarkably insensitive to. It is not that libertarians are insensitive, but simply *differently* sensitive.

Evidence for my contention was well provided by the voting patterns for two recent ballot initiatives in the state of Washington. Voters in the rather conservative, "backwater" regions of the state overwhelmingly rejected both the pro-abortion and the euthanasia initiatives, but the more "liberal," city voters saved the abortion law, and a majority supported the doomed euthanasia law as well.

Whatever the ultimate merits of abortion and euthanasia, all should concede that support for either takes a certain degree of callousness: killing is not easy for sentimental souls. Few people uphold the value of any particular act of abortion or euthanasia as something intrinsically desirable; when defended, the value of these killings (of fetuses and the terminally ill, respectively), and of the laws allowing them, is always seen as instrumental. It is not because they like killing human organisms that collectivist liberals tend to support abortion; it is not because they hate the sick that these liberals wish to allow doctor-assisted suicides. The issues are seen as too complicated to apply compassion with a knee-jerk.

It is not because liberals like killing human organisms that they tend to support abortion; it is not because they hate the sick that these liberals wish to allow doctor-assisted suicides. The issues are seen as too complicated to apply compassion with a knee-jerk.

Left-liberals should be reminded of this. We should also call to their attention that the scare campaign directed against the euthanasia measure used the same kind of arguments that they regularly use against market capitalism: that the weak and the disturbed are most likely to be manipulated by indifferent (sometimes malevolent) professionals into making uninformed and deadly choices.

I suggest that those who are tired of modern liberals' seemingly invincible high moral ground regarding compassion study these issues, for here we find that the standard liberal rhetoric fails, and liberals are left with the same devices that the ideologically less privileged must use. —TWV

They just don't get it — The failure of centrally-directed command and control economies is admitted by just about every observer, apart from a few marginal sectaries. Even those who are emotionally crushed by the implosion of communism generally harken to some alleged "authentic" or "humanistic" impulse within the movement, not to its once touted scientific character.

Now, however, a small counter-reformation on behalf of central planning has arisen. Led by a few non-economist academics, the line of this proto-movement is, in essence, that the good guys gave up just a little too early, that computer technology would have soon come to the rescue with a new ability to rationally allocate every manner of capital and consumer goods. Probably the most succinct statement of this view to date appeared in a recent article for *The Globe and Mail* by Theodore Sterling, a professor of computer science in British Columbia. Sterling's piece is called "Tossing in the Towel Too Soon?" and the title pretty much says it all. Stating that "histo-

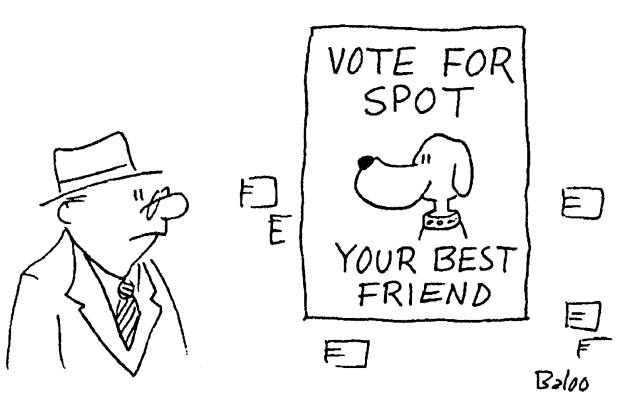
ry may record some day with irony that the communist countries abandoned central planning just when success was within reach," Sterling asks "why did central planning fail?" His answer is, basically, "lack of information-processing facilities." He has absorbed, perhaps merely through cultural osmosis, enough of the modern free market critique of socialism to realize that scarcity of knowledge is a key component thereof.

Where Sterling fails intellectually is in his lack of understanding of the fact that socialism *cannot generate* the kind of facts which a (hypothetical) efficient central planning bureau would require. Thus he sees the problem as simply one of scale. "Soviet planners have failed because they have simply been unable to exchange enough information. Is it technically possible to cope with information on this scale? Not now, perhaps, but soon . . . Technology is rapidly reaching a stage at which efficient socialist economics can become a reality." After some further animadversions on the wonders of modern data processing, Sterling opines that "It would be useful for the evolution of human society to see how well central planning can provide an adequate standard of living."

This is a truly bizarre concept. Apparently we are expected to say to the people who inflicted suffering and ruin on whole nations: "All right, you have one more chance. Try a little harder and choose your software carefully, and maybe this time you can get it right." Sorry, but that's asking for a little too much patience and forbearance on behalf of their victims. The central planners of the world should be kicked out of the ballgame for life. —WPM

Sounds of silencing — Everyone knows that the war between the present and the past has a political dimension. Few recognize, however, how far into even the most obscure corners of our culture you can hear echoes of this war. Consider the posthumous life of two American composers: Ives and Beach.

Charles Ives (1874–1954) was arguably the first modernist composer, and perhaps the first *post*-modern composer as well (he refused to stick to one tradition or aesthetic program, instead honoring, incorporating, and even *encompassing* as much music as possible). Often dubbed America's greatest composer, he is *without question* Connecticut's greatest claim to musical fame (though what the state had to do with his development is, well, disputable). So it is at least understandable why Connecticut State Senator Tim Upson (Rep.) introduced a bill to name Danbury's iconoclast the "State Composer of Connecticut."



Politics being what it is, however, this seemingly innocuous bit of legislation was fated to be twisted in the winds of current ideological fashion. Democratic Senator James Maloney insisted that the state honor, instead, *living* composers. An imbroglio ensued. What began as an attempt to declare a simple truth wound up turned into yet another program of the Distributive State: every year Connecticut arts-organizations will bestow (oh-so-democratically) on a contemporary Connecticutian the title of State Composer Laureate. Ives will serve the first year, posthumously.

The difficulty of balancing the past and the present is even more startlingly demonstrated in a current non-controversy concerning Ives' contemporary, Amy Marcy Cheney Beach (1867–1944). I say *non-controversy* because I seem to be the only person offended by what everyone is calling her these days: that is, *Amy Beach*. During her rather successful career as a concert pianist and composer of Late Romantic music (she was certainly more successful in the profession than was Ives, who made *his* living innovating the insurance business) she referred to herself as *Mrs H. H. A. Beach*. Times they have a-changed, of course, and the acceptability of a professional woman referring to herself in such a sexist way is, of course, long past. And so contemporary critics, disk jockeys, and other collaborators of the tyranny of modern mores have changed her name for her.

We do not honor an individual by making her conform to our values, rather than hers, no matter how "reprehensible" her values may seem to us.

Now, I wholeheartedly applaud the spirit of this age on the matter of married names. I find patriarchal name changing a bit unseemly. I think it would be good and progressive if women, when they married, kept their old last names. It would be even better if *both* parties to the marriage altered their names, each in honor of the other. But I am not censorious about the issue: traditionalists should have the right and propriety to choose the custom that suits them. And I abhor the disrespect involved in not calling people by the names they choose for themselves. If you wish to go by a moniker such as Amadeus, or John Galt, or even Attila, I will not deny your preference. And this courtesy, or justice, should surely extend to the dead. We do not honor an individual by making her conform to our values, rather than hers, no matter how "reprehensible" her values may seem to us.

Amy Beach should be called by the name she actually chose: Mrs H. H. A. Beach. It is what she wanted. It is the only decent thing to do.

But what would Charles Ives have thought about these issues? What would he have thought of Mrs Beach's *nom de politique* — or current feminism, for that matter — considering that his ultimate word of opprobrium was "sissy"? (He used it against his Late Romantic critics, oh-so-sensitive to his provocative, dissonant music.) And how would his naive, extravagant faith in "The Majority" have fared had he witnessed his fate in the hands of the Connecticut legislature? I am reminded

of the words of a wise poet: "The minority has the majority./ The dead are outvoted." —TWV

Malice in wonderland — For years conservatives have been telling us that the political left is heavily motivated by, or at least aims much of its appeal at, the emotion of envy, and particularly its uglier manifestations — malicious hatred of ability and achievement and the desire to destroy their fruits. That some leftists think and feel in these terms is beyond doubt. As Exhibit A, I refer the reader to Detroit *Free Press* staffer James Ricci's column of October 24.

Referring to the disastrous and freakish fire that swept the San Francisco Bay area earlier in the month, Ricci offers a few conventional tongue-cluckings, then moves on to the red meat: "[W]hen it comes to the ruined million-dollar-plus dwellings and the sudden homelessness of their owners, a small, delinquent voice inside me murmured . . . *good*. . . . What was the source of this voice? The answer, I think, is political. For the past dozen years the rich, thanks to calculated government policies, have gotten amazingly richer. . . and the poor have come to be despised as mutants who somehow deserve the squalor and terror of their benighted neighborhoods. . . . This, perhaps, is the origin of that little voice. The voice that said, *good*, as stunned people wandered the charred ruins of million-dollar homes. *Good*, as fire victims bemoaned the loss of their art collections. *Good*, at the thought that nature at least pays no homage to net worth." [emph. in original]

Here, then, is the dark, corrupted heart of populism. It goes beyond what the Germans call shameful joy — glee at the misfortune of others. What Ricci is attempting is the formalization of such *schadenfreude* into a value system. He is saying that successful people deserve and ought to receive misery, despair, the shattering of their dreams. This is disgusting stuff. I'll take the old-line Marxists any time. At least they thought they were acting in accord with the laws of history, not of mere malice.

—WPM

The genteel tradition strikes back — Until recently I had believed that one value all segments of the political right accepted, at least passively, was the idea of the rugged outdoor life. Even those who had no interest whatever in the idea of "retreatism" portrayed the notion of self-sufficient living benignly. As far as I am aware, even hopeless old stick-in-the-muds like Russell Kirk never actually condemned this particular kind of unconventional lifestyle.

Lately, though, it's beginning to look as though some of our conservative friends are developing bats in the belfry on this matter. I first noticed that something was amiss when an article on the national Libertarian Party convention by Jeffrey A. Tucker, which appeared in the September 21 *Human Events* featured the observation: "Neither Marrou nor the LP itself reflects conservative social dispositions . . . part of his pitch to the delegates was that he lived in the Alaskan wilderness for two years in the '70s which taught him 'self-sufficient living.'" A few days later, William F. Buckley devoted one of his columns to the LP. After briefly introducing Andre Marrou to his readers, Buckley opined that "Perhaps he is inactive because he is out of touch. He explained to the delegates proudly that he spent two years living in the Alaskan wilderness." There was similar sniping in *National Review* and from some of the *Chronicles* circle.

Sure, the whole issue is small potatoes, but still this seeming change in attitude mystifies me. After all, Marrou didn't march into the wilderness and launch the Alaska Free Love Free Thought Commune or commit some other red-flag offense of the type designed to bait conservatives. He simply lived for a time in a way similar to that of many of our ancestors. Has American conservatism become so narrow-minded and intolerant — or so wimpish — that the slightest deviation from the standard station-wagon-in-suburban-garage lifestyle is to be condemned out of hand? —WPM

A dubious achievement — Because the second set of Judicial Committee hearings on the nomination of Judge Thomas to the Supreme Court did not constitute a legal trial — despite the allegation of criminal wrong-doing — we are at liberty to call it anything we want. Shall it be *Hill* v. *Thomas*, or *Thomas* v. *Capitol Hill*, or *The People* v. *The Establishment*?

Whatever we call it, journalists seem to have concluded that the ordeal was some sort of "National Teach-In on Sexual Harassment." But like most media efforts at education, little got taught, and the lessons learned were not anything like what the pedagogues intended. Many had hoped that Anita Hill would become the "Rosa Parks of sexual harassment." Instead she became, in the eyes of the American public, sexual harassment's "Tawana Brawley." —TWV

A stalking horse of a different color — During the first few weeks after Lew Rockwell began his promotion of Ron Paul as a challenger to George Bush in the Republican primaries, I talked to Paul several times. "Are you running for president?" I would ask. And Paul would answer, "Almost certainly not," or "There's virtually no chance that I will." This made sense. For one thing, he didn't stand much chance of getting many votes. When he had left the Republican Party, he had denounced it in vivid terms, attacking its demigod Ronald Reagan. Political parties and their faithful seldom care much for renegades, and turn-coats who return don't get much support. Ron Paul is a politically savvy guy; he knew his chances for success were negligible. In addition, Paul had strong personal and family reasons not to run.

Paul also assured me that his campaign, if it were to happen, wouldn't do any harm to the Libertarian Party campaign, since his campaign would be aimed at Republicans. When I asked him whether he thought fund-raising on his behalf might make it tougher for the LP to raise funds, he told me that any fund-raising would be aimed at Republicans.

But reports continued to reach me from certain libertarian-oriented Republicans that Paul was telling them a different story, saying that he would announce very soon. This left me wondering whether Paul was as straightforward as he had always seemed. So I told Paul about these claims and asked whether he had ever told anyone that he would run. "They never heard that from me," he said.

But when Lew Rockwell organized the Ron Paul for President Exploratory Committee and began raising funds, I figured out what was going on. Rockwell was using Ron Paul as a stalking horse for conservative pundit Pat Buchanan, who had long been exploring the possibility of challenging Bush in the primaries. For the past couple of years, Rockwell and Buchanan have promoted each other. Buchanan has given Rockwell

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The Thomas- Hill Affair

The High-Tech Lynching

by Jane S. Shaw

In recent years I have generally been proud to be an American and I have agreed with Winston Churchill that democracy, with all its flaws, is the best system of government. On October 11, 1991, my pride in America was shattered and I lost most of my faith in democracy. The Clarence Thomas "hearing" on sexual harassment proved that in the U.S. today there are no limits to the lengths to which elected officials will go to destroy their enemies. People who justify abortion on the grounds of a constitutional right to privacy saw no problem in peering without restraint into the most private life of a nominee for high office.

The Senate Judiciary Committee "hearing" was not about sexual harassment; it was, in Clarence Thomas's words, a "high-tech lynching." A mob of fanatic women and senatorial vultures set upon Thomas, erected a hasty gallows, and brought in a member of his race to tie the noose.

Whatever occurred or did not occur privately in the past between Clarence Thomas and Anita Hill should have remained private, unless Anita Hill chose to bring charges in a court of law. Only an institution that has abandoned all recollection of human decency would have subjected any person to a public ordeal that had no rules of evidence, no burden of proof and, above all, no stopping-rule. In a court proceeding, Thomas would be vindicated or legally convicted. Instead, as with the 17th century witchhunts, the method used to find out "the truth" was torture.

Most of these words were written halfway through the hearings. Some of my faith in majority rule was restored on October 15, 1991, when, to my amazement, the Senate confirmed Thomas' nomination. I was so surprised by the outcome that I began to think that my initial horror at the hearing must have been intemperate. After all, as the interrogation went on, I too became used to hearing on C-Span the kind of language that wouldn't be allowed on the David Letterman show, and I too began to treat the inquisition as though it was a legitimate part of the democratic process.

It appears that people were more judicious than I expected. Twice as many people believed Thomas as believed Hill, according to a New York *Times*/CBS News poll, but, more important, 56% of the people polled said that "if there was a doubt about whether the charges are true, he should be confirmed." After all, Hill was not even claiming that her career was hampered in any way by what Thomas had said or done; she was telling the world that his character is objectionable. The majority of viewers seemed to believe that at least the standard of proof required for a civil trial should have been necessary to reject the nomination. Perhaps they even favored the more stringent degree of truth required in a criminal trial (beyond a reasonable doubt). Furthermore, 59% thought the questions and testimony "[went] too far in what should be allowed in a public hearing." (Thirty-three percent thought they were appropriate.) These findings suggested that people generally had a sense of balance about the whole thing.

In spite of this partial restoration of faith, I will never forget the mixture of horror, sorrow, and sense of complicity I felt when the hearings began. This is the reaction I have always felt when I have seen discrimination against blacks in this country. For many women, Anita Hill's accusations evoked personal memories of sexual harassment, but to me, the hearings were a surrealistic re-enactment of the hatred, disparagement, and sexual stereotyping of the Negro that blots this nation's past. This fear and stereotyping was the cause of the American lynchings that occurred as late as the 1950s, but even more importantly are at the root of an excruciating self-hatred and guilt that I have read about in books like Toni Morrison's *Beloved* and which, I suspect, many blacks live with today.

The inquisition, with its humiliating examination of a racial stereotype, represented to me a kind of implosion of the civil rights movement.

I was an early recruit to civil rights. Starting in the 1940s, my family was part of a small but growing number of people, black and white, who tried to end segregation and discrimination against blacks in the St. Louis area. When I was about five years old, my parents sent me door-to-door in my neighborhood in Webster Groves, Missouri, asking my neighbors to vote yes in the next election so that I could go swimming next summer. The city government had recently built a swimming pool with taxpayer money, but did not admit Negroes, even residents of Webster Groves. Someone pointed out that this might be unconstitutional, so, in response, the city authorities closed the pool to everyone. The ballot proposal I advocated would reopen the pool the next summer on an integrated basis. (The proposal passed.)

Whatever occurred privately in the past between Clarence Thomas and Anita Hill should have remained private — unless Anita Hill chose to bring charges in a court of law.

My father, a clergyman, preached against segregation and attempted to integrate his suburban congregation (losing members along the way). Although he officiated at many weddings, he refused to attend any wedding receptions at clubs that excluded blacks. My sister entered government service to combat discrimination, first at the Missouri Commission on

Human Rights and later at the EEOC, where she is today. As for me, I was a civil rights activist during the Mississippi Freedom Summer in 1964.

Our actions were aimed at ending the blight of segregation and discrimination against blacks that we felt had undermined American and Christian principles. We felt that the civil rights movement was the way to correct this tragic legacy.

That civil rights movement has been over for a long time, but on October 11 it seemed to me as though it had never occurred, that we were back in the 1960s all over again, except that the killing wasn't occurring off a back road near Philadelphia, Mississippi, but in a dreamlike Kafkaesque trial on national television with everyone watching.

Today, the civil rights movement is a bitter and divisive system of privilege allocation. As far as I can see, this system benefits educated white women more than anyone else. They have made the most of the privileges provided by the Civil Rights Act of 1964 and subsequent affirmative action programs. No one who has read Thomas Sowell's analysis of affirmative action throughout the world would find this surprising. "Within the groups designated by government as recipients of preferential treatment, the benefits have usually gone disproportionately to those members already more fortunate," he wrote in *Commentary* (December 1989). "Group polarization has tended to increase in the wake of preferential programs...."

While achieving special privileges, educated white women (and their spokespersons) have perpetuated the myth that women (all women, not just minority women) are especially deserving of help. The evidence for this myth is the relatively low (but rising) representation of women in many parts of the work force. Since the reason for this non-proportional representation cannot be poor education or lack of money (these characteristics don't differentiate white women from white men), it must be sexual discrimination — or possibly a disadvantaged upbringing that makes women afraid of math and hard sciences, cautious about entering certain professions, and reluctant to assert themselves in a wide variety of conditions. A superstructure of regulation and subsidy has been developed to combat both discrimination and these supposed disadvantages.

While achieving special privileges, educated white women (and their spokespersons) have perpetuated the myth that women (all women, not just minority women) are especially deserving of help.

As an opponent of affirmative action, Clarence Thomas threatened the system of allocation that has resulted. I don't think that women were out to get him at the start; his enemies were the Democratic Party and the leaders of "civil rights" organizations. But when the sexual harassment issue surfaced, they were ready.

The concept of sexual harassment, especially as embodied in Anita Hill's accusations, approaches the outer limit of how far an idea — protecting people against job discrimination — can be stretched. Sexual harassment means something in a noncompetitive economic system in which most female workers are poor or truly disadvantaged in some way. But for most of the people who have been suddenly so vocal about it, the concept strikes me as absurd and interlaced with hypocrisy. It assumes a frailty and inability to cope with pressure that is belied by the job success of many of the women who complain about it.

Pressure to engage in sexual behavior in order to receive promotions is certainly deplorable. Such pressure ought to be curtailed by the company where it occurs — it is in the interest of the owner to do so — but when management fails to stop such pressure, the solution in a competitive society is for the pressured employee to leave. This solution is increasingly at odds with today's prevailing idea, promoted by court decisions, that once a worker has a job, he or she has the right to keep it. That is unfortunate since competition for employees disciplines employers far more effectively than government regulation, just as competition for sales disciplines producers.

The sexual harassment that women complained about during the Thomas hearing is a far cry from this kind of pressure. It involves, as virtually everyone knows by now, primarily talk, gestures, and pictures of a sexual nature. Here, too, if an individual can't stop this behavior, the proper remedy is to quit, as Robert Townsend, author of *Up the Organization* pointed out long ago. "If you're surrounded by witless slobs, join another company," Townsend said in his "Guerrilla Guide for Working Women."

The Wall Street Journal focused on this kind of harassment in a special editorial section published after the hearing (on October 18). It selected for its one case history the experience of a woman who tried to break into the male ranks on a metropolitan police department. The harassment that Ramona Arnold experienced in Seminole, Oklahoma was surely nasty and it involved sex-related materials and actions such as pornographic pictures and bathroom graffiti. It should have been stopped. But it took place in a highly political, probably unionized, government-run monopoly, where the discipline of the market was not present and her supervisors had little pressure to restrain objectionable behavior. In such a setting, an independent agency designed to protect employees may be appropriate. Thankfully, this situation does not represent the kind of environment that most people work in.

I'm skeptical about sexual harassment simply because during more than twenty years in the workforce, I never experienced anything that I would call sexual harassment. I have, however, experienced some awkward on-the-job situations that were related to sex, just as I experienced awkward off-the-job situations of a sexual nature. They undoubtedly reflected uncertainty about appropriate behavior, especially as mores changed over the past couple of decades.

Certainly, all people have to learn how to deal with the sexual side of their lives. Women have always had to deal with sexual advances, wanted and unwanted, and with behavior they consider crude. Exactly what is inappropriate is a matter of personal judgment and it may change over time. *Wall Street Journal* columnist Paul Gigot recently wrote about a film honoring congressman John Dingell. In it, his wife illustrates her husband's persistence by saying: "As the story goes, he asked me out more than a dozen times before he finally got me to say

yes. I finally said yes just to get him off my back!"

I have one remaining concern about the hearing and its outcome. Clarence Thomas prevailed because he defied expectations and came out swinging. He denied all charges and challenged the underlying racial stereotype that he was being made to represent. The price of his doing so may have been to lie about some things.

It is possible that some of the events described by Anita Hill are true. If so, they were isolated incidents and not reflective of Thomas's general demeanor or habits; nor was Hill's professional life harmed by them. They would not constitute a reason to deny him the nomination.

But if they are even in small measure true, Clarence Thomas lied. If that is the case, I'm sorry, because I hold to the view that people should be truthful.

Thanks to this unprecedented event, however, I now know more about the conditions under which lying may be acceptable. R. W. Bradford already speculated in the last issue of *Liberty* that Thomas may have misrepresented his views on legal issues during the original hearings. If so, said Bradford, "the worse that can be said of him is that he is playing politics by the same rules as those politicians who are grilling him." In political trials, it may be that if the only winning strategy is to admit nothing. Otherwise, you start on a slippery slope that will end you in a snake pit.

If Bradford's argument is fair, it applies much more sweepingly to Clarence Thomas' second ordeal. In a witchhunt and a kangaroo court, lying may be justified. My view today is this: If my particular torture was the public revelation of highly personal, private activities that caused no one harm, and if this information was presented in excruciating detail before a national audience, evoking degrading stereotypes whose images had already afflicted me during much of my life, and if, in some important way, I represented the hopes of many people who shared my color and my background, and especially the hopes of my mother, I would feel that God would forgive me if I denied the facts to my interrogators. ❑

The New Alger Hiss

by David Friedman

The scene is a congressional courtroom. A prominent public figure is defending his reputation against a voice from his past. The nation is watching. One of the two is lying — but observers divide, largely along political lines, on which. The accused party denies everything, argues that such an upright and thoroughly respectable person as himself could never have done such a terrible thing, and indignantly attacks the committee for subjecting him to such charges. The other side responds by pointing out that, if the accusation is true, the defendant has every incentive to deny it; if it is false, the accuser has no reason to make it. The defense replies that the accuser must be mentally unbalanced.

It could be *Clarence Thomas v. Anita Hill* in 1991. It could equally well be *Alger Hiss v. Whittaker Chambers* in 1949.

There are a lot of similarities between the two cases. Clarence Thomas was a former head of the EEOC and a federal judge. Alger Hiss was a former state department official and the President of the Carnegie Endowment for World Peace. Both were highly respectable people forced to defend themselves before a congressional committee against charges of wrong-doing. Thomas' accuser, Anita Hill, had been his employee and protégé; Hiss' accuser, Whittaker Chambers, had been (by his account although not by Hiss') a close friend of Hiss. In each case, the accuser was willing to submit himself to a lie detector test; the accused was not.

Clarence Thomas was a graduate of Yale Law School; Alger Hiss was a graduate of Harvard Law School. Thomas was accused of having committed sexual harassment some ten years prior to the accusation; since the statute of limitations on the offense had expired, the accusation was a danger only because of its effect on his reputation and future career. Hiss was initially

The Hiss case, like the Thomas case, became for many a symbolic combat between the forces of good and the forces of evil. Hiss eventually went to jail for perjury, but to this day there are people who still believe he was innocent.

charged with having been a communist, and eventually with having turned over State Department papers to Chambers, then a Russian spy, some ten years earlier. In that case too the statute of limitations had run. Hiss denied Chambers' charges in order to protect his reputation and maintain his job as president of the Carnegie Endowment. In each case the charge involved a sort of professional treason — loyalty to a foreign power by a member of the State Department, sexual harassment by the official in charge of preventing sexual harassment.

In both cases, which side you supported depended in part on whether you believed the charges were true, and in part on whether you thought they mattered. Few of Thomas' defenders were willing to say publicly that talking dirty to a female subordinate ten years ago is no big thing, but I suspect that many of them felt that way. Many of the left-liberals who supported Hiss surely felt that what he was originally charged with — having once been a communist party member — was not a very serious sin. The Hiss case, like the Thomas case, became for many a symbolic combat between the forces of good and the forces of evil. Hiss eventually went to jail for perjury, but to this day there are people who still believe he was innocent.

There were, of course, some major differences. Hiss and Chambers, unlike Thomas and Hill, eventually fought out their battle in the courts. Hiss sued Chambers for libel; the case ended in a victory for Chambers. Hiss was himself indicted for perjury. The first trial ended in a hung jury. The second ended with Hiss convicted of perjury and sentenced to five years in jail.

One reason for the different outcome was that Hiss and Chambers, unlike Thomas and Hill, disagreed on facts about which it was possible to produce some real evidence. What eventually swung the committee to Chambers' side was a certificate of title showing the sale of a car that had once belonged to Hiss — a year too late to be consistent with Hiss' account of the transaction, and under circumstances strikingly consistent with Chambers' version. Without that, and a few

similar scraps of evidence, Hiss' strategy of blanket denial and indignant attack might have been as successful as Thomas' similar strategy forty-two years later. Chambers finally won his libel case, and ended Hiss' career, by producing documents and photographs of documents giving inside state department information — some typed on Hiss' typewriter and some written in his handwriting.

A second difference was in who was on which team. Hiss was a prominent New Deal liberal; his opponents were conservatives and anti-communists. Thomas was a conservative; his opponents were liberals and feminists. In both cases the accused was on the same side as the administration in power. Both were, in part, an attempt by the outs to get at the ins. Harry Truman was not very far left — but then, George Bush is not very far right.

The final difference was the outcome. Hiss lost; his defeat contributed directly to the career of Richard Nixon, a prominent member of the congressional committee before which he testified, and indirectly to the career of Joseph McCarthy. It became much easier to argue that people in high positions might be communists after one of them had been convicted in a court of law. Thomas won; it is too early to say what the effect will be on the intertwined issues of race, sex, law and politics that became, in various ways, what the two sides were fighting over.

I think there is a lesson to be learned from the similarity between the two cases, beyond the familiar observation that history sometimes repeats itself — not a lesson about Hiss and Thomas but about their supporters. One result of the Hiss case and its sequels was a clear division between liberals and conservatives on the question of means. The view of the liberals was that the whole procedure of summoning prominent people before a tribunal to force them, under oath, to affirm or deny accusations about their past misdeeds was fundamentally demeaning to the participants and corrupting to the political fabric of the nation. It led inevitably to smear tactics, leaks, guilt by association, friend betraying friend under pressure — a demagogic witch hunt. The conservative reply was that a witch hunt was not such a bad thing when there were real witches about. If Alger Hiss had been a communist spy, there might be others. Public hearings were a way, perhaps the only way, of alerting the public to the danger of traitors in their midst, communists in high places.

Each side said, and believed, that its position was one of principle. And yet, when the roles were reversed, when it was a prominent conservative who stood publicly accused of something that liberals strongly disapproved of, the two sides promptly switched principles. Suddenly it was the conservatives who found the whole process demeaning and corrupting and the liberals who found it useful, the conservatives who believed that public muckraking was a bad thing, and the liberals who believed that if the muck was there it ought to get raked, as publicly as possible. ❑

Sex, Race, and the Single Gentleman

by Richard Kostelanetz

As a single gent who has never worked in an office, I've always envied those who do, in part for access to nubile women in a circumstance more comfortable than, say, a singles bar. One inadvertent result of the nationally televised "sexual harassment" hearings may well be killing the possibility of office romance and thus — since most Americans work in offices — jeopardizing the rates of marriage and procreation for a decade. You'd think the "pro-life" forces would be the first to complain.

Perhaps we should regard as a meliorating effect the introduction onto national television of certain images unique to pornographic films, which were described with a vividness previously reserved, at least in New York City, for a single (easily blockable) cable channel after 10:00 p.m. Not only may Anita Hill's testimony prompt a boomlet in porn sales and rentals, but, should any censor later object to such pornographic descriptions over home broadcasting in the daytime hours, the obvious defense would be that not only Professor Anita Hill but several senators did it first!

Credit for publicizing the secret, unconfirmed FBI report goes to Nina Totenberg of National Public Radio, the same woman who — it should not be forgotten — exposed Douglas Ginsberg's marijuana smoking several years ago. That earlier journalistic punch not only forced Ginsberg to withdraw his nomination, it implicitly made it more difficult for anyone of his generation — anyone born after 1940 — to be nominated to such a high position, simply because nearly all of us, even the most conservative of us, have been exposed to pot. Since Thomas was nearly defeated, might not one result be making it less likely that any healthy heterosexual be nominated? Won't another result be a Supreme Court of David Souters? Can I be the only one wanting to withhold my contribution to my local NPR station?

With one ambitious black person exposing another in a national forum, I was reminded first of the "battle royal" in Ralph Ellison's *Invisible Man*, where young blacks bloody one another to the amusement of whites, and then of Abbie Hoffman, nearly a quarter century ago, calling Judge Julius Hoffman, presiding over the Chicago Seven trial, a "shanda for the goyim," which is to say a Jew implicitly working for the gentiles and thus, by extension, a traitor to his tribe. A similar charge could be aimed at Nina Totenberg, whom I assume to be Jewish; for by discrediting Douglas Ginsberg, who would have been the first Jew on the Supreme Court since Abe Fortas, she initiated processes that ultimately caused the selection instead of Anthony Kennedy. If Thomas had not been confirmed (and remember that it was a close call), one result of liberal passions could have been the opposite of what such liberals say they desire — a lily-white Supreme Court. If NPR were to exemplify the fidelity to the truth it expects of others, it should advertise itself, especially during its fund-raising campaigns, as "the network that brought you a Supreme Court that is *Judenrein* [to use the Nazi term for "clear of Jews"] and was, nearly, *Schwarzenrein* as well."

To my mind, a principal theme of the debate over the Thomas nomination was racism, which is to say the reluctance of too many people, both white and black, to accept in a black person an independence and intellectual complexity, an ambition to overcome stereotype, that would be perfectly acceptable in a white. When Eleanor Holmes Norton, for one, asked that Thomas be closer to "his black roots," she was really asking that he be subservient to black publicists, such as herself, to

a degree that would not be required of a white, no matter how "liberal." If, like myself, you can't imagine a feminist "activist" saying something similar of a female nominee, or a Jew of a Jew, you can measure how far African-American "leaders" have not yet come.

Similarly, the implicit theme of Anita Hill's testimony was attributing to the short, bespectacled, portly Thomas the stereotype of the oversexed darky who might want to seduce, marry (and then betray) your daughter. Nothing seemed to undermine the earlier characterization of Thomas as a "self-hating black" than another African-American's portrayal of him. I found it surprising that no one publicly noticed, given the presence of Thomas' hyper-caucasian wife beside him, that Ms Hill "may not be his type at all."

To my mind, Thomas' principal historical achievement was getting support from kinds of white Americans, beginning with Strom Thurmond (!), who had never before backed so wholeheartedly an African-American for such a high political office — to take his place in the political major leagues. In this respect, as well as his behavior during the Senate process, Thomas reminded me more than once of Jackie Robinson. If this isn't extending Jesse Jackson's "rainbow coalition," that epithet is a fake.

It seems to me that too many of us have been far too generous in automatically believing the accusers in charges of sexual harassment and child abuse — crimes that have no witnesses other than the purported victim, to which there is thus no real defense other than the defendant's reputation and perhaps the absence of others similarly victimized. Nothing more indicates how softly Anita Hill was treated, even by the big bad Republicans, than the fact that she was never asked about similar "harassment" in other situations in which she worked — never. Am I being too obvious to suggest that just because sexism (or racism or anti-Semitism) exists doesn't mean that every accusation of it is necessarily true?

What is ultimately being tested here is faith in a certain feminist ideology — whether someone believes that all male bosses harass female employees and thus that all accusations of harassment are necessarily true, no matter how long ago the affront purportedly happened, no matter how unlikely it seems, no matter that such charges suffer from the lack of either a witness and, most important to my mind, another victim similarly situated. After the rebuttal by not one but over a dozen women who had worked with Thomas, it seemed to me that only if an observer subscribed to the ideology, if one were a true believer, would he or she still support Anita Hill (and think Anita Hill's testimony should be the principal reason for voting against Thomas). I wonder whether uncorroborated charges such as Hill's will be so facilely acceptable after one prominent accuser is, in one way or another, exposed as faking?

Just as I did not believe Clarence Thomas' assertion that he had no opinion on *Roe* v. *Wade*, so I didn't believe Hill's claim under oath that no "individuals or organizations" approached her about embarrassing Thomas. As Juan Williams, among others, has reported (and Orrin Hatch has publicized), there were individuals and organizations scouring the country for "dirt on Thomas." Were Hill to be indicted for perjury, the prosecution should start by questioning the veracity of that statement. Thomas could be proved a liar by finding someone who remembers him expressing an opinion on Roe-Wade a decade ago; an investigation of Hill should begin by checking telephone records. Another difference between them is that Hill works as a university professor and thus in her everyday job has more opportunities than a federal judge, say, to get away with fibbing. Though Thomas, ever the gentleman, never attacked Hill directly, he did question her pretense of passive innocence, as did others after him — a meekness that seemed further incongruous before the fact that, speaking under oath, most of the other women from Thomas' office seemed a helluva lot more assertive than Anita Hill. (One fundamental difference in the duel was the authority of the purported witnesses — whereas Thomas had thirteen female colleagues from his office, Hill had only a four-person rainbow coalition of those who, since they worked in other offices, knew her story only second-hand. How many males would be able, if similarly charged, to get as many solid-looking women to support us?)

The real racism evident in the confrontation was the reluctance of too many people, both white and black, to accept in a black person an independence and intellectual complexity, an ambition to overcome stereotype, that would be perfectly acceptable in a white.

Too many commentators had trouble identifying Hill's "motives." It seems obvious to me that, thanks to leaks to the press (and then the urgings of her mostly white handlers/exploiters), she got caught up in having to defend publicly the stories she had occasionally told privately. It is interesting to speculate why some acquaintances of hers heard these stories, while others did not, beginning with female colleagues in the office, and why as well the stories were not known to friends or professional colleagues she shared with Thomas. The woman academic historian who had once worked in Thomas' office noted that African-American history is filled with conspiracies accounting for the lack of black advance, implicitly raising the question of whether on a subconscious level Hill might have craved this week of celebrity as a heroine risking martyrdom; and as the author of his own recently published book of black history, I am willing to wager pfennigs against dollars that on this level Anita Hill will realize a certain immortality. ❑

Clarence and Zora

by Bill Kauffman

We all learned so much from watching Clarence Thomas run the gauntlet of Senate windbags, indignant anchorpersons, and the phalliphobic bitches who make feminism so difficult to caricature. We learned that U.S. Senators are the only men in America who can say "Long Dong Silver" without cracking a smile; we learned that Richard Epstein's *Takings* contains heretical opinions to which no sane man can assent; we learned that "the women of America" are far more relaxed, tolerant, and fair-minded than the shrieking viragos who presume to represent them in the Imperial City.

What we did *not* learn was that Justice Clarence Thomas

has a fascinating intellectual lineage that threads through Malcolm X, Thomas Jefferson, Booker T. Washington, Richard Wright, and Thomas Sowell. The judge's closest ancestor, however, is the current darling of multiculturalists and Dead White Male-bashers, the novelist and folklorist Zora Neale Hurston (1901–1960).

We are experiencing something of a Hurston revival, thanks largely to Robert E. Hemenway's 1977 biography and Alice Walker's moving 1975 essay, "In Search of Zora Neale Hurston." College curricula are incorporating Miss Hurston's works; Afrocentrists are demanding that her novel *Their Eyes Were Watching God* (1931) be enshrined in the American canon alongside *Moby Dick, Huckleberry Finn* and *The Great Gatsby*. Hurston's rediscovery is a wonderful thing, but her politics — dismissed by one admiring scholar as "naive and dangerous" — keep getting in the way. Miss Hurston, you see, was a proud daughter of the South, a patriotic black nationalist, and a believer in limited constitutional government. When she talked politics, which she often did, she sounded an awful lot like Clarence Thomas.

Hurston was rooted in the rural South and raised by a Baptist preacher and a schoolteacher. Her hometown of Eatonville, Florida was, as she boasted, "the first attempt at organized self-government on the part of the Negroes in America." (Her father served three terms as mayor.) Alice Walker called Eatonville "a self-contained, all-black community where loyalty and unity are taken for granted. A place where black pride is nothing new."

What we did not learn from the hearings was that Justice Clarence Thomas has a fascinating intellectual lineage, one that includes a current darling of multiculturalists and Dead White Male-bashers.

Justice Thomas grew up in similarly healthy surroundings. In an interview with me in the November 1987 issue of *Reason* magazine, Thomas described life with his grandfather and hero, Myers Anderson: "We lived out in the country during the summer; we had chickens and hogs and corn and beans, but the staples we had to go to the grocery to get. When we came back with all these groceries [my grandfather] would go by peoples' houses, older people in particular, and he would just drop the groceries on the porch. Or if he harvested something, he'd just put it there and leave. If somebody's house burned down, he'd go start marking it off and we'd start building another house . . . There was a feeling that you had an obligation to help other people but it didn't come from government."

Her sturdy upbringing immunized Miss Hurston against cheap despair: "I am not tragically colored. There is no great sorrow dammed up in my soul, nor lurking behind my eyes . . . I do not belong to the sobbing school of Negrohood who hold that nature somehow has given them a lowdown dirty deal and whose feelngs are all hurt about it. . . . No, I do not weep at the world — I am too busy sharpening my oyster knife."

Self-help and black pride were the twin pillars of Hurston's political program. She scorned the incipient welfare state as "The Little White Father" and she insisted, "I do not share the gloomy thought that Negroes in America are doomed to be stomped out bodaciously, nor even shackled to the bottom of things . . . No, we will go where the internal drive carries us like everybody else. It is up to the individual."

Justice Thomas displays the same stubborn individualist streak. "I didn't come from the leadership ranks," he told me. "I came from the people that they're leading. My grandfather: that's the guy who got me out. It wasn't all these people who are claiming all this leadership stuff. It was this old man and this old woman."

He criticized civil-rights organizations that "tell minority kids that it is hopeless out there. Why is it hopeless? Because the government isn't spending enough money. . . It will always be hopeless if that's the reason. You don't have any control over that. What you do have control over is yourself. They should be telling these kids that freedom carries not only benefits; it carries responsibilities. You want to be free? Then you've got to earn your own living. You've got to learn how to take care of yourself, learn how to raise your kids, how to go to school, prepare for a job and take risks like everybody else."

Hurston confounded even her most enthusiastic boosters with her disparagement of the 1954 *Brown* vs. *Topeka Board Of Education* decision. She hated Jim Crow (witness her biting 1945 essay, "Crazy for This Democracy," in the *Negro Digest*) but she also chafed at what she thought was the condescension of the integrationists. "The whole matter revolves around the self-respect of my people," Miss Hurston wrote. "I regard the ruling of the United States Supreme Court as insulting rather than honoring my race. . . . It is a contradiction in terms to scream race pride and equality while at the same time spurning Negro teachers and self-association."

This is not separatism; it's spirit. Clarence Thomas played the same note in our talk: "I went to segregated schools. You can really learn how to read off those books — even if white folks aren't there! I think segregation is bad, it's wrong, it's immoral. I'd fight against it with every breath in my body. But you don't need to sit next to a white person to learn how to read and write."

Like Thomas, Hurston was chastised by the NAACP for her heterodox views. Roy Wilkins denounced her in language that critics of Thomas' nomination recycled: "Now is no time for tongue-wagging by Negroes for the sake of publicity. The race is fighting a battle that may determine its status for fifty years. Those who are not for us, are against us."

Henry Louis Gates, Jr., who has helped bring Hurston the wider audience her writings deserve, credits her with a "complexity that refuses to lend itself to the glib categories of 'radical' or 'conservative,' 'black' or 'Negro,' 'revolutionary' or 'Uncle Tom.'" She carried Eatonville within her, as Clarence Thomas carries Pin Point, Georgia and Myers Anderson. The lessons learned in small, nurturing communities are not easily translated into the boilerplate of conventional politics.

To those who listen only to the tedious dialogue of left and right, Zora Neale Hurston must seem an incoherent fool. She preached black cultural self-awareness and wrote paeans to Senator Robert Taft in the *Saturday Evening Post*. She was, as biographer Hemenway notes, "a Republican conservative and yet an early black nationalist." She was feisty and independent. She would've loved Clarence Thomas. ❑

Happy Anniversary, National Park System!

by R.W. Bradford

Welcome to your National Parks, where development is preservation, where the monopoly profit of developers is the common good, and where America's Revolution is celebrated by measures the Redcoats never had the nerve to try.

Enjoy your visit!

When I was editor of my college's student newspaper, some 25 years ago, a friend and I wrote a story that annoyed the newspaper's "advisor," the school's public relations director, to the point that she insisted we print an apology. When I advised her that the order amounted to censorship, she handed me a copy of the newspaper's "charter," a document drawn up by the college's administration. The document listed several ways the administration (and she, as its representative) was entitled to control what we published. When I mumbled something about "freedom of the press," she referred me to the preamble to the document. Sure enough, it proclaimed freedom of the press a sacred right and guaranteed that no one in the administration could interfere with the editorial policy or content of the newspaper. The apparent theory behind the charter was that we were free by virtue of the preamble, so the controls spelled out elsewhere could not amount to censorship. Stating a contradiction baldly, apparently, made it no longer a contradiction.[1] The theory behind the National Park System is a lot like that charter.

The rationale for creating national parks, especially in recent years, is to preserve wilderness before it is all destroyed. Yet the very creation of national parks invites development, destroying the very wilderness it is intended to protect. Indeed, the designation of a piece of land as a national park almost entails development, if only because the National Park System has developed political support for itself by publicizing its units.

"Canyonlands preserves an immense wilderness of rock at the heart of the Colorado Plateau."

That's the very first sentence in the elaborately printed informational brochure you get when you enter Canyonlands National Park.

Canyonlands is a huge tract of land at the confluence of the Colorado and Green Rivers in central Utah. It is about as inhospitable a piece of land as one can imagine. Travel is almost impossible: the topography is about half vertical and half horizontal. The area gets practically no rain, so it has scant agricultural value. Prior to its designation as a national park in 1964, Canyonlands had seen only two brief periods of development: in the 1930s, the Federal Grazing Service drilled two deep wells and converted 90,000 acres of its relatively flat top into grazing land; in the 1950s, the federal government encouraged prospectors to mine uranium there. Aside from these incursions, Canyonlands remained about as unvisited as any piece of land in the country: occasionally an adventurous person or two would mount a horseback expedition into it and return telling of its ruggedness, beauty and inaccessibility. More characteristic of human intervention was the escape of several outlaws into it in 1924. The police didn't bother to follow them, figuring their death inevitable.

But in 1964, Canyonlands was

1. The legal mind behind the document, I was told, was the college's Vice President for Legal Affairs, Phillip N. Buchen. In the years since, Buchen has enjoyed positions of influence and authority in Washington, D.C. by virtue of his friendship with Gerald Ford, the ignoramus politician whom Richard Nixon plucked from obscurity and appointed Vice President, holding the distinction of being the only President of the United States never elected to any office larger than a single congressional district. Buchen is currently in charge of "solving" the Savings-and-Loan mess.

made a National Park. The Park Service removed the cattle, paved the road through the pasture, punched roads to a few points overlooking the canyons, and built a Visitor Center. They closed most of the rough tracks that the uranium miners had cut a decade earlier, except a single road around the lower rim, which they improved.

The overwhelming majority of park visitors never go into the canyons at all: they drive to the Visitor Center, get pamphlets, watch the movie, drive to the overlooks and leave. I spent 2 days in the canyons last summer, during which time I saw only 6 other vehicles. The ranger told me that it is far more popular in the spring and fall, when temperatures are not so hellish. In fact, he said, the campgrounds (totalling about 45 campsites, some authorized to hold up to 20 people) are often totally booked.

At one overlook, the Park Service has provided a sign pointing out a long-abandoned track below, explaining that the damage done to the planet by the thoughtless miners would last a long time. Curiously, its discussion of the other road below, also built by miners but now maintained by the Park Service for the convenience of tourists,

Several outlaws escaped into Canyonlands in 1924. Police didn't bother to give chase, figuring their death inevitable.

didn't mention the damage to the planet. Nor was there any suggestion that the building of roads, picnic areas, the Visitor Center, or the campgrounds also might have damaged the planet. Nor was there any mention of the damage done by the idiotic and uneconomic sinking of wells and development of its topland for grazing. Nor was there any mention of the fact that the miners who put in the roads so injurious to the planet and the ecosystem were operating on government land at the behest of the government.

Were it not for the actions of government — the development of grazing, the encouragement of mining, and the development of the land as a national park — the area would remain practically pristine, thanks to its rugged topography and hostile climate. As it is, about 300,000 people visit it each year.

In the case of National Parks, development is preservation, and preservation is development. We know it is, because the laws creating national parks say so, and because the literature distributed by the Park Service says so. In the National Park Service brochure I quoted, three sentences after explaining that the National Park "preserves an immense wilderness," explains, "Few people were familiar with these remote lands and rivers when the park was established in 1964." To assert a contradiction baldly is to make it no longer a contradiction. Censorship is freedom. War is peace.

The Parks' Purpose

National parks were designed for two conflicting purposes, preservation and use. The legislation establishing Yellowstone, the first national park, spelled it out: the Secretary of the Interior was to "provide for the preservation from injury or spoliation of . . . natural curiosities or wonders within said park and their retention in their natural condition . . ." but the land was to be "dedicated and set apart as a public park or pleasureing-ground for the benefit and enjoyment of the people."

The bureaucracy that administers the parks acts like any bureaucracy: it seeks to maximize its own well-being. Its funding comes from taxpayers via Congress, which tends to respond to its highly motivated constituents. The most highly motivated citizens have businesses that profit from the tourism engendered by the parks and tourists who use the parks. Tourist businesses are interested primarily in high traffic in the parks. Tourists are interested primarily in developing the parks and keeping the cost of park usage low. Both seek development; preservation is a low priority. So it comes as no surprise that the parks have been developed for use rather than preserved.

In the past few years, a third constituency has arisen: lovers of wilderness, whose interest is in preserving the wildness and ecological integrity of the parks. Just about the only use they approve of is low-impact hiking. This group grew out of the environmental movement of the early 1970s, and its members have never been very numerous. They are nevertheless very articulate and relatively wealthy, so their influence exceeds their numbers. Even so there are far fewer wilderness lovers than tourists, and their funding for lobbying is dwarfed by that of tourist-

Were it not for the actions of government — the development of grazing, the encouragement of mining, and the development of the area as Canyonlands National Park — the area would remain practically pristine, thanks to its rugged topography, and hostile climate. As it is, 300,000 people visit it each year.

related businesses. In addition, evidence suggests their numbers peaked around 1975 and they are now declining.[2] Consequently, they tend to lose most battles against high-impact users.

Of course, the environmentally sensitive have managed to keep portions — often large portions — of many parks in a wild state. This is not surprising: many parks are so huge that ordinary tourists have little interest in substantial portions. But environmentalist victories in preserving wilderness have been limited to the less beautiful or otherwise less desirable portions of parks. Furthermore, these victories are temporary. So long as parks are under political control, the biggest users' wishes will ultimately prevail. Right now, the family tourist is satisfied with the Yosemite Valley proper, and is happy to leave much of Yosemite National Park to wildness and low-impact backpackers. But as the pressure of population increases, political pressure will mount for development of more remote areas. And the chances are overwhelming that that pressure will undo the current "victories" of

2. One indication: the number of back country hiking permits at most parks peaked in 1975 and has since declined.

preservationists.

But the National Park Service must give the appearance of responding to both conflicting interests and to both conflicting goals. It has done so by adopting a variety of murky, self-contradictory policies. The current official policy of the parks, adopted in 1968, is called "natural regulation," which stipulates that park managers must "maintain all the components and processes of naturally evolving park ecosystems" while at the same time permitting no "interference with natural processes." Ecologist Alston Chase explains the policy:

> The premise of natural regulation is that parks are self-regulating ecosystems that if left alone will maintain ecological equilibrium. And that assumes that parks, visited by millions every year, can actually be left alone.
>
> As a scientific hypothesis, natural regulation is as phony as the phlogiston theory. No park can be an island isolated from effects of civilization. Nearly all parks are missing major components, such as predators, needed for a complete ecosystem. And each continues to be disturbed by a range of human activities from acid rain to automobile traffic. So when "left alone" by resource managers, parks do not revert to their pre-Columbian conditions; rather they become less "original," often losing native species.
>
> Natural regulation fails to preserve "the primitive scene," but this fact has not prompted the Park Service to abandon the policy. Rather, the agency touts the strategy's ineffectiveness as a reason for expanding it, while giving it another name: ecosystems management. Natural regulation has not worked, the Park Service says, because parks are not large enough to be complete ecosystems. But if they are enlarged to encompass entire ecosystems, it claims, the policy of letting nature take its course will succeed.[3]

Not surprisingly, the Park System responds to the inherent contradiction in its official purpose by proposing further actions to enhance its wealth and power, just like any bureaucracy. And it will continue to do so. Unless the lovers of wilderness one day exceed the political influence of ordinary tourists, the development of the parks will continue. The ecosystems of existing parks will continue to deteriorate. (Of course, development of parks for tourists is not the only source of ecologic deterioration. The Park Service's ecologic management is also at fault, particularly its notion of "natural regulation.")[4] Those parks that are not developed for tourists are merely being held in reserve for future development.

The Park Service is the most popular bureau in the federal government. According to public polls, as much as 95% of the American public approves of its work. And no wonder: the Park Service has been given the most beautiful land in America and has made it available at negligible direct cost to the public. Not surprisingly, tourists are happy with this subsidy.

And what a huge subsidy it is. In a free market, demand is greater for more attractive tourist destinations than for less attractive ones; consequently, the more attractive destinations cost more to visit. Yet in the United States, the most attractive tourist destinations — Yosemite and Yellowstone — are priced so low that they are nearly free. In the spring of 1991, *USA Today* reported that with the recession, people had less money for vacations, so they planned more visits to inexpensive destinations like national parks!

The subsidies to users of national parks do not, however, help the poor. The cost of entry and use of national parks is kept artificially low, so the cost of visiting is far less than many other popular tourist destinations. But because national parks are usually located remote from population centers, the cost of getting to the parks is considerable, usually beyond the means of the poor. The national park subsidies, therefore, primarily benefit the middle class. This is apparent to anyone who has ever visited a campground at Yosemite or Yellowstone, and seen the travel trailers and motor homes equipped with satellite dishes, microwave ovens and other accoutrements of modern living. Many of these vehicles cost $30,000 or more — hardly the playthings of the poor.

Under pressure from the Reagan administration to keep costs down, the Park System now charges fees at many

3. "Unhappy Birthday," *Outside*, December 1991

4. Cf. Alston Chase, *Playing God in Yellowstone* (San Diego: Harcourt, 1985), "What Washington Doesn't Know about the National Park System" in *The Yellowstone Primer*, edited by John A. Baden and Donald Leal (San Francisco: Pacific Policy Institute, 1990), and Karl Hess, "Rocky Mountain Low," *Liberty*, January 1992).

of its properties. But these fees are practically unrelated to the impact of the user. Consider two cases:

- A Winnebago, with Mom, Dad, three kids, and the family dog, enters Yellowstone Park. The vehicle weighs 8,000 pounds and burns gas at the rate of one gallon per ten miles. The 5 people and one dog have a picnic, leaving several pounds of trash, plus substantial human and animal scat. The cost for all this usage is $5.00. If Grandma or Grandpa is along, the whole gang and their recreational vehicle get in free.
- A woman enters the park, driving a motorcycle. Her vehicle weighs 400 pounds and burns gas at the rate of one gallon per 50 miles. She picnics, leaving a half pound or so of trash, plus a small amount of waste. Her cost is $5.00. Yet she has done less damage to the roads, left less gasoline engine emissions, used less space, left less waste.

Death Valley National Monument was not created to preserve extraordinary features at all. It was created to subsidize two tourist-oriented businesses and to protect them from competition.

Why this disparity? The group most likely to vote — the elderly — is allowed to use the parks at no cost. And families — another politically powerful group — are given preferential rates. But people less likely to vote (e.g. single people, motorcyclists) pay more.

There are other reasons that fees are kept artificially low. The Park Service receives only a small part of the fees, and none goes directly to the park visited. And the Park Service has a powerful incentive to keep fees low: Congress is inclined to measure the public value of the Park System at least partly in terms of usage, so the higher the number of visitors, the more money the Park Service gets. When I first saw the Park Service claim that there are more than 3.5 million visits to Olympic National Park, I was astonished—until I learned that the Park Service included in those numbers people who drive along US-101, which twice enters the park briefly and is heavily used by area residents and miscellaneous travelers. Whenever someone drives between the two largest cities in the area (Port Angeles and Aberdeen), the Park Service counts the trip as 10.4 visits: 4 vehicles @ 2.6 visitors per vehicle.

Don't be surprised when you visit Yosemite and discover that it is a virtual city, complete with huge parking lots, a public transit system of huge busses belching foul-smelling diesel fumes, a police force, a courthouse, crime rates comparable to an urban area, and overcrowded jails. The Yosemite Valley is a city, except that its only permanent residents are park employees. Its managers have every incentive to maximize its ability to accommodate tourists, including the power to sell its accommodations very cheaply.

Park Pork

Of course, the Park Service has an agenda that goes beyond the public's wishes. It also responds to the pork barrel politics of Congress. On issues where the public is relatively indifferent, Congresspeople tend to use their influence to distribute loot to their own constituents. The results are bizarre.

Consider the case of two Park Service facilities in Pennsylvania.

Independence National Park in Philadelphia consists of Independence Hall, where the Continental Congress met and passed the Declaration of Independence; Old City Hall, where the Supreme Court first met; the restored house in which Jefferson wrote the Declaration of Independence; 16 other buildings from the founding of the nation; and adjoining areas.

One hundred miles away in Scranton, the Steamtown National Historic Site maintains "a third-rate collection [of early 20th century railroad engines] in a place to which it has no relevance," in the words of John H. White Jr, retired transportation curator at the Smithsonian Institution.

During the past five years, the Park Service has spent $35 million on Independence National Park, a sum insufficient to maintain the buildings. Eight of its 19 buildings are closed "until further notice." A leak in the roof of Independence Hall was discovered and patched barely in time to prevent serious damage to the rooms where, in Lincoln's words, "were collected together the wisdom, the patriotism, the devotion to principle from which sprang the institutions under which we live." Meanwhile, the Park Service has lavished $43 million on Steamtown.

What explains this disparity? Steamtown is in the congressional district of the Hon. Joseph McDade, who has the clout needed to bring the economic windfall to Scranton. In the halls of Congress, the Park Service is colloquially called the "Pork" Service; the money it spends is known as "little pork," to distinguish it from the much larger sums spent on energy and water projects ("big pork").[5]

Congress also uses the National Park System to play political games. The heavily-Democratic Congresses of the past 50 years have honored every Democrat president of that same period with at least one Park Service property. In all, 9 parks honor Democrats, and only one honors a Republican, despite the fact that Republicans have held the presidency most of that time.

Death Valley Developers

Four hundred miles west of Canyonlands lies Death Valley National Monument. It encompasses the lowest point in the United States[6] plus a vast stretch of surrounding territory — 2,981 square miles in all. If Death Valley National Monument were an independent nation, it would be larger than 19 of the member states of the United Nations.

Death Valley itself is rather small — only a few hundred square miles. Death Valley National Monument is many times the size of Death Valley; be-

5. For more details, see "A Shrine Suffers as Pork for Parks Is Larded Unevenly," *The Wall St Journal*, Jan 11, 1991, p 1.

6. Death Valley has been the lowest point in the U.S. since 1905. Prior to that date, the Salton Depression, 230 miles south of Death Valley, contained the lowest point in the United States, some 4 feet lower than Badwater in Death Valley. However, between 1905 and 1917, water from the Colorado River, which had been diverted for irrigation, spilled into the Salton Depression. Optimistic Californians christened the result the Salton Sea. Subsequent runoff from irrigation has kept the Sea from drying back to its original state. Runoff has also brought about 45 feet of silt, so even if the Salton Sea were allowed to evaporate entirely, it would no longer hold title to the lowest point in the United States.

sides the fabled valley itself, the national monument includes the Grapevine Mountains, the Black Mountains, the Funeral Mountains, the Confidence Hills, the Cottonwood Mountains, the Panamint Range, and various valleys between these mountains.

Why does Death Valley National Monument include so much of the surrounding country? Was that huge area included because it was necessary for "the preservation of the unusual features of scenic, scientific, and educational interest" as claimed by the president's proclamation that created it?

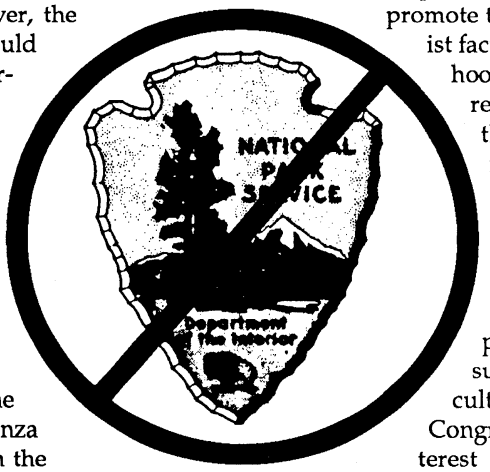
Well, no. The reason that it includes so much additional land is that Death Valley National Monument was not created to preserve extraordinary features at all. It was created to subsidize two tourist-oriented businesses and to protect them from competition. During the 1920s, Death Valley gained slight popularity with tourists, thanks to the development of inexpensive automobiles, its unusual name and the heavy exposure it received in Hollywood films. In 1925, a former gold prospector named Bob Eichbaum wrangled permission from Inyo County to build a toll-road suitable for tourist automobiles into the Valley, giving him a monopoly on tourist access. In May 1926, the road was opened. On November 1, he opened a tourist hotel in Death Valley.

Within a few weeks of Eichbaum's permit for a toll-road, owners of Borax Consolidated, the mining company that had shipped borax from Death Valley since it was formed by merger of smaller mining operations in 1899, began plans for their own tourist hotel. It opened for business on February 1, 1927. Both tourist facilities did their best to promote the area as a destination resort, paying substantial money to public relations firms, inventing phony marvels to excite tourists and the like. These were expensive undertakings, as was maintenance of the little-used toll-road.

Huelsdonk became a legend, renowned for his prodigious strength and his skill as a woodsman. But the "Iron Man of the Hoh" was a real person, and his life was destroyed.

So the tourist promoters faced two immediate problems: not enough tourists and the high cost of building and maintaining roads. In addition, they feared that if their expensive promotion of Death Valley as a tourist destination ever bore fruit, others would build hotels nearby, reducing their profits. The solution to these problems was simple: make the area into a National Park. This would solve all their problems, as historian Richard E. Lingenfelter explains:

> The commercial advantages were obvious. By making Death Valley one of the nation's official wonders, it would become a "must" for millions of additional tourists. Moreover, the government would then help advertise it and maintain all those costly roads. And finally, since all the lands within the park would be withdrawn from further settlement, the tourist bonanza could be kept in the hands of those already on the ground; no more newcomers could crowd in.[7]



It seemed like it would be easy to do. Richard Stephen Mather, the founder and head of the National Park Service was a former public relations man for the same borax operations that were developing tourism and lobbying for the park. But he was reluctant to propose establishing a park without public support, which wasn't forthcoming. In 1929, Mather resigned because of health problems and was replaced by Horace Albrecht, who had grown up in the area and was an old friend of Christian Zabriskie of Borax Consolidated and several other principals in the scheme. Albrecht worried that he "might be unfairly accused of trying to do something at the Nation's expense for my boyhood friends," but he went ahead and ordered National Park Service personnel to begin plans for a national park.

The tourist operators' public relations men got stories published in the popular press; the New York *Times* commented that one of the portrayals of Death Valley "made the worst and hottest desert in the United States so luridly attractive that . . . it is all a normal person can do to resist dropping everything . . . and going there." In addition, the borax miners invested a half million dollars per year (big money in those pre-inflation days) in a weekly radio program "Death Valley Days" that promoted the idea of making Death Valley a national park. In 1930, Albrecht prepared a proposal to make a huge national park, which would promote traffic to the tourist facilities of his "boyhood friends," while relieving them of the expense of road maintenance and protecting them from competition. Despite all the efforts of the promoters, public support was difficult to rally and Congress had little interest in the measure.

So Albrecht came up with an alternate plan: make the area a "national monument" instead. Unlike national parks, national monuments do not require any act of Congress; the president simply proclaims them.[8] However, Herbert Hoover was reluctant to do so, perhaps because the former mining man feared public reaction to the unpopular measure to enrich the mining interests. But in November 1932, he lost his bid for re-election, and on Feb 11, 1933, the lame duck president (he had

7. *Death Valley and the Amargosa*, Berkeley: University of California Press, 1986, p. 464.

8. The National Park Service deliberately obscures this difference, explaining the difference between national parks and national monuments in these words: "Generally, a national park contains a variety of resources and encompasses large land or water areas to help provide adequate protection of the resources. A national monument is intended to preserve at least one nationally significant resource. It is usually smaller than a national park and lacks its diversity of attractions." *The National Parks*, (Washington, D.C.: Office of Public Affairs and the Division of Publications, National Park Service, 1989).

only 3 weeks left to serve) issued Proclamation #2028.[9] Death Valley and the surrounding area was now a national monument.

Given this sort of hypocrisy, there is little wonder that national parks fail in their stated goal of preservation. National parks are splendid illustrations of the difference between the reason and excuse for legislation. The reason they are created is generally to promote tourism to remote areas; the excuse that is publicly stated is to preserve the natural and historic wonders of these areas.

This hypocrisy is hardly unique: while proclaiming a need to preserve, special interests bent on profiting "at the Nation's expense" campaign and lobby for creation of national parks and monuments. Even the creation of Yellowstone National Park, much celebrated as the world's first national park

The Park Service has been given the most beautiful land in America and has made it available at negligible direct cost to its users. Not surprisingly, users are happy with this arrangement.

and the undisputed jewel of the National Park system, was substantially the work of Jay Cooke's Northern Pacific Railroad, which was virtually the only means of public transportation that approached Yellowstone.[10]

Even today, seldom-visited little-developed areas are threatened by campaigns to make them national parks. The July 14, 1991, issue of *Pacific*, the magazine supplement to the Seattle *Times*, featured a cover story titled "HELLS CANYON: Some people think what we're doing to it is a SIN." Hell's Canyon, along the Oregon-Idaho border, is the deepest in the world, more than a mile and a half deep in one place. It is also a place of astonishing beauty, currently a "national recreation area" administered by the Forest Service.

The article cites Ric Bailey, "a logger-turned-truck-driver-turned-environmentalist," as its major source of the need to make the area a national park, and sympathetically portrays Bailey's concern for nature and opposition to logging and grazing nearby and administration of the area by the Forest Service. "Asking the Forest Service to manage the natural resources of the land," he says, "is like asking Madonna to sing gospel." It mentions in passing that Bailey has "powerful arms that come from guiding river rafts through the rapids," but fails to note that as one of the few guides granted the right to do so, his earnings would soar if the area gained popularity with tourists, as invariably happens after an area is designated a national park. It also fails to mention that the tourist influx from naming the area a national park would almost certainly do far greater environmental damage than the nearby timber-harvesting and grazing currently do.

The fact that a limited amount of timbering and grazing in the area is allowed at all is the result of a congressional aberration: when Congress created the Hell's Canyon National Recreation Area in 1975, it inserted a compromise clause that grandfathered existing logging and grazing. Congress' normal practice is simply to order all human activity to stop in the designated area, without regard for the rights or lives of the individuals involved.

In the early 1950s, "Jeff" Jaffarian of Seattle visited Washington's Olympic Peninsula and fell in love with the solitude. He purchased a piece of land and made it his home. One day in 1976, he walked down to the frontage he owned on Lake Ozette. As he neared the lake, he was astonished to discover signs from the Olympic National Park warning him not to enter the area under severe penalty of law. The area had recently been added to the national park, and he was liable to arrest for walking on his own land. (He ultimately settled with the Park Service, under threat of condemnation.)

In 1941, President Roosevelt added 187,411 acres to Olympic National Park and confiscated a two-mile wide strip of land down the Queets River for future addition to the park. John Huelsdonk went to the capital to protest. He was photographed carrying a sign, "This Isn't Russia — Secretary Ickes has no right to take our homes away from us." He asked the governor of Washington to call out the national guard to prevent the federal government from taking the land. His protest caused quite a stir. He was not just a cranky old man. He was a living legend.

In 1888, Huelsdonk had emigrated from Iowa to the wilderness of the Hoh River valley. Arriving in the forest with only a wet sack of flour, he survived on raw dough until he found a place to homestead. After returning to civilization for equipment he spent a year building a cabin, clearing land and planting seeds. Then he went back to Iowa, married his foster sister, and returned to make a home and raise a family deep in the wilderness, 20 miles from the nearest river that a canoe could navigate, 36 miles from the nearest settlement.

It was a hard life, but Huelsdonk, his wife and his four daughters persevered. Other families settled elsewhere in the area. Huelsdonk became a legend, renowned for his prodigious strength and his skill as a woodsman. He was reputed to have killed mountain lions with his bare hands. He got double wages when he hired himself out as a pack animal, since he carried a double load. He customarily traveled through the forest at a half-trot, leaving others behind. It was said that he carried a cast iron stove under each arm over the mountainous 20-mile trail into the valley where he settled. This may have been an exaggeration, but there is no doubt that the cast iron stove in his cabin was hauled in by someone. He was known far and wide as "the Iron Man of the Hoh." He became a legendary figure; before his

9. There seems to be a pattern of national parks benefiting from proclamations by lame-duck presidents. For example, the Olympic Forest Preserve, the precursor to Olympic National Park, was proclaimed by President Cleveland 7 days before he left office in 1897; the Olympic National Monument was proclaimed by President Roosevelt in 1909 two days before leaving office; an addition of vast acreage along the Queets River and the Pacific coast to the Olympic National Park was proclaimed by President Truman the day before he left office in 1953.

10. Cf. *The Yellowstone Story* (Vol 1), by Aubrey L. Haines, pp 170–171 (Yellowstone National Park: Yellowstone Library and Museum Association, 1977).

protest, many people didn't realize he was a real person.

But the Iron Man of the Hoh was a real person, and his life was being destroyed. Nearly everyone sympathized with the old man. Huelsdonk was a pioneer born a generation too late. His protest fell on deaf ears. The land in the valley he had settled was confiscated, his neighbors removed.

In the halls of Congress, the Park Service is colloquially called "little pork" to distinguish its spending from the much larger sums spent on energy and water projects ("big pork").

On the first day of the Senate hearings on the confirmation of Supreme Court Clarence Thomas, Senator Joseph Biden sternly warned Thomas that any attempt to require government compensation for property confiscated from people would be "a multibillion-dollar expense for taxpayers." Biden, and apparently most Americans, favor the current policy of simple confiscation of the property that people like John Huelsdonk worked a lifetime to achieve.

Initially, national parks were created on government owned land. But in recent years, many have been created on private land, acquired by forced sales, condemnations and other forms of confiscation. For example, the Park Service took over 700 private homes for the Indiana Dunes National Lakeshore, created in 1966. Ironically, the first national park to be built entirely on private land — involving the forced takeover of about 150 private homes — was the Minuteman National Historical Park in Concord, Mass., created in 1959 to help commemorate the Revolutionary War, a war fought against just this sort of government action.

Many landowners give up without a fight, but there are hundreds of cases of individual people's fights to keep their land, many of them quite tragic. Stories of the Park Service's persistence and brutality are legion. Almost invariably, the individual loses after a long and costly battle.

Sell the Parks?

The mismanagement, environmental degradation and waste that occur in the national parks are functions of their government ownership. Those who control the parks have neither incentives nor means to manage them wisely, since they are denied the feedback of the price system. What incentives they face (many of which have been discussed in this article) discourage management in a way that even approaches maximization of the assets' worth. They have few incentives to maintain the environmental integrity, since their control is short-lived and the process of environmental degradation moves slowly.

Privatization of the parks, though, would rid managers of most of these incentives to mismanage. Private managers — especially in an environment of competitive capitalism, rather than present-day "corporate (that is, *protectionist*) capitalism" — would have the well-known incentives of profit and loss to not only *preserve* the assets under their care, but to *increase* their value. This arrangement would not create a preservationist's utopia — as I understand it, no policy could succeed at that[11] — but it would preserve wilderness and maximize environmental integrity far better than any alternative that I have heard of, and certainly better than the present system.

The biggest cost to such a proposal would likely fall on the tourists, both middle-class gawkers and enviro-backpackers, both of whom benefit from the huge subsidies. And it is they who are most likely to object to such proposals the loudest and longest. Privatization of the national parks essentially entails the de-subsidization and de-socialization of one of America's biggest leisure industries. As the recent events in Eastern Europe show, the beneficiaries of socialism will only acquiesce to radical reform when it becomes obvious to them that they, too, are victims. So we can expect reasonable (no matter how radical-sounding) solutions such as privatization to be resisted until the best-known parks show obvious, extensive and spectacular *repeated* damage.

Until then, what we have is what we get.

A Birthday Party

Last October, the Park Service threw itself a party to celebrate its 75th birthday. Held in the counterfeit alpine city of Vail, Colorado, 300 bureaucratic bigwigs and a lesser number of invited guests had a swell time congratulating themselves on what a terrific job they have been doing running the parks.

I wasn't invited to attend. But about the same time I was invited (by bulk rate mail) to join the National Parks and Conservation Association. My first year's membership fee was only $15 — a far cry from the $1,000 per person the Vail soirée cost. That trivial sum entitled me to all the privileges of membership: a "stunning, full color" magazine, "NPCA Park-PAK," a discount on photo-processing, discounts on rental cars, and a "handsome window decal." And as a special bonus, I could get a fanny pack with the NPCA trademark. Wow! What a bargain!

Tourists who appreciate the wilderness or uncluttered natural beauty ought not fear. You won't find a travel trailer sporting a television antenna within miles of some of the most astoundingly beautiful places in America.

Plus I could help NPCA achieve their goals. Like outlawing chemical emissions that might cause acid rain. Making the National Park Service an independent agency, no longer part of the Interior Department. Starting tax-funded programs for "science, historic preservation and conservation programs."Confiscating land around the parks ("Setting more realistic boundaries for nearly 175 of the park units" the letter said). "Develop school programs and educate Americans of all ages in how to use, enjoy and care for their

11. This is not literally true: the preservationist utopia could be achieved by eradication of human life, a policy that some radical environmentalists come preciously close to advocating.

parks." Lobby Congress on NPCA's agenda. "Alert today's young people (4th–6th graders) to tomorrow's park problems." Add more areas to the park system.[12]

Hmm. Increase funding for the Park Service. Add to the Park Service empire. Propagandize for Park Service goals, and teach people to obey the rules in the parks. Free the park service from the Interior Department.

Does the NPCA's agenda sound a little bit like the Park Service's?

The NPCA was founded in 1919, three years after the creation of the Park Service, at the suggestion of Stephen Mather, head of the Park Service. Its founder and first boss was Robert Sterling Yard, a friend of Mather's. "With you working outside the government and with me working inside," Mather told him, "we ought to make the national park system very useful to the country." Its current president (and the man who signed the junk mail letter to me) is Paul C. Pritchard, formerly deputy director of the Heritage Conservation and Recreation Service, now a part of the Park Service. So it's not very surprising that the NPCA reflects the Park Service's agenda.

I joined the NPCA. What the hell. Fifteen bucks isn't much money, and anyway I wasn't invited to the Park Service's $500,000 bash in Vail. Besides, I wanted the fanny pack.

Travel Advice

When Congress creates a national park it almost guarantees that area will be developed and its environment degraded. National parks become magnets for Winnebagos, attracting tourists in far greater numbers than prior to their designation as parks.

But tourists who appreciate the wilderness or uncluttered natural beauty ought not fear. You won't find a travel trailer sporting a television antenna within miles of some of the most astoundingly beautiful places in America. If you doubt this, I invite you

National parks are splendid illustrations of the difference between the reason and excuse for legislation.

to visit the Abert Rim in southern Oregon. It towers 2,000 feet high above U.S. 20 for more than 30 miles, and the last time I visited I had the highway entirely to myself. Or visit the Bruneau River where it runs though a narrow steep canyon of incredible beauty in southwestern Idaho. The nearest road isn't paved and has signs warning you to watch for planes with "objects" attached to their bottoms, lest you be hit by a bomb (the road runs through some sort of bombing range), and getting to the canyon involves a bit of a hike. But you won't find litter and you won't find Ma and Grandma fixing dinner in their microwave, while the teenage son listens to his boombox, dad watches television, and the two little kids play Nintendo.

National parks can be considered a boon to those who seek natural beauty, wilderness experience or just solitude: just circle the national parks on your map with a red magic marker, put two circles around the most popular of them, and avoid going near them.[13] ❑

12. "The Reagan Administration may have been the most insensitive in history on the issue of national parks — adding less acreage to the park system than any other president in recent years." This is a very curious statement. For one thing, Congress creates new national parks, not the president. For another, it ignores the fact that on a single day (Dec 1, 1978) Congress added an astonishing 51,302,745 acres to the Park System, making it two-and-a-half times larger. The land added that day was about the size of Switzerland, Austria and Hungary combined. If Congress added to the Park System at the same rate as it did in 1978, the entire United States would be within the system in less than four years; the entire world is less than 8 years. So it oughtn't be too surprising that the pace slowed in the decade that followed.

13. Okay, visit the more interesting ones once. How else can you see the Grand Canyon, Old Faithful and El Capitán? If the parks of your choice have a slow season, visit them then. But don't count on finding uncrowded conditions in the spring and fall when families can't bring their kids: those Americans with the most spare time, the most wealth and the biggest subsidies — "senior citizens" — are wise to this fact. National parks in September and October are a lot like Sun City with scenery.

Exposé

Rocky Times in Rocky Mountain National Park

by Karl Hess, Jr.

Millions watch, but no one sees, as one of America's most spectacular tributes to natural beauty is being transformed into one of America's greatest ecological disasters.

Fourteen-thousand foot peaks of bare, angular granite stand sentinel over flower-bedecked alpine peneplains, abrupt sub-alpine slopes cloaked in spruce-fir and lodgepole pine, and stark montane hills and valleys dotted with ponderosa pine and grassy openings. The scene is captivating; the harmony of rock, tundra and strikingly uniform forests paints a portrait of near-pristine nature and untrammeled wilderness. Whether visiting Rocky Mountain National Park for the first time or the one hundredth time, visitors can only gaze in awe at the raw beauty of the landscape rising before them. Few other landscapes can compare with this small slice of the front range of the Rocky Mountains, just 50 miles north of Denver, Colorado.

Founded in 1915, Rocky Mountain National Park is one of fifty parks and 85 million acres managed by the National Park Service. Encompassing a mere 265,000 acres, it is tiny by the standards of the 8.3 million acre Wrangell–St. Elias National Park in Alaska — or, for that matter, the other seven Alaskan parks totaling over 22 million acres. In the lower 48 states, however, Rocky Mountain is substantial. Yellowstone, Olympic, Grand Canyon, Big Bend, Everglades and Glacier national parks are larger, but in terms of variety of spectacular natural beauty packed into a compact space, there is no comparison. Ranging from 7,800 feet in elevation to 14,255 feet, with 113 peaks in excess of 10,000 feet, the park attracts more visitors than any of its better-known rivals.

Testimony to what the eye sees at first glance in the mountainous landscape is a commemorative plaque housed at the headquarters of Rocky Mountain National Park in Estes Park, Colorado. The 1976 plaque, awarded by the United Nation's UNESCO Man and the Biosphere Program confirms the uniqueness of the Park and elevates it to a level of importance unsurpassed elsewhere in the Rocky Mountain West:

> ROCKY MOUNTAIN NATIONAL PARK IS RECOGNIZED AS PART OF THE INTERNATIONAL NETWORK OF BIOSPHERE PRESERVES. THIS NETWORK OF PROTECTED SAMPLES OF THE WORLD'S MAJOR ECOSYSTEM TYPES IS DEVOTED TO CONSERVATION OF NATURE AND SCIENTIFIC RESEARCH IN THE SERVICE OF MAN. IT PROVIDES A STANDARD AGAINST WHICH THE EFFECT OF MAN'S IMPACT ON HIS ENVIRONMENT CAN BE MEASURED.

Rocky Mountain's designation as a Biosphere Preserve is appropriate in view of its unique environment, its high ecological value and its overpowering aesthetics. It is special; it is unlike any other slice of the Rocky Mountain chain. But to suggest that the Park is now being protected, that it is somehow uniquely devoted to conservation, or that it really does provide *"a standard against which the effect of man's impact on his environment can be measured"* is a tragic mistake. The unparalleled beauty of alpine peaks and subalpine forests is an illusion; behind the illusion is the reality of an ecological disaster.

In Rocky Mountain National Park, the assumptions of protection and preservation meet the reality of environmental decadence and decline; the presumed efficacy of federal ownership of America's finest landscapes comes face to face with the truth of government mismanagement and National Park Service incompetence.

Symptomatic of the illness is the Park's meadow showcase, Moraine Park at the modest elevation of 8,000 feet. To the untrained eye, all appears well. A clear rocky mountain stream bisects an enormous mountain park, bordered on the north by ponderosa pine hills and on the south by a glacial

moraine forested in Douglas fir.

Closer inspection, though, reveals ominous signs. Dying willows dot the abnormally dry park. At certain spots, the mountain stream cuts unusually deep into the meadow soil, exposing raw vertical banks three to four feet high. On the Douglas fir moraine, the signs are even more disturbing. What should be a luxuriously vegetated forest floor is a desolate scene of trampled soil covered with a smelly mantle of elk scat. Trails made by elk cut deeply into the moraine and funnel erosive waters toward the meadow below. And the surrounding Douglas fir, many of which are dead or dying from beetle infestation, are scarred and at times girdled — too many elk horns have rubbed against too few trees. Even the few aspen intermixed with the ponderosa pine to the north are scarred and infected with a fatal fungus.

The view that the park is being protected is a tragic mistake. The unparalleled beauty of alpine peaks and subalpine forests is an illusion; behind the illusion is the reality of an ecological disaster.

Sadly, the disquieting picture of Moraine Park is not an anomaly. Similar symptoms of environmental decay plague every valley bottom and every mountain slope of the park's 265,000 acres.

The ecological crisis facing the park has very little to do with the area generally considered most threatened — the fragile alpine tundra lying above the spruce-fir treeline. In the arctic-like environment of 11,500 feet plus, park administrators and scientists have focused their dollars, their research and their writings. Yet, the region above timberline was never as fragile as administrators and scientists assumed.

Nor were the vast forests and scattered grasslands below treeline as sturdy and safe as conventional wisdom dictated. For it is among the trees and meadows below, obscured only by the false harmony of uniform forests and picturesque grassy openings, that ecological decline and environmental decay is most evident and most threatening.

Amazingly, fewer than a dozen of the almost 400 scientific and naturalist studies on the Park touch on the serious problems threatening the area's ecological integrity and environmental health. The remaining works focus on more theoretical and esoteric aspects of the Park's land and life. Indeed, administrators and scientists pursue their studies oblivious to the impending fate awaiting Rocky Mountain. But ask any one of them about the state of the land, and few if any will deny the seriousness of what lies ahead. All of them are aware of places like Moraine Park. All of them understand the nature of the problem. None of them have chosen to speak or write about what they know and fear is happening to the park. In this sense, Rocky Mountain's ecological and environmental crisis is a crisis of silence.

More fundamentally, though, it is crisis of mismanagement and bureaucratic ineptitude — a crisis connected with a long history of fire suppression and a laissez-faire approach to elk population control. In the final analysis, however, it is a crisis caused by the failure of public policy and the inherent distortions injected into land management by political and bureaucratic considerations.

Ecologic Disaster in the Making

Fire is the proper place to begin in diagnosing the Park's ailments. Historically, fire has always been an integral part of the Rocky Mountain ecosystem. Lightning strikes in the surrounding foothills would ignite dry and highly flammable grasses, shrubs and ponderosa pine savannahs. The flames move up canyon bottoms and mountain sides toward higher and more moist elevations that were otherwise immune from the effects of direct lightning strikes. As a result, places like Rocky Mountain National Park burned periodically, creating and renewing a landscape of immense vegetal diversity.

This is the nature of forests in the Rockies. As Robert K. Peete noted in his seminal work dealing with this forest ecosystem type, *North American Terrestrial Vegetation*, "Rocky Mountain forests are disturbance forests . . . with climax stands being less common than seral communities [and for this reason] the impact of modern fire suppression on forest communities throughout the Rockies needs to be investigated."

Making Rocky Mountain immune to the natural and periodic ravages of fire was the direct result of suppression efforts practiced on adjacent U.S. Forest Service lands and the extension of those practices to the Park itself. As those efforts took hold in the first decades of this century, the historic routes that fires followed were cut. No longer could fires move naturally from the dryer, more arid foothills into the wetter and cooler environment of subalpine forests.

Human intervention did not totally eliminate wildfires in the Park, but it did reduce their frequency. With the policy of fire suppression in force, fires occur at unpredictable and irregular intervals, during irregular sequences of multiple back-to-back years of extreme heat and drought. Of course, heat and drought were not uncommon to the Rocky Mountain region. But the duration and severity of heat and drought needed to prepare subalpine forests for lightning ignition were far from common. And the fires that did occur were less severe by virtue of rapid deployment of fire-fighters to battle the smallest of flames. For all practical purposes, Rocky Mountain National Park had become fire-proof.

Historically, fire was an integral part of the Rocky Mountain ecosystem. Places like Rocky Mountain National Park burned periodically, creating and renewing a landscape of immense vegetal diversity.

Fire suppression may have left Rocky Mountain National Park neater and trimmer in appearance and more pleasing to tourists. But today's park is

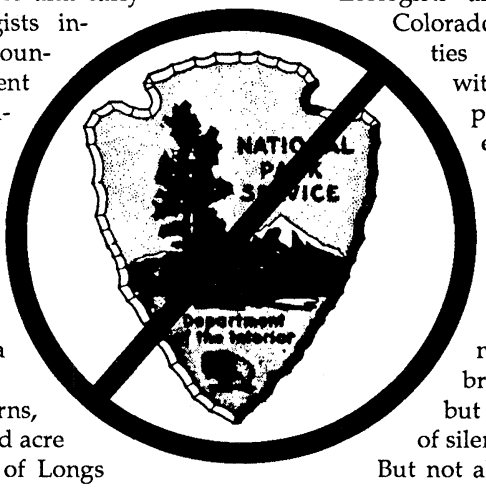
far less healthy by any ecological standard. There is no better place to investigate the impact of fire suppression than in Rocky Mountain National Park. By all measures, that impact has been and still is profound and severe.

Photographs taken of the Park at the time of its designation in 1915 contrast sharply with what meets the eye today. In place of the relatively uniform expanses of lodgepole pine and spruce-fir forests that now drape its mountain slopes, abundant clones of aspen, irregularly aged stands of lodgepole pine and spruce-fir, patches of successional ponderosa pine, and transient openings of grass and shrubs cloaked the park in a distinctive mosaic. This vegetal mosaic clearly lacked the uniformity and superficial beauty that attends today's virtual monocultures of a handful of tree species. Yet this unique mosaic contained a degree of biological diversity that has silently disappeared from the Park in the wake of almost a hundred years of fire suppression, resulting in today's monocultures that attest to man's unthinking intervention.

Declining diversity, though reason for alarm, is only half of the story. Nearly a century of fire suppression has allowed the Park's montane and subalpine forests to age and clutter the forest floor with ever-accumulating piles of fuel. Indeed, in areas of the Park longest insulated from fire, the diameters of standing live trees are matched or exceeded only by the diameters of downed timber littering the ground below. Fallen, old-aged trees piled one upon another create barriers from five to ten feet in height. Today, park scientists and fire-fighters wait in apprehension for the right combination of dry and hot years — the once-in-a-century combination that will ignite otherwise fire-proof forests into a conflagration equal to or exceeding the 1988 fires of Yellowstone.

When that conflagration begins — it is just a matter of time — one of America's most magnificent Parks will be consumed by flames. And this fire will be different from past fires. It will burn hotter, longer, and over a much larger area, because much more fuel has accumulated and there are fewer meadows to act as fire breaks and fewer successional forest stands to disrupt the course of the fire. This is the inevitable legacy of suppressing fire and weighing down nature with the albatross of institutionalized preservation and protection. And in the wake of this conflagration, soils will be sterilized and seed needed for renewal destroyed. Generations of Americans and many generations of elk, deer, beavers, bears, and cougars will be denied the unheralded beauty and ecological richness of Rocky Mountain National Park.

The Park Service's fire suppression policy, with its consequential reduction of biological diversity and increased probability of disastrous conflagration, has not taken place without protest. During the late 1960s and early 1970s, park biologists informed Rocky Mountain's superintendent of the escalating crisis. By the late '70s, their pleas were heeded. The park administration approved a series of controlled burns to test the efficacy of planned fire as a management tool.



One of those burns, set for a 200 hundred acre plot near the base of Longs Peak, went awry. A change in wind and humidity suddenly intensified the fire, allowing it to spread over 500 acres. Although the fire stayed within Park boundaries, it caused alarm among park administrators and residents in the local area.

Without further review, the superintendent canceled all future controlled burns. He appreciated the harmful consequences of fire suppression. But he also understood that the *political* dangers connected with continuing controlled burns were real and far more imminent. One more error, one more miscalculation of wind and humidity, and his job and career might be lost. In contrast, the danger of a conflagration and the crisis of diminishing biological diversity were more distant problems. With any luck, his retirement would come long before the problems of fire and diversity surfaced in public view. In the meantime, he would remain insulated like the forest itself from the immediate fire-storm of public debate. Someone else could tackle the problem later. And that person — not he — would assume the brunt of responsibility for the Park's demise.

If the risk of major conflagration were the only ecological crisis facing the Park, the superintendent's gamble would have been reasonable, if not ethical. The risk of multiple successive years of severe drought and heat is slim, at least in the short term. And tourists are content with the veneer of natural beauty. The only other danger facing the superintendent is that scientists may blow the whistle.

Happily for him, most are willing to partake in a conspiracy of silence. Ecologists and biologists at Colorado's state universities were satisfied with the grants and privileges accorded them for research in the Park. Preoccupied with studying their small corner of the Park, they had no reason to break the unstated but understood rule of silence.

But not all are so compliant. The small staff of ecologists and biologists employed at the park itself feel differently. They have long argued for controlled burns, pointing out time and again the devastating possibility of a major conflagration. So certain were they of the impending crisis that they initiated in 1989 a massive inventory and classification of the Park's vegetation. In part, their motive was one of desperation. An exhaustive inventory and classification of the plants and plant communities of Rocky Mountain National Park would provide a beginning point in the restoration of the Park in the aftermath of the almost certain conflagration. The superintendent reacted to this report in a way they hadn't anticipated. In February 1991, he eliminated their positions, ridding himself and the Park of an embarrassing reminder of three-quarters of a century of failed policy and misdirected management.

Rocky Mountain's plant and wildlife ecologists were reassigned to

Yellowstone National Park and to a National Park Service research facility in Flagstaff, Arizona. The head ecologist was kept on board, though with specific instructions to engage in no further biological research. Instead, his function would be to contract all scientific work to outside biologists and ecologists — consultants who would be much easier to control and silence.

Not one of the scientists on the park's staff took the necessary step to blow the whistle on Rocky Mountain's administration. The crime of silence, as much as the crime of administrative ineptitude, lies at the heart of Rocky Mountain's ailing environment.

In taking this drastic action, the superintendent was responding to more than the irritating and embarrassing warnings of his staff regarding the impending fire crisis. He was reacting defensively to a more immediate crisis — a crisis already evident on the ground and one that Park scientists were pointing to with alarming urgency. Rocky Mountain's handful of biologists and ecologists were exiled not because of their predictions of future fire calamity. They were shipped out because they had documented and repeatedly pointed out an evolving crisis as ecologically immediate and environmentally threatening as a conflagration: Elk were on the rampage, tromping and eating Rocky Mountain National Park into an ecological oblivion no less calamitous than the hypothesized conflagration.

The Antlers of a Dilemma

Elk were not always on the rampage, of course. When the park was established in 1915, only thirty elk were counted within its boundaries — a minuscule number compared to the "large herds" noted a century earlier by Major Stephen H. Long's expedition. Within 15 years, though, the park's elk herd had recovered, expanding to over 300. By 1936 the elk herd was estimated to be in excess of 645 head and the first reports of resource damage were tallied by Park Service and Forest Service biologists. "Serious barking of aspen" was observed in 1930 and subsequent Park Service studies in 1936 revealed heavy overgrazing of park browse — the critical winter food supply of Rocky Mountain's rapidly expanding elk herd. Resource conditions continued to worsen throughout the park as elk numbers expanded at an annual rate of 17 percent, reaching an estimated peak of 1,525 in the early 1940s.

In response to heavy resource damage, Rocky Mountain biologists began an aggressive control program in 1944 to bring elk numbers back within the park's estimated winter range carrying capacity of 600 to 700 head. Within five years, elk numbers had fallen by more than 50 percent and remained at that level well into the 1960s. Resource conditions experienced a rapid turn around. Eight years following the beginning of elk control the first signs of range recovery were recorded. Throughout the '60s, grass and shrublands continued to heal, wet meadows recovered, and aspen stands enjoyed a long awaited reprieve from excessive barking by antlered bull elk. By all indications, save those associated with fire suppression, the park was finally recovering from its experiment in rebuilding its resident elk herd.

Indeed, everything might have remained stable and well had it not been for *natural regulation*, a new idea gaining popularity in Yellowstone National Park. The theory was simple and appealing — and untested. It held that wildlife populations — most particularly elk and bison — were self-limiting; that population numbers were held in abeyance not by natural predators such as wolves, or unnatural ones like man, but by the limits of the available food supply. Most importantly, the theory took it for granted that wildlife populations would reach equilibrium with their food supplies (the equivalent of carrying capacity) without damaging the vegetation base.

Concurrent with the implementation of natural regulation on Yellowstone's substantial northern range, a new staff of biologists and ecologists were assembled at Rocky Mountain in the late 1960s early '70s. The head scientist, a wildlife biologist and advocate of what was becoming the Yellowstone religion of natural regulation, provided a scientific rationale to the park's superintendent for stopping artificial control of elk. Whether he was unaware of the park's earlier *de facto* experiment in natural regulation or whether he simply believed the theory needed further testing is unknown. What is known, however, is that in 1973 the Rocky Mountain National Park elk herd was left to the mercy of the land and its vegetation. Hereafter, nature, not man, would determine the size and distribution of the park's principal wildlife attraction.

Unfortunately, events have not unfold as predicted. On top of a growing uneasiness about the implications of fire suppression, park scientists soon realized that the theory of natural regulation was not performing as predicted. Elk were now completely out of control, approaching by some estimates almost 4,000 head in 1991 — a level approximately six times the park's carrying capacity. So severe was the overpopulation problem that hundreds of elk had begun wintering in the backyards of Estes Park residents and roaming through the center of one of Colorado's fastest growing recreational towns. Indeed, by late spring, 1991, elk that normally migrated from town to alpine summer ranges were showing every indication of staying in Estes Park on a permanent basis. Given the choice between lush residential yards and overgrazed park ranges, elk had apparently selected the path of domestication.

So severe was the overpopulation problem that hundreds of elk had begun wintering in the backyards of Estes Park residents and roaming through the center of one of Colorado's fastest growing recreational towns . . .

It was this and other evidence that convinced the park's science staff of the limitations of natural regulation and

compelled them to warn the superintendent, time and again, of an ecological crisis in the making. And, in turn, it was the incessant warnings of the science staff, sounded in the context of a political climate supportive of the park's past elk policy, that drove the superintendent to make his fateful decision.

Rather than heed the messengers of impending crisis, the park's superintendent chose the path of least resistance. He summarily dismissed biologists and ecologists alike from Rocky Mountain National Park. From his perspective, ignoring the elk problem — as he had already done with the problem of fire suppression — made good bureaucratic and political sense. Elk, after all, were the wildlife centerpiece of the park. They were what tourists sought as they drove the park's highways. And they were quickly becoming lucrative mascots and desirable residents for a burgeoning Estes Park economy. To reduce the elk herd from 4,000 head to the carrying capacity of 600 in a torrent of government bullets would be foolhardy at best and political suicide at worst. It would mean working against the humane sensibilities of tourists, local residents, and concerned politicians.

Unfortunately, the superintendent's decision meant ignoring the escalating resource damage. Park naturalists observed declines in ptarmigan populations as a result of elk destruction of prime habitat. More significantly, the park's aspen stands were in a state of decay and deterioration. Mature trees in virtually every stand in the park were scarred by elk antlers and fatally infected with an invasive fungus. Seedlings that might have replaced the dead and dying aspen had been grazed in almost every instance, further sealing the fate of Rocky Mountain's aspen. Indeed, the only healthy and reproducing stand of aspen remaining in the park was now found in an elk-proof exclosure built in the 1940s. At the time the exclosure was built, aspen thrived both within and without.

Near the Fall River entrance to Rocky Mountain, an aspen-ringed meadow had long greeted tourists. But in the late '70s bull elk in historic numbers invaded the small aspen grove and systematically destroyed trees and seedlings alike. Today, not a single aspen tree remains in that meadow. On a broader scale, preliminary estimates based on 1990 field-truthing of vegetation units mapped in 1984 indicate that as much as 1/3 of the park's aspen that lies within elk winter range may have been destroyed in the brief span of eight years.

Loss of aspen, though, is only part of the story. Years of overgrazing by elk has taken a heavy toll on the park's extensive wetlands. Willow stands, home to plant and animal species found nowhere else in the park, are succumbing to the insatiable appetites of the elk. Willow communities located within lower elevation elk winter range are faring the worst. After two decades of natural regulation, landscapes once abundant in willow are barren, supporting more simplified and less productive plant communities. All that remains of the fields of willows are browning and dying stumps.

More than willows, however, have suffered. Before elk reduced it to barrens, Moraine Park had supported a complex of ponds at random and changing intervals along the meandering stream that bisected its considerable length. Those ponds had been built by beavers. In a natural process that predates white man's occupation of Rocky Mountain by several millennium, the aquatic mammals harvested mature willow stems and constructed sturdy dams. The resulting ponds provided habitat for the beavers and maintained high water tables necessary for willow regeneration. Later, as sedimentation filled in the ponds, beavers would harvest the next generation of mature willow and build new dams, continuing the historic and natural cycle of wetland rejuvenation. In this manner, Moraine Park maintained its wild and diverse character, keeping alive a crucial element of Rocky Mountain's ecosystem.

Desperate for winter forage, overpopulated elk ate the willow stems, depriving the beaver of its building material, thereby driving beaver from the area. In the absence of beavers, the ponds disappeared, lowering the park's water table and dooming to extinction those willows hardy enough to survive overgrazing by elk. As the willows disappeared, elk turned their attention increasingly to the lush understory of grasses and wildflowers that accompanied the former willow meadows. Elk overgrazing transformed the diverse collage of grasses and wildflowers into weedy expanses. The mountain stream that once meandered like a silver thread across the wetland's surface now cut into the drying soil, leaving in its wake exposed and deepening vertical banks devoid of vegetation.

And so Moraine Park, along with many of the other willow meadows within Rocky Mountain National Park — the very same wetlands that qualified Rocky Mountain as a Biosphere Preserve and that established it as a standard for measuring man's impact on environments not afforded similar

protection — suffers destruction of its ecologic system. Once scenic and extensive willow wetlands, they are now weedy meadows supporting only dying remnants of their past diversity.

Except for a few isolated blue spruce trees, very little remains of what historically had been the finest examples of Colorado blue spruce stands in the West. Ironically, more blue spruce encircle the Kremlin in Moscow — a gift of the United States — than can now be found in the best of Rocky Mountain's campgrounds and picnic areas.

And the damage has not stopped at the borders of willow communities.

The coniferous forests that encircle park wetlands and willows have been trampled and defecated upon to excess. What was once pristine forestlands — at least along the edges of wetland marshes and willow openings — are the aesthetic equivalents of livestock water holes and cattle feedlots: mangled landscapes that make mockery of Rocky Mountain's high purpose.

A Symbol Felled

The picture emerging from almost two decades of natural regulation management is bleak — even more bleak when the complementing factor of fire suppression is taken into account. Elimination of periodic burns in the park as a natural ecosystem component has accelerated the elk crisis by speeding the demise of aspen and diminishing the size and quantity of grazing meadows. Moreover, problems unrelated to elk and fire compound the park's ecological crisis.

For example, the black bear population in Rocky Mountain is far less than the park's habitat would support under more natural conditions. Indeed, more black bears live around and are observed in the outlying western suburbs of Denver than in the valleys and mountains of Rocky Mountain Biosphere Preserve. Seventy-five years of bear control by park authorities has created a creature so fearful of people that its useful habitat is limited to the most inaccessible regions of the park — areas which, by virtue of trail and road development, account for only a small fraction of Rocky Mountain's 265,000-acre preserve.

Colorado blue spruce symbolizes as well as any species the conservation toll being taken by bad policy and poor management in Rocky Mountain National Park. The namesake of Colorado and the pride of the state's citizens, the tree grows in dense streamside stands where its blue tinged crowns spiral far above all other native evergreens.

Colorado blue spruce plays an important role in the unique wetland habitat that supports a species richness far in excess of its spatial significance. In the forests adjacent to the park, fragments of blue spruce communities can still be found. But in the park — the proclaimed sanctuary of Colorado's biological treasures — blue spruce forests have been displaced by Park Service campgrounds and picnic areas. Except for a few isolated blue spruce trees, very little remains of what historically had been the finest examples of Colorado blue spruce stands in the West. Ironically, more blue spruce encircle the Kremlin in Moscow — a gift of the United States — than can now be found in the best of Rocky Mountain's campgrounds and picnic areas.

Cut to the Chase

Alston Chase, in his memorable exposé *Playing God in Yellowstone*, offers several explanations of national park mismanagement. Scientists in the National Park Service, for example, are isolated from administrative decision-making and, for that reason, are unable to steer park management along a more ecologically sound course of stewardship. Superintendents, almost always selected from the ranks of police-trained rangers, have little appreciation for what biologists and ecologists have to offer toward the preservation of their respective parks.

National park management, Chase argues, is mired in a morass of administrative politics that over-emphasize tourism and policing at the expense of wildlife and vegetation science. To correct the problem, Chase believes, scientists must be accorded more power and prestige in the national park system. They must become the arbitrators of nature's course, applying their science prudently, reasonably and without the obstruction of administrative bureaucracy.

Despite Chase's idealistic call to resurrect science to a more respectable and creditable position in Park Service hierarchy, the experience of Rocky Mountain National Park suggests scientists would not behave any differently than the rangers who now man most park administration posts. For one thing, the science staff of Rocky Mountain must accept much of the blame for the ongoing ecological crisis. They were the first to recommend the policy of natural regulation.

And not one of the scientists on the park's staff took the necessary step to blow the whistle on Rocky Mountain's administration. Concerned with their own careers, they went no further than to warn the superintendent of the deteriorating situation. Certainly, they lost their positions; but they did not lose their jobs. Today, they are gainfully employed within the National Park Service. And not one of them has spoken or written publicly of the ecological decline of Rocky Mountain National Park. Their silence is no more excusable, nor any less reproachful, than the silence of academic researchers at Colorado's state universities. The crime of silence, as much as the crime of administrative ineptitude, lies at the heart of Rocky Mountain's ailing environment.

More importantly, there is every reason to believe that scientists are identical to administrators in the most crucial way. Faced with the same institutional incentives as their policemen counterparts, and subject to the same bureaucratic and political forces, scientists in charge at Rocky Mountain would be hard-pressed to mount any substantial reform.

The institutional logic of survival, of pandering to special interest groups, and the relative painlessness of living with a facade of natural beauty make the current course preferable. To buck the system of current management and attempt genuine reforms would entail risks far beyond any hope of gain. Allowing Rocky Mountain to continue

its environmental free fall is easier to tolerate and far more rewarding, given the array of institutional rewards and punishments.

Whoever the superintendent of the park may be, the unfortunate truth is that protecting career positions, projecting the proper public image, and propagating as large a budget as possible are more important than willows, blue spruce, beavers, ptarmigans and bears. It takes an unjustified leap of faith to assume, as Chase does, that ecological problems of the national parks are substantially the consequence of the wrong people being in control and that they are solvable by replacing those people with scientists. Nothing in the unfolding drama of resource deterioration in Rocky Mountain National Park supports such a supposition. Unbroken forests filled with legions of elk bring pleasure to the casual tourist who knows no better and perversely satisfies the local resident who, sadly enough, can derive profit only from the spiralling collapse of the park's troubled ecosystem.

There is yet another problem with Chase's explanation of the ecological predicament of America's parks. He blames an emergent and powerful environmental movement for an ideology of management, represented best by

What is destroying Rocky Mountain National Park is not the park ranger mentality. The cause, pure and simple, is government mismanagement.

natural regulation, that threatens the ecological health and environmental well-being of the nation's park system. Although Chase's charge may have substance for Yellowstone and a handful of America's other mega-parks, it hasn't played much of a role in Rocky Mountain's decline. What is destroying Rocky Mountain National Park — and for that matter, Yellowstone itself — is not the park-ranger mentality. The cause, pure and simple, is government mismanagement — the historic failures, incompetencies and ineptitudes that attend federal ownership and that have long plagued millions of acres of forest and range managed by the U.S. Forest Service and the Bureau of Land Management.

The legacy of Rocky Mountain National Park is no less atrocious and unacceptable than the legacy of overgrazed BLM rangelands and overcut and excessively roaded Forest Service lands. The only difference is that Rocky Mountain's administration cannot claim the excuse of Congressionally-mandated "multiple use" for its errant ways.

Its mandate is clearly stated in the United Nation's Biosphere Preserve designation: *"to provide a standard against which the effect of man's impact on his environment can be measured."* By any reasonable measure, the National Park Service has violated that mandate and subverted the standard by which the world's human-impacted environments are to be judged and understood.

Violation of that mandate is not the result of insufficient control of people and resources by highly trained technocrats — the classic excuse offered by generations by scientifically-trained land managers. The problem is quite the opposite. Rocky Mountain's environmental degradation is the result of excessive control and regulation; of severing people from the land; of making resources the icons of adoration; and of diluting responsibility and accountability for the land's stewardship.

Eradicating the Predatory Bureaucrat

Effective solutions to the dilemma of Rocky Mountain National Park and the 49 other national parks that stretch from coast to coast must begin with the restoration of responsibility and accountability. Adding a new layer of scientific bureaucracy or putting even more land under bureaucratic control (as the National Parks Conservation Association advocates) will not stem the infectious ailment of predatory bureaucracy. They will only make the situation worse.

The creation of independent conservation trusts, established by Congress for a public purpose but owned privately by conservation groups, has been proposed. In my judgment, such organizations would better oversee protection and preservation of individual parks.

Terry Anderson, free market environmentalist and associate of the Political Economy Research Center, goes one step further. He argues persuasively that national parks might be better off under the care of the Disney corporation. Disneyland, not the National Park Service, is by his argument a more suitable manager and a more preferable steward for many of America's most cherished wild and scenic lands. Anderson's proposal is unlikely to gain much public support,

What once was pristine forestlands are the aesthetic equivalents of livestock water holes and cattle feedlots.

at least right now. But his argument makes sense, and as the environmental disasters of Rocky Mountain and other national parks unfold, people will be more likely to consider radical proposals.

Successful protection and preservation of national parks like Rocky Mountain require fundamental changes in public policy and natural resource thinking. Such changes must provide incentives to care for willows, blue spruce, bears, ptarmigans, and beavers. They must entail new institutions that are capable of enforcing accountability and ensuring responsibility. Most of all, they must make good stewardship the final objective and the ultimate reward.

This means enacting far-reaching reform; seeking innovative ways to harness the vested interests of caring people to the ecological welfare and future of America's neglected and abused national parks. It means using the tools of private property and the processes of the free market when possible to attain the public ends that public institutions have failed to serve. Above all, it means eradicating the type of hypocrisy that shrouds the United Nations plaque at Rocky Mountain National Park headquarters. ❑

This article is based on a paper presented at the North American regional meeting of the Mont Pelerin Society on August 25, 1991, in Big Sky Montana.

Why Term Limits Lost

by Chester Alan Arthur

Only in times of challenge and crisis, it is often said, can the true mettle of the man be determined. The political establishment was just so tested, recently, in the Pacific Northwest. It brought out its big guns: lies, lies and more lies.

Three weeks before the election, polls showed that Washington state's term-limitation initiative had a lead of more than two-to-one among voters. Yet when the votes were counted, term limitation lost by a huge margin. Does this spell the end of the term limitation movement?

I don't think so. Term limitation was defeated in Washington by a combination of factors that are not likely to happen elsewhere.

1. The anti-limitation forces saw the issue as war, and were willing to dispense with any concern for truth. Rather than battling the issue on its merits, they based their case on a series of outright lies:

- Term limits snatch Granny's Social Security check right out of her hand, leaving her destitute.
- Term limits mean massive oil spills in Puget Sound.
- Term limits will take all the water out of the Columbia River and otherwise deprade Washington.
- Term limits mean higher electric rates.

The theory behind the first two lies is that term limitation was supported by David Koch, who eleven years ago was the Libertarian Party vice presidential nominee, and the LP opposes Social Security and certain environmental protection legislation. I suppose that if an out-of-state oil billionaire who believes that Washington state should have a law against murder also favors abolition of Social Security and the Environmental Protection Act, Washington voters should oppose anti-murder laws.

The theory behind the third lie is that Californians are evil people who, as "everyone knows," want to drain the Columbia River to fill their swimming pools. The main evidence of this is that periodically some nutball on the Los Angeles County Commission grabs some headlines by proposing diversion of Columbia River water to L.A. His scheme is always rejected out-of-hand as technically impractical and financially absurd. But it impresses a few yahoos in L.A. county and alarms the credulous of the northwest.

The fourth proposition is slightly plausible: electric power in Washington (and elsewhere in the northwest) comes partly from heavily subsidized hydro-electric boondoogles, and Congress may one day conclude that there is no reason northwest businesses and consumers should be sold electricity at half the market rate — though its relation to term limitation is a bit obscure.

But the centerpiece of the anti-limitation campaign was an appeal to pure chauvinism, the hatred of people who aren't like us. Californians have long been a popular scapegoat in Washington. Emmet Watson, a popular columnist in the state's largest newspaper, has practically made a career of crusading against Californians. They are buying up the land, building houses, and going into businesses that compete with locals — in short, they are ruining the state. They have strange, sick attitudes. So voters were vulnerable to an appeal to their base prejudices against Californians.

But how, pray tell, are Californians responsible for the term limitation initiative? Simple:

> Today in Los Angeles, Orange County and elsewhere in California, there's fresh hope . . . Californians are anticipating the approval of Initiative 553, the term-limits initiative. Finally, they sigh. Finally! Washington would be stripped of the strength it's held in Congress for more than three decades . . . the strength that allowed it to frustrate Californians' agenda of greed. Initiative 553 wasn't home grown . . . a citizens' idea that sprouted from the grassroots of Washington. Political conservatives in California and other

> states pulled some big bucks out of their wallets to finance it . . . In California, in the offices of politicians, the headquarters of developers, the ultraright political clubs of Orange County and elsewhere, they've probably begun to chill the champagne for the victory party.

This bizarre appeal to jingoism is not the desperate effort of a sleazy politician. The passages came from a column in the Seattle *Times*, published a week before the election. It was written by Richard Larson, the paper's associate editor. And to drive the point home, it was illustrated with a crude cartoon showing an evil Californian in black hat and black garb, clutching a child labeled "Washington." The child clutches a gun aimed at its foot. The Satanic Californian says "Pull the trigger, kid, it'll feel good."

The same issue of the Seattle *Times* included two news articles on the term limitation effort. Each mentioned that libertarian oil magnates David and Charles Koch were prominent supporters. Others mentioned include James Miller (of Washington, D.C., former Budget Director), Ralph Nader (of New York, another "ultrarightwinger"), and George Bush (of Texas, last I heard). It also mentioned the support of Sherry Bockwinkel of Tacoma, Washington (described as "a typical liberal Democratic activist") and from "several members of its steering committee who worked on the campaign of Michael Collier," a peace activist who challenged incumbent Congressperson Norm Dicks of Tacoma in his Democratic Party primary. The only Californian mentioned was Jerry "Moonbeam" Brown, hardly an ultraright Orange County type.

Does Associate Editor Larson read his own newspaper? Or does he cynically ignore the facts and base his campaign against term-limitation on an appeal to local narrow-mindedness?

Anyway, very early on, the opponents of term limits learned that heaping blame on Californians (or "Californicators," as they are called in in the northwest) works just about as well in Washington as attacking Jews worked in Hitler's Germany or blaming blacks (or "niggers," as they were called) worked in the Old South. Californians, voters were told, wanted Washington to pass term limits so it could dump oil in pristine Puget Sound, drill for oil off Washington's Pacific beaches, steal the water from the mighty Columbia River, and make Washington a California colony. The logic of this position was diaphanous: California has many Congresspeople, Washington only a few; if Washington Congresspeople lose their seniority, Californians will gain more power, which they will use for evil purposes.

It is, I suppose, not surprising that people in Washington should harbor such crude prejudice. What is remarkable is the willingness of establishment figures like Speaker of the House Tom Foley or *Times* editor Larson to appeal to this base prejudice.

2. Washington is similar to the Old South in another way: its citizens have an extraordinary love of Congress' seniority system and pork barrel politics. Its 1980 Senatorial race, for example, featured Warren Magnuson and Slade Gorton. Gorton was a popular Republican Attorney General, running in an overwhelmingly Republican year in a state that went heavily for Republicans in state-wide races. Democrat Warren Magnuson ("Maggie," as he was affectionately known) was obviously senile and physically decrepit. His campaign appearances were carefully staged so that he would not have to walk to the podium; his "speeches" were very brief, since he could barely utter an intelligible sentence. Gorton managed to win, but only by the slimmest of margins.

Similarly, when Tom Foley took over as Speaker of the House in 1989, the state's newspapers and its people carried on at length how Foley's seniority and power would deliver lots of federal loot to the state. The celebration of greed got so bad that Foley made several public statements warning that the days of the really majestic pork barrel were past, and that he would have to serve the nation as a whole, rather than use his position to pay off his constituents. (In Foley's whirlwind campaign against term limits, he forgot all about this and reverted to claims that his power could deliver the pork.)

The seniority argument didn't make much sense when one considers the lack of seniority of Washington's two incumbent Senators. Both Washing-ton's Senators are in their first term, and one is virtually a lame duck, thanks to public reaction to his novel idea of constituent relations (a prominent constituent withdrew his support of the Hon. Brock Adams, explaining that Adams had drugged his daughter and climbed into her bed). Nevertheless, the memories of the illustrious Maggie's fantastic seniority reverberated on the state's airwaves. "I always believed that Maggie could deliver more to the state with one phone call than some junior Senator could his entire term of office" typified public comment on the term limit issue.

Very early on, the opponents of term limits learned that heaping blame on Californians (or "Californicators" as they are called in the northwest) works just about as well in Washington as attacking Jews worked in Hitler's Germany or blaming blacks (or "niggers," as they were called) worked in the Old South.

3. Up against this rather formidable set of circumstances, the pro-limitation forces were slow to respond and inefficient in their expenditure of money. Given its love of the Congressional seniority system and pork barrel politics, and the popularity of its senior congresspersons, Washington was not a particularly good state to try to enact a term limitation measure that kicks senior congresspeople out of office. Given that handicap, the campaign could not afford to blunder. But blunder it did. It blundered horribly. And it never played its best cards. Given the huge lead in the polls, the campaign apparently didn't bother to respond to any of the attacks.

Here are some specific blunders:

• The campaign spent much of its advertising money early, before the

campaign had really begun. During the final two weeks of the campaign, with the airwaves full of anti-limitation ads and news of incumbents attacking limits, I did not hear a single ad supporting limits. I am told that the campaign spent its war-chest on general anti-politician spots, never countering the issues raised by the opposition.

For example, when the opposition was running its absurd but effective *ad hominem* attacks on "oil billionaires David and Charles Koch," the campaign could have countered effectively by advertising the fact that the largest contributions to the campaign against term limits came from Phillip Morris, the National Rifle Association, Boeing, major labor unions, the American Trial Lawyers Association, Anheuser-Busch, and Kaiser Industries . . . in short, big money lobbies anxious to protect their investments in special relations with elected officials.

• When most damage to the campaign was coming from the jingoistic attack on Californians, the term limitation campaign brought in — get this — former California Gov. Jerry Brown to campaign on its behalf. So far as I can tell, Brown is virtually the only Californian who publicly supported the measure — just the man to make the centerpiece of the campaign.

• David and Charles Koch blundered when they publicized their contributions. It would have been an easy matter to obscure their role in bankrolling the campaign: they could have made gifts to a variety of political committees in both Washington state and Washington D.C., which in turn could have contributed to the campaign. Instead, they funnelled their money into the campaign solely through the Committee for Campaign Reform. And there was no good reason for David Koch to speak to the press; whatever he said could be (and was) taken down and used against him.

• The campaign for term limits outspent its opposition by a factor of about 2 to 1. But it concentrated its spending on staff, consultants and direct mail. These activities don't translate into votes. In the critical area of broadcast advertising in the final weeks prior to the election, opponents of term-limits outspent them by about 2 to 1.

Whether the failure of term limitation in Washington will de-rail the campaign elsewhere remains to be seen. But the shame is that it didn't have to lose. If it had been competently managed, if it had spent its resources effectively, if it had avoided its blunders, Washington voters would have enacted term limits. And Tom Foley would be looking for a job. And cashing in his fat government pension. ❑

What's the big deal about term limits?

Sometime recently, when I wasn't looking, term limits became part of the libertarian creed, and I don't really know why.

Sure, incumbents have awesome power. Sure, they are influenced unduly by lobbyists and special interest groups. Sure, most incumbents are advocates of increasing government power. And sure, increasing government power is inimical to liberty. But so what? Incumbents tend to advocate increasing government power because most Americans want increased government power.

The problem that we advocates of liberty face is not the *incumbency* of elected officials who disagree with us. Our problem is that *most of our fellow citizens disagree with us*. This is an unpleasant fact. It is difficult to deal with. It is much more pleasant to believe that the reasons our policy recommendations are ignored is some sort of conspiracy or some sort of evil institutional arrangement. Conspiracies can be prosecuted and institutional arrangements can be changed more easily than our neighbors' beliefs.

Suppose that senior incumbents to elective office were mostly advocates of liberty who used the power of their incumbency to foil attempts to increase the power of the state. In that situation, would term limitation be a libertarian position?

Furthermore, I am not convinced that term limitation would have particularly salutary effects. Sure, it would be nice to knock Tom Foley, Alfonse d'Amato, Ted Kennedy, and Robert Dole out of office. But why should we be convinced that their replacements would be any better?

Although I didn't hear it mentioned a single time in Washington's recent battle over term limits, the U.S. does have one significant instance of term limitation: the 22nd amendment, which prohibits a person from being elected president more than twice or from acting as President for more than 10 years. This measure was the work of Republicans who got control of Congress in 1946 and were anxious to see to it that there would be no more FDRs.

What has been the effect of the measure? Since its enactment, there have been two presidents prevented from a third term: Eisenhower and Reagan. Both Republicans; shortly after Reagan's re-election, his political forces campaigned for a constitutional amendment to allow a third term.

Reagan was hurt badly by term limitation. Virtually as soon as he was re-elected in a landslide, the media began to refer to him as a "lame duck" president. The same wimpy Democrats in Congress who feared treading on the toes of the extremely popular Reagan in his first term, were emboldened in his second to commit all sorts of acts of *lese majesté*. A good case can be made that the whole Iran-Contra mess would never have been exposed had Reagan been eligible for another term. I doubt this is what the Republicans had in mind when they passed presidential term limitation. (Incidentally, I don't recall hearing Tom Foley or any of the other opponents of term limits argue to amend the Constitution to remove presidential term limits.)

I voted for term limits. I figured, what the hell, the campaign against it is loathsome, and it'll get rid of some bums. But it was a close call.

— R. W. Bradford

Comparison

Beyond Austrian Economics: The Economy as Ecosystem

by Michael Rothschild

In economic thought, the "Austrian school" has survived but not thrived. Michael Rothschild, the author of *Bionomics: The Inevitability of Capitalism,* adds a new component to the Austrian information set, and predicts a scientific revolution.

Economist Mark Blaug has made a telling point about the remarkable durability of equilibrium economics:

> Bad theory is still better than no theory at all and, for the most part, critics of orthodoxy had no alternative construction to offer. . . The moral of the story is simply this: it takes a new theory, and not just the destructive exposure of assumptions or the collection of new facts, to beat an old theory.[1]

Professor Blaug is correct. Equilibrium economics is, and always has been, fatally flawed. Even its staunchest proponents concede that the general equilibrium model bears little, if any, resemblance to empirical reality. And yet, the equilibrium approach endures, dominating the landscape of modern economic thought like an invulnerable colossus.

Decade after decade of devastating attacks by the "Austrians" and other heretics have barely altered the course of the "mainstream." To this day, equilibrium orthodoxy is passed down as gospel in virtually every microeconomics course. Though ignored by all practicing businesspeople, its mythology of smoothly intersecting supply and demand curves still distorts the perspective of policy-makers at every level of American government.

Though scientists may recoil at the notion that "bad theory is still better than no theory at all," the evidence supports Professor Blaug's assertion. Assaults on orthodox thinking have been necessary, but insufficient to upset the reigning economic theology. If equilibrium dogma is ever to be knocked from its pedestal, non-believers must respond to Professor Blaug's challenge and propose a new and better theory. In the vernacular, critics of equilibrium economics must "put up or shut up."

I have recently proposed an alternative to the equilibrium model, a new theory called *bionomics.*[2] Of course, no idea is truly new. Every concept has its antecedents. In this case, the principles of bionomics were drawn primarily from the rapidly advancing biological sciences. The few bionomic concepts not borrowed from biology were derived from the teachings of modern business strategy.

To the surprise of some, the development of bionomics was not directly influenced by the Austrian School. Like too many other students of economics, I was completely unaware of the Austrian tradition. But after *Bionomics* was published, a number of reviewers pointed out similarities between certain bionomic concepts and several Austrian ideas.[3] Though Austrian economics and bionomics follow two distinct logical paths, they converge in their rejection of equilibrium economics. Nonetheless, profound differences distinguish these two perspectives.

Bionomics in Brief

Bionomics argues that a market economy is a naturally occurring phenomenon. Like an ecosystem, a market economy is a spontaneous evolutionary process. Neither the market economy nor the ecosystem was planned. Neither system requires central management. Both the ecosystem and the economy are examples of what science now calls "self-organizing, chaotic" processes.

Key phenomena observed in nature — competition, learning, specialization, cooperation, growth, and several others — are also central to economic life. Moreover, the evolution of the global ecosystem and the emergence of modern industrial society are studded with striking parallels.

Coded information is the essence of both systems. In the biologic environment, genetic information, encoded in the DNA molecule, is the basis of all

life. In the economic environment, technological information, recorded in books, blueprints, scientific journals, formulae, algorithms, and databases, is the source of all economic life.

As humankind's ability to copy and exchange information improved, first with the invention of the printing press and more recently with the creation of the computer, the accumulation of scientific knowledge quickened and then accelerated again. Today, a staggering profusion of highly specialized firms — from fast-food chains to microchip makers to international airlines — employ tiny subsets of this vast body of coded information to convert raw materials and labor into the finished goods and services that satisfy human needs and desires.

Though ignored by all practicing businesspeople, mainstream economics' mythology of smoothly intersecting supply and demand curves distorts the perspective of policymakers at every level of American government.

Although the pace of economic evolution is stunningly rapid, its detailed processes are remarkably similar to those found in nature. Slight rearrangements of genetic code, known as mutations, are much like the modest alterations of technologic code, known as improvements. Major revisions of genetic code sequences, called recombinations, are analogous to the radical changes in technologic code called inventions.

In nature, new sequences of genetic code (manifested as organisms) that "fit" the environment are sorted from less efficient strains by natural selection. Similarly, certain new technologies (manifested as organizations) are distinguished from less effective alternatives by market competition. The chief difference between the biologic and economic forms of information evolution is speed. Technologic change happens at least a million times faster than genetic change.

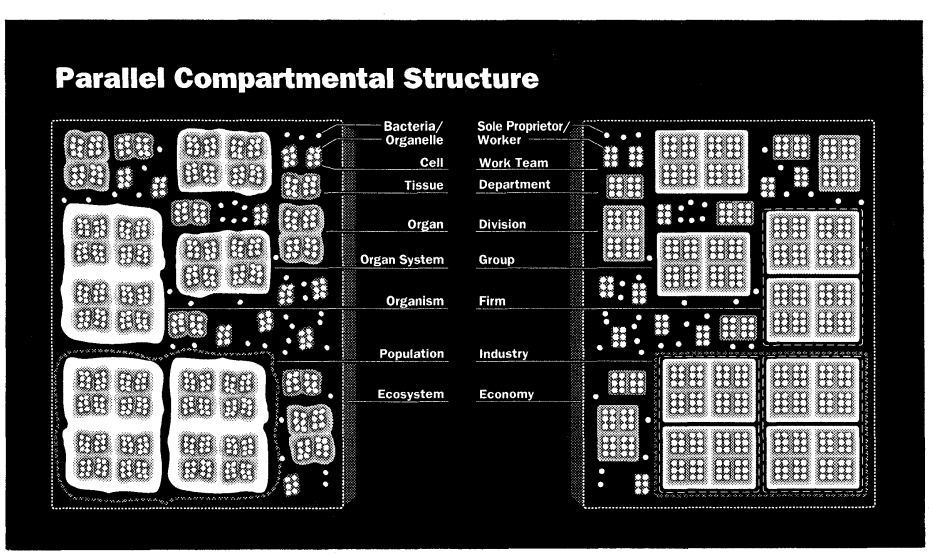
Before developing this line of thinking any further, it is necessary to distinguish bionomics from Social Darwinism. Ultimately, the perverted logic of Social Darwinism led to one of the greatest tragedies in history — the Nazi Holocaust. Because of this horrifying result, biology became taboo for economic thinkers. *Bionomics* reopens this closed subject by arguing that the insights of modern biology, *properly applied*, can shed new light on the complexities of the economy.

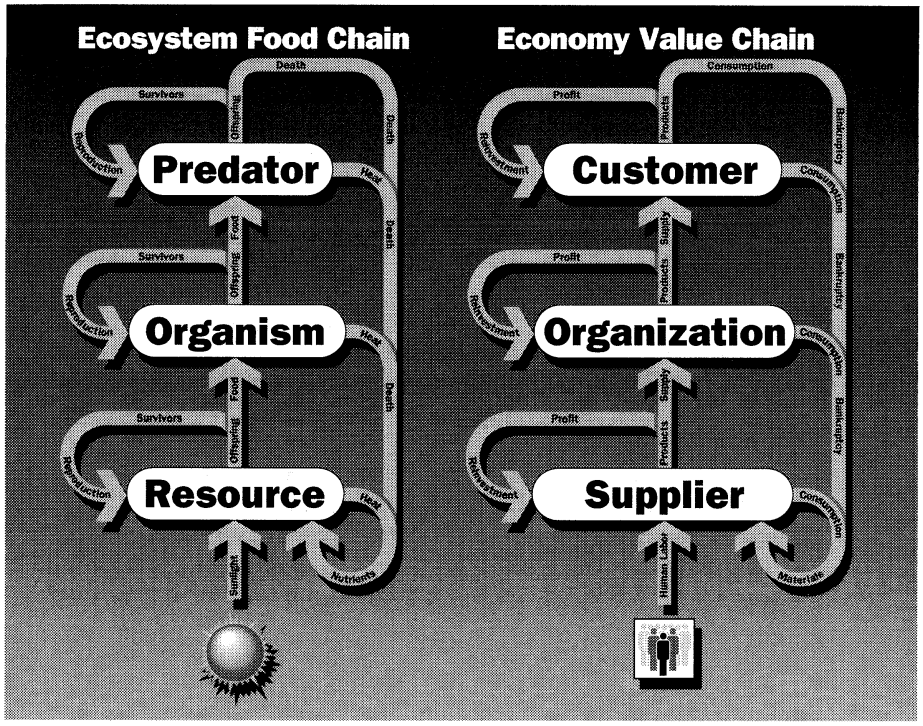
Unfortunately, the appropriate use of biology's lessons in deciphering human social questions has been complicated by the recent rise of human sociobiology. Human sociobiologists employ far more sophisticated language than old-fashioned Social Darwinists, but the core allegation is the same: people are born to behave the way they do. Proponents of sociobiology see the diversity of human cultures as rooted in differences within the human gene pool. For them, culture does not emanate from the mind, but from the genes.

In sharp contrast, bionomics holds that economic development — and the social change flowing from it — is not shaped by a society's genes, but by its accumulated technical knowledge. Indeed, wherever advanced technologies have penetrated, cultural chasms once thought unbridgeable have narrowed to the vanishing point. Europe's current unification is but one example of this common process. Throughout human history, profound cultural change has been driven by the evolution of technological information, not the evolution of genetic information. Our genes have remained virtually unchanged for 200,000 years.

The Social Darwinists and sociobiologists argue by *homology* — a similarity based on lineal descent. Bionomics argues by *analogy* — a similarity that emerges from like circumstances. In bionomics, genes and knowledge are not connected, they are *parallel*. Our genes do not program us to become capitalists. The system known as "capitalism" is not an "ism." It is not a belief system, like socialism. Capitalism is simply the process by which coded technological information evolves. Human beings are the only agents of technological evolution on this planet, because we alone are biologically equipped to read and write. By virtue of an immensely long string of evolutionary accidents, we happen to be the only species able to code and decode strings of symbols stored outside our bodies.

On a day-in, day-out basis, biologic and economic life are structured and operate in much the same way. Organizations, like organisms, are built in complex hierarchies. One is made up of cells within tissues within organs within organisms within populations, while the other is comprised of work teams inside departments inside divisions inside firms inside industries. Some organisms and some organizations, like bacteria and sole-proprietors, are minuscule but found in huge numbers and varieties, while others, like great blue whales and





IBM, are massive and few.

No living thing can exist in isolation from the ecosystem. In a sense, every organism and every species is a node in a vast network of ecological relationships, called the food chain. Each is held in place by links to its resources, predators, and competitors. A similar webwork of relationships, called the value-added chain, defines each firm and industry. In effect, firms face essentially the same set of bionomic constraints faced by organisms. Each is held in place by relationships to its suppliers, customers, and competitors.

To survive and reproduce, a living thing must gather more food energy than it burns off while collecting that energy. For example, individual bumblebees collect more calories in nectar than they burn up as they commute back and forth to flowers. The gross margin collected from millions of flower visits pays the overhead of maintaining the hive. At the end of the summer season, the net energy profit of the hive is invested in drones and virgin queens, the bees that carry the social organism's genetic code. A bumblebee hive, like every other organism, is a genetic system that squeezes an energy profit from its ecologic transactions and reinvests that profit in copies of its genes.

To survive economically, an organization must use its unique technical know-how, its "corporate genes," to add value to the materials and labor it takes in. To attract buyers, most of that added value is passed along to customers, but a portion — its profit — is retained by the firm.

An organization reinvests its profits in technological information much as an organism reinvests in genetic information. But there is a crucial difference. Organisms must reinvest in virtually unchanged genetic sequences. By contrast, company managers decide what technologies to invest in. Whether this new technology is developed internally or purchased from outside suppliers, a firm's future "corporate genes" are, at least in part, a result of conscious choice.

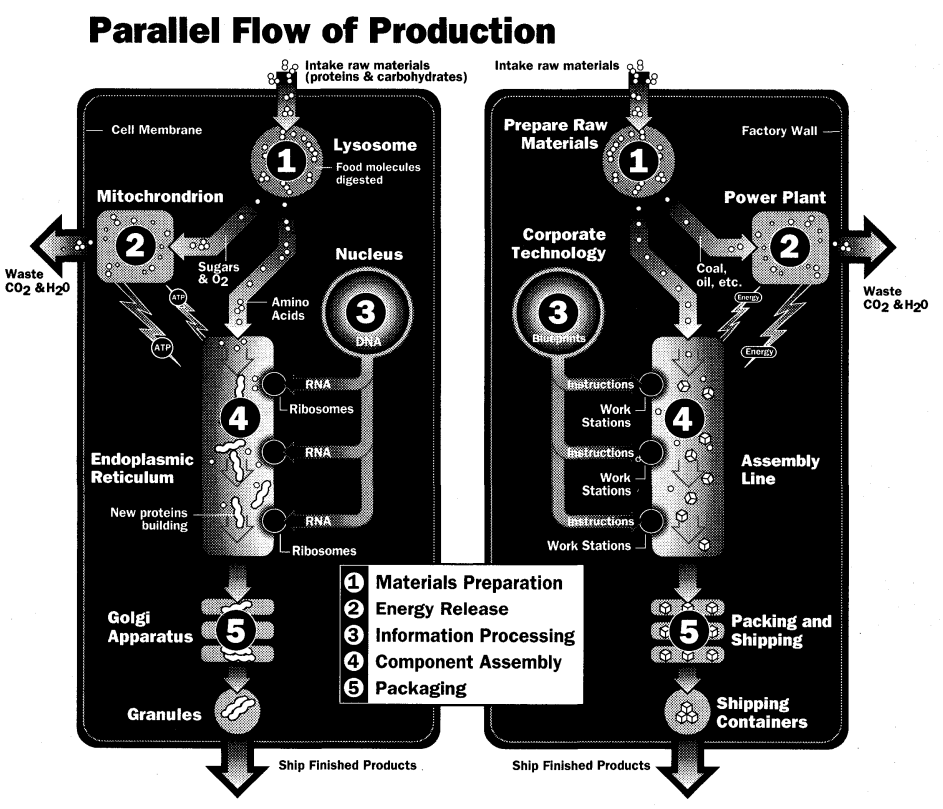
Because resources are always limited — there is only so much "carrying capacity" in an ecologic niche or "market size" in an economic niche — the organisms and organizations that survive do so by being somewhat more efficient than their competitors. Simply put, there are two ways to become more efficient. The short-term process is called learning. The long-term process is called specialization.

All animals — from the lowliest single-cell protozoans to human beings — are able to learn. For example, a newly hatched bumblebee worker takes sixty minutes to gather up a full load of pol-

Bumblebee Hive Income Statement

All Amounts in Calories (except as noted)	Cold & Rainy Days (Avg. 10°C)	Warm & Sunny Days (Avg. 23°C)	Total Per Season	As % of Total Revenue
Revenues per Foraging Minute	*1.77*	*1.77*		
Direct Costs per Foraging Minute				
Warming Up	*0.15*	*0*		
Flying	*0.28*	*0.28*		
Subtotal	*0.43*	*0.28*		
Gross Profit per Foraging Minute	*1.34*	*1.49*		
Minutes per Avg. Foraging Trip	*60*	*60*		
Avg. Trips per Forager per Day	*8*	*9*		
Avg. Number of Foragers	*17*	*45*		
Cold or Warm Days each Season	*40*	*75*	*115*	
Total Revenue to the Hive	*577,728*	*3,225,825*	*3,803,553*	*100.0%*
Total Gross Profit to the Hive	*437,376*	*2,715,525*	*3,152,901*	*82.9%*
Overhead Costs				
Feeding the Queen			*57,200*	*1.5%*
Feeding Worker Larvae			*1,515,024*	*39.8%*
Incubating Worker Larvae			*33,600*	*0.9%*
In-Hive Worker Heat Losses			*378,000*	*9.9%*
Dead Workers at Disposal			*10,020*	*0.3%*
Subtotal			*1,993,844*	*52.4%*
Net Profit Available to Reinvest			*1,159,057*	*30.5%*
Feeding Queen/Drone Larvae			*1,134,000*	*29.8%*
Incubating Queen/Drone Larvae			*16,200*	*0.4%*
Subtotal			*1,150,200*	*30.2%*
Profit Not Reinv. (Sugar Left Over)			*8,857*	*0.2%*
Sugar Left Over in Grams			*2.21*	

Sources: Heinrich, *Bumblebee Economics* (1979); Heinrich personal communication, Author's estimates



len and nectar from a jewelweed plant. An experienced worker takes just six minutes. This ten-fold efficiency improvement follows the familiar pattern of the "learning curve," where performance improves as a function of accumulated experience.

Organizations, like organisms, learn from experience. In high technology businesses, where production experience accumulates quickly from a small base, "learning curve" calculations are essential to the formulation of competitive strategies. But learning is not limited to high-technology. In fact, *all* products and *all* services, regardless of their high-tech or low-tech character, get cheaper as the producer's experience accumulates. Literally thousands of empirical studies have shown that the learning curve is a universal economic phenomenon. No study has ever shown the absence of learning.

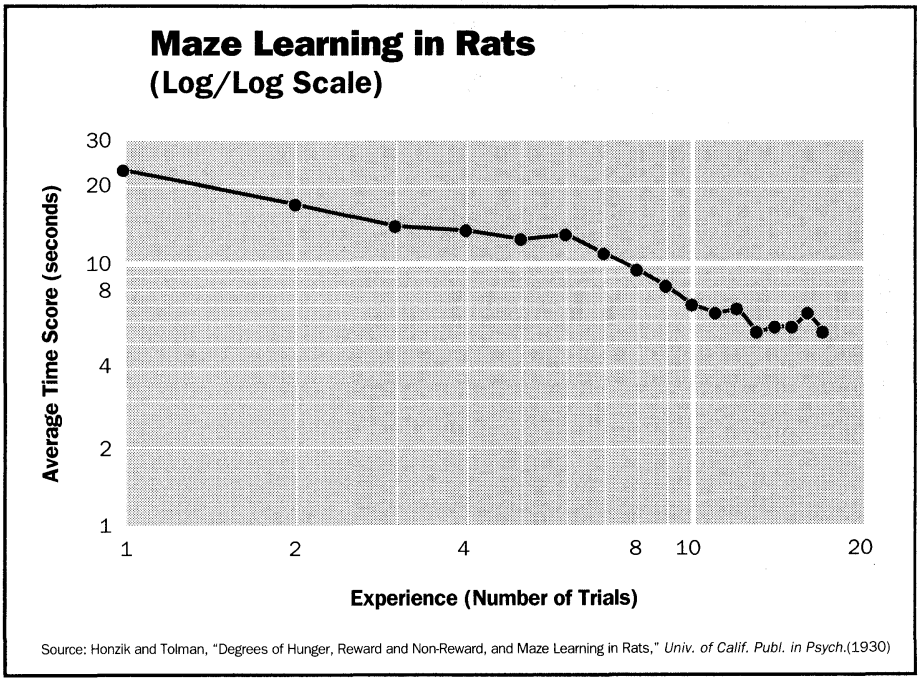
Two factors tend to blind us to the universality of ever-declining unit costs. First, inflation masks historical cost declines, because we tend to think in terms of current dollars. Second, the vast production experience already accumulated in mature products like automobiles means that decades must pass before enough additional production experience accumulates to drive costs down noticeably. Nonetheless, adjusted for inflation, the cost of automobiles keeps falling. In real dollars, this year's Ford Escort is about 20% cheaper than a 1912 Model T.

Throughout the market economy, more and more consumer value is squeezed out of less and less labor and material as organizational learning translates the trials and errors of production experience into new technology. As real costs decline, the real standard of living rises.

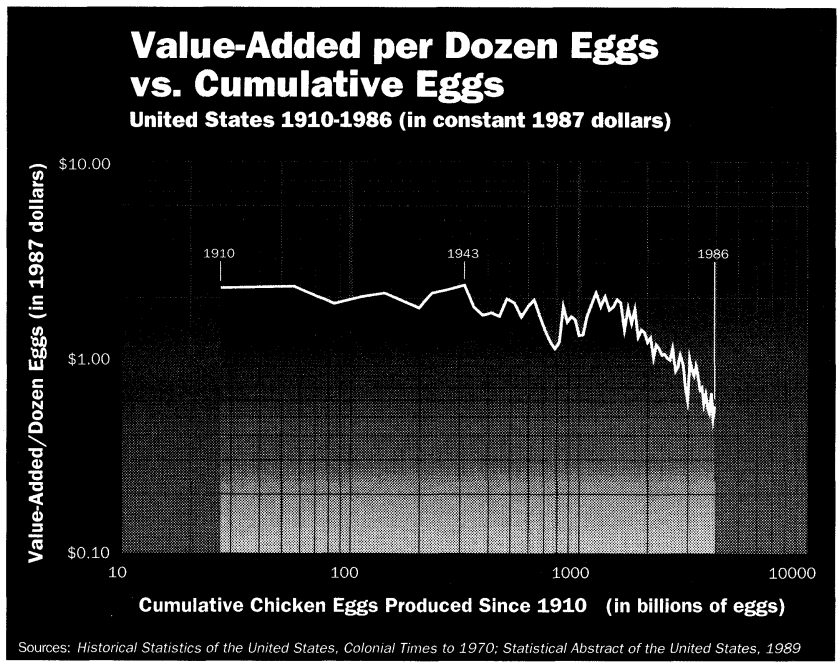
The learning curve phenomenon has long been known to orthodox economists.[4] But it has been virtually ignored, perhaps because the learning curve obliterates the myth of rising marginal costs — the cornerstone of equilibrium logic.

Intimately related to the phenomenon of learning is specialization. To persist, every form of life tends to become more specialized, developing a particular way of getting by that only a few direct competitors in its niche can match. Avoiding head-on competition through specialization — in the wild and in the marketplace — leads to increasing diversity. Diversity, in turn, leads to greater interdependence and complexity.

For example, 60 distinct species of bumblebees inhabit North and Central America. Each one has been physically tailored by evolution to fit a particular niche along a "resource spectrum." Each specializes in a small group of plant species that live under certain climatic and soil conditions. Short-tongued bumblebees suck nectar from plants with shallow, open flowers, while long-tongued bumblebees collect their calories from flowers with deep corollas.

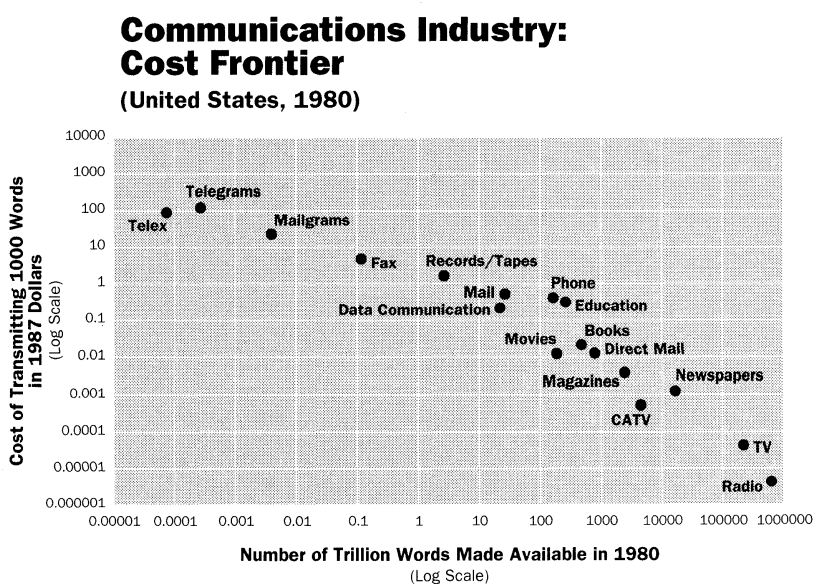


Source: Honzik and Tolman, "Degrees of Hunger, Reward and Non-Reward, and Maze Learning in Rats," *Univ. of Calif. Publ. in Psych.*(1930)



In the economy, companies behave much the same way. They constantly differentiate their products and services to minimize head-to-head competition. The fungible commodities so prominent in the models of orthodox economists are exceptions, not the rule. From the Bic ballpoint to the Mont Blanc fountain pen, from Motel 6 to the Ritz-Carlton, organizations jostle for position in market niches arrayed along price/performance curves. Some firms specialize in "downscale" customers with thin wallets, others tailor themselves to satisfy "upscale" buyers with deep pockets.

Over time, as learning and specialization proceed, price/performance curves keep getting pushed down. Like a vast amoeba, the economy grows, extending its pseudopods into previously unreachable price/performance regions. For example, the cost per seat-mile of a Boeing 747 is radically lower than that of an ocean liner. But until we had accumulated the technological information embedded in the 747, the size of the economy was constrained by costs of steamship technology. Propelled by



organizational learning and specialization, technological evolution pushes back the economy's price/performance barriers in transportation, communication, agriculture, housing, and every other sector.

Increasing specialization and diversity create new opportunities for mutually beneficial interdependence. Symbiotic relationships — common among species in nature — are echoed in the economy, where the vast majority of transactions is based upon mutual profitability. Taken over time, the twin phenomena of competition and cooperation have yielded the diversity and abundance of the earth's ecosystem in one realm and the complexity and productivity of the global market economy in the other.

As any careful observer of the ecosystem or the economy can attest, each system is incomprehensibly complex. And, to make matters still more complicated, both realms are being constantly restructured as evolution proceeds. New species and new industries, the manifestations of new sequences of genetic and technologic code, spring up whenever the ecologic or economic conditions permit. Simultaneously, long-established species and industries are driven to extinction by environmental shifts and new competitive pressures. Change, unpredictable change, is the only constant.

The awesome complexity of the ecosystem makes it difficult to believe that it runs itself. But, as Charles Darwin was the first to make clear, no conscious force is needed to keep the natural world going. Life is a self-organizing, "chaotic" phenomenon. From the interplay of hormones in the human body to the expansions and contractions of the great Arctic caribou herds, nature's intricately linked feedback loops maintain the ecosystem through a regime of erratic, self-correcting fluctuations. As recent ecological research shows, there is no "balance of nature," only the confusion of species populations exploding and plummeting chaotically. In biology, balance and equilibrium are achieved only in death.

Markets provide a similar network of feedback loops in the economy. Without central planning, buyers and sellers respond to erratically fluctuating prices for commodities, capital, and labor. A flexible, adaptive economic order emerges spontaneously from the chaos of free markets. Free market prices are inherently unpredictable. Like the "balance of nature," equilibrium prices are a myth.

No one is in charge of either system, and no one needs to be. In and of itself, competition for survival between rival strands of coded information compels learning and specialization which leads inexorably to greater efficiency, diversity, and complexity. These are the primal

forces driving capitalism. Every one of them has its close parallel in biology.

Bionomics and Austrian Economics Compared

Viewing the economy through the eyes of a biologist may seem strange to students of the Austrian school, and yet, several bionomic observations will seem quite familiar. This should come as no surprise. If two observers are watching the same real phenomena, their observations ought to share some commonality despite their different perspectives.

Although I am only now becoming acquainted with the Austrian literature and still have an enormous amount of reading to do, the major similarities and differences between Austrian thinking and bionomics seem clear to me. Take, for example, "methodological individualism," the Austrian principle that commands economists to pay attention to the behavior of individual economic actors rather than those of abstract entities like "the working class, "the banking industry," or "the economy."

In biology, focusing attention on individuals was one of the greatest of Charles Darwin's revolutionary intellectual contributions. Before Darwin, naturalists conceived of species as ideal archetypes. Differences among individual members of a species were dismissed as unimportant. It was Darwin who first realized that these tiny variations (or mutations) were the raw material of evolutionary change. By stressing the uniqueness of each individual organism, it was Darwin who first challenged the Platonic philosophical tradition of "essentialist" or class-type thinking.[5] Indeed, although Marxists from Engels on down have tried to draw support for their arguments by citing Darwin, such arguments have never held water, because of this profound philosophical difference. Abstractions like "the working class" are remnants of an intellectual tradition that Darwin seriously damaged with his own brand of "methodological individualism." Like the Austrians, Charles Darwin realized that an evolutionary system emerges as the collective result of uncoordinated interactions among unique individuals.

The system known as "capitalism" is not an "ism." It is not a belief system, like socialism. Capitalism is simply the process by which coded technological information evolves.

Indeed, the Austrian principle of "spontaneous order," where economic diversity and complexity emerge over time without central direction, owes much to the intellectual revolution fomented by Charles Darwin. The very notion that something as miraculously complex as the natural world could have arisen without the guiding hand of a divine central planner is echoed in the Austrian description of the economy as a "spontaneous order" emerging out of the chaos of individual "human action."

Another important similarity between the Austrian and bionomic views is the stress that both place on *dis*equilibrium. According to the Austrians, though equilibrium is the central obsession of orthodox economics, economic equilibrium is a myth. Bionomics could hardly be more emphatic in agreeing with the Austrians about the absurdity of the conventional fascination with equilibria. Going perhaps one step further than the Austrians, however, bionomics stresses that in the realm of complex systems, like organic life, disequilibrium is desirable and healthy. Living things stay alive only because the coded genetic information inside them manages to overcome (temporarily) the entropy that leads to eternal equilibrium.

The equilibrium myth so cherished by orthodox economists is, of course, intimately linked to their desire for stability. Fundamentally, the quest for stasis is a rejection of historical time. Like the Newtonian physics upon which it is based, equilibrium economics describes the world as if it were an eternally unchanging, cyclical clockwork mechanism. In the Newtonian system, once the trajectories of the planets are known, time is merely a variable in the precise calculation of their future positions. But taken as a whole, the Newtonian universe was static, timeless, and therefore perfectly predictable. The passage of historical time — the fact that time has a directional quality and is punctuated by unpredictable events — is irrelevant to an equilibrium system of endlessly repeating cycles. This is why "comparative statics" is the best that orthodox economists will ever have to offer and why a realistic model of the economy as a "dynamic system" will be forever beyond their reach.

The chief difference between the biologic and economic forms of information evolution is speed. Technologic change happens at least a million times faster than genetic change.

By contrast, both bionomics and Austrian economics place great stress upon the role of historical time. The market is not a stable mechanism where the smooth trajectories of demand and supply intersect at some calculable equilibrium position. According to the Austrians, the market is a never-ending process of discovery. The market is a necessary consequence of the fact that information is not "given," and that whatever information exists is imperfect and unevenly distributed.[6]

Again, in its rejection of the Newtonian "economy as equilibrium machine" paradigm, bionomics accepts the Austrian view of the market as a process. More specifically, bionomics views free markets as feedback loops, much like the feedback loops that govern biological life at all its levels of organization. Economic players endlessly adjust their activities and plans as they decipher the information fed back to them through price signals. No stopping point, no resting place, no equilibrium exists, because new information keeps appearing as the evolution of technological information proceeds.

Interestingly, in his famous essay "The Use of Knowledge in Society," Friedrich Hayek describes the workings of price signals by relying on an "economy as machine" analogy.

> It is more than a metaphor to describe the price system as a kind of

> machinery for registering change, or a system of telecommunications which enables individual producers to watch merely the movement of a few pointers, as an engineer might watch the hands of a few dials, in order to adjust their activities to changes of which they may never know more than is reflected in the price movement.[7]

Two decades later, however, in "The Theory of Complex Phenomena," Hayek begins to shift his position when he describes organic and economic phenomena as examples of the kind of complex systems that do not operate by simple mechanical rules.[8]

Having recognized these broad areas of agreement — methodological individualism, spontaneous order, disequilibria, and market process — it is essential to examine the points on which Austrian economics and bionomics appear to differ. Primary among these differences seems to be the definition of information and its role in the economy. Unlike the Austrians, bionomics places utmost emphasis on the role of science and technology. As human beings discover new knowledge, write it down (encode it as strings of symbols), copy and disseminate it, these strands of information upset previously existing value relationships. Jobs, companies, industries, and entire economies are continuously reshaped by the emergence of new technologies.

Taken over time, the twin phenomena of competition and cooperation have yielded the diversity and abundance of the earth's ecosystem in one realm and the complexity and productivity of the global market economy in the other.

To cite just one of a virtually unlimited number of possible examples, the polio vaccine obliterated the industry that produced "iron lungs." Injecting a new strand of technological information into the economy radically altered all the price signals flowing back to those involved in the "iron lung" business (hospitals, manufacturers, component suppliers, etc.) Despite what "mainstream" economists would have us believe, the "iron lung" industry had never achieved an equilibrium. Its participants survived economically by reacting to the same unpredictably fluctuating price signals that communicate essential economic data to the players in every industry. However, once the technological information embodied by the vaccine became part of the economy and eliminated demand for "iron lungs," decision-makers in that industry responded to this new information by shutting down. Of course, as the "iron lung" industry went extinct, a new industry grew up to produce and distribute the polio vaccine.

Because bionomics focuses so intensely on new technology as the driving force of economic evolution, it makes a somewhat stronger case than the Austrians in describing the market as a discovery process. If the economic role of new science and technology is ignored, or at least under-appreciated, then it is a bit easier for orthodox economists to counter that, even though equilibria never appear in reality, they could emerge in theory. And indeed, if the economy were a closed information system, not subject to the inflow of new knowledge, then it seems that the market's discovery process would eventually find and eliminate all sources of disequilibria. To dismiss the importance of new knowledge is to play by the rules of static analysis.

In "The Use of Knowledge in Society," Friedrich Hayek downplays scientific knowledge, pointing out instead the value of "the knowledge of the particular circumstances of time and place."[9] Though Hayek is entirely correct in emphasizing that "scientific knowledge is not the sum of all knowledge," he weakens his main argument by diminishing the role played by scientific knowledge. "Economic problems arise always and only in consequence of change," writes Hayek.[10] But change is not limited to temporary fluctuations, like the Florida freeze that sends orange juice prices straight up, that so characterize daily market function. Historic economic change — the directional, evolutionary change that alters society in fundamental ways — is driven exclusively by the accumulation of scientific and technological information, like

high-temperature superconductivity, which will dramatically alter the cost and uses of electricity.

A dichotomy drawn from the philosophy of biology may help clarify these issues.[11] Hayek's attention is focused on *proximate* causation; that is, how the market changes on a day-in, day-out basis. Bionomics supplements this correct analysis by stressing *ultimate* causation; that is, how the economy changes over time in response to the evolution of technologic code. Once this second source of change is recognized, it is unnecessary to give ground even to the orthodox economist's limited, theoretical claim of equilibrium. Because the economy is an open information system, new knowledge continually disrupts economic relationships that may have been drifting toward some kind of equilibrium. The faster information expands, the more impossible even the concept of equilibrium becomes.

A flexible, adaptive economic order emerges spontaneously from the chaos of free markets. Free market prices are inherently unpredictable. Like the "balance of nature," equilibrium prices are a myth.

Indeed, even while acknowledging the many similarities shared by Austrian economics and bionomics, one cannot escape the larger implications of their fundamentally different treatments of the concept of information. At least as I presently understand it, all the important distinctions between Austrian thinking and bionomics spring from their different views on information.

The Austrians appear to use the word "information" in its normal, vernacular sense — meaning knowledge about the state of the world. Bionomics, by contrast, relies on a far more restrictive sense of the term. In bionomics, information means a linear sequence of symbols that encodes knowledge. The Pythagorean theorem qualifies as information as does the piece of genetic code that tells a cell how to produce acetylcholine. In both cases, it is a linear sequence of symbols that captures and conveys meaning.

Thinking about information as encoded knowledge leads to several far-reaching implications that sharply distinguish bionomics from Austrian thought. For example, the Austrian principle of "subjectivism" holds that one cannot understand the economy unless one understands what individuals are thinking. Following Ludwig von Mises, many Austrians regard the study of "human action" (praxeology) as paramount. The logic of Austrian thinking is constructed upon the axiom that hu-man beings act purposefully to achieve chosen ends. From a purely scientific standpoint, the problem with these hypotheses is that they cannot be falsified by empirical evidence. There is no way to know what someone was really thinking or what the true purpose of his action was. Austrians acknowledge this by saying, in effect, that economics is not a natural science, it is a social science. As such, economics cannot be expected to play by the rules of science.

Bionomics does not dispute the importance of human perception nor does it deny the fact that every human being is unique and has perceptions that differ from those of everyone else. As previously noted, there is hardly a more central notion in evolutionary biology than the concept of individual uniqueness. However, bionomics does not regard human thought and human action to be the sole source of economic life. Thought and action are, of course, indispensable. But in an economic context, human beings must have something to think about and act upon. Bionomics holds that creative humans are engaged in an unending dialogue with encoded knowledge. Human beings and coded information are co-equal partners in the economy.

Historically, it is encoded information — sequences of symbols recorded outside of human bodies — that has played the pivotal role in economic life. Without writing, we would still be living as our Cro-Magnon ancestors did 40,000 years ago. We would not be "masters of the planet." We would be, as we were for the first 2.5 million years of hominid evolution, like every other species, completely subject to the vagaries of nature.

We are often told that *Homo sapiens* is unique because it alone has high intelligence and language. This is wrong. Bottle-nosed dolphins also have high intelligence and language.[12] What made our species special, what allowed us to create technological and economic civilizations, was our biological potential for literacy. Somehow our brains evolved the capacity to code and decode lines of written down symbols. Somehow we can scan the sequence of 42 symbols in

> The full moon's reflection shimmered upon the bay.

and see the image in our mind's eye.

Exploiting this unique physiological capacity, we, alone among the millions of species, have been able to observe nature and record our observations in a way that could be transmitted to others and to future generations. As we gradually compiled this extra-genetic code of written human knowledge, we were able to create increasingly sophisticated and productive economic systems.

Making room for bionomic ideas does not require the abandonment of accepted Austrian principles. These worldviews are not mutually exclusive. In fact, they strengthen each other.

Where every other species has survived by virtue of its evolving genetic code alone, we have prospered through the evolution of our technologic code. The creativity, thought, and action of individual human beings made this evolution possible. But one must ask, "If Newton (or Darwin) had not been born would we still be ignorant of classical physics and evolutionary biology? Or would other individuals have observed these patterns in nature and written them down to share with the rest of us?" Newton did not actually "stand on the shoulders of giants"; he studied their writings.

With their cuneiform writing system, the Sumerians were able to organize the first large-scale agricultural civilization. And after Gutenberg's in-

vention of movable type, Europeans were able to copy and disseminate new scientific knowledge, turn it into machines, and establish the first industrial societies. Without Gutenberg's printing press — a mechanism for accurate and inexpensive code replication — our science and therefore our economy would still resemble those of the Dark Ages.

Indeed, although it has only been in recent decades that we have come to appreciate the critical importance of information as an economic and social force, our unique ability to process coded information has always been our species' claim to fame. In fact, very recent anthropological studies suggest that the vital distinction between our forebears, the Cro-Magnons, and their neighbors, the Neanderthals, was that the Neanderthals never developed a system of notation. Our ancestors appear to have out-competed the Neanderthals, at least in part, because they were aided in their struggle for survival by the use of simple forms of written knowledge, like lunar calendars notched into reindeer bone and "tribal encyclopedias" painted on cave walls.[13]

Since bionomics regards the corpus of recorded human knowledge existing outside of our bodies to be more central to understanding economic history than the inherently subjective realm of our individual thoughts, bionomics need not distance itself from natural science. From the bionomic standpoint, the study of the human economy is as much a branch of "natural science" as it is a "social science." In fact, the term "bionomics," as used in its traditional scientific sense, means the branch of ecology that analyzes the relations between organisms and their environment. As used here, bionomics is more narrowly defined as the branch of ecology that studies relations between human beings and their technological environment.

Even to suggest that economics might be considered a branch of the natural sciences will strike many readers as radical, if not comic. We are all quite comfortable with the hermetically sealed boundaries that divide the humanities, social sciences, and natural sciences. Such verities are not to be challenged lightly. And to Austrian economists, with their traditional distaste for "scientism" — slavish imitation of the methods of science in fields for which these methods are inappropriate — the claim of a direct connection between economics and the natural sciences may seem absurd. But before jumping to any hasty conclusions, the thoughtful reader might like to reexamine precisely what is meant by "natural sciences."

Most people, and most scientists for that matter, still think of physics as the highest form of science. Following the philosophy of reductionism, they believe that all natural phenomena can, at least in principle, be explained by the laws of physics. In a nutshell, they believe that biological phenomena can be explained by the laws of chemistry and the phenomena of chemistry can, in turn, be explained by the laws of physics. Reductionists believe in the unity of the natural sciences, with physics as the repository of all final explanations.

For Austrian economists who accepted the reductionist line of reasoning, an attack on "scientism" was most sensible. Indeed, this assault was particularly necessary once Hayek had shown how socialist doctrine had developed from early 19th century attempts to create a "social physics."[14] The argument against scientism was straightforward: economics is not like physics, and since physics equals natural science, then economics is not a natural science. Consequently, any attempts to make economics seem like a natural science deserve to be exposed as fraudulent.

But what if the reductionists are wrong? What if biology is fundamentally different from physics? This is precisely the argument of Ernst Mayr, emeritus professor of zoology at Harvard and this century's foremost philosopher and historian of biology. While agreeing that no biological phenomena are inconsistent with the laws of physics, Mayr lists eight attributes that distinguish living organisms from inanimate matter. But of these characteristics, just one is utterly unique to living things. Mayr writes:

> Organisms are unique at the molecular level because they have a mechanism for the storage of historically acquired information, while inanimate matter does not. All organisms possess a historically evolved genetic program, coded in the DNA of the nucleus (or in RNA in some viruses). Nothing com-

> parable to it exists in the inanimate world, except for manmade computers. . . .
>
> The genotype (genetic program) is the product of a history that goes back to the origin of life, and thus it incorporates the "experiences" of all ancestors, as Delbrück (1949) said so rightly. It is this which makes organisms historical phenomena. The genotype also endows them with the capacity for goal-directed (teleonomic) processes and activities, a capacity totally absent in the inanimate world.[15]

With reports of breakthroughs in biotechnology and genetic engineering now common fare in the newspapers, it's difficult to believe that the existence of the genetic code was discovered only 38 years ago — in 1953. So Hayek could hardly be criticized for his 1941 broadside against "scientism" in *The Counter-Revolution of Science*. In fact, it has only been in the 1980s that leading philosophers of science have come to accept that the genetic code places biology in a position quite separate from all the other sciences.[16] Remarkably, Hayek himself largely anticipated this philosophical shift in the 1960s.[17]

In part, the recent emergence of biology as a science on a par with, or superior to, physics has come about because of the growing general awareness of coded information. The rise of information theory, the growth of computers and software, and the "Information Age" have sensitized philosophers of science to the implications of coded information as the very essence of every living thing. By now, it is plain to all who care to see that the manipulation of strings of coded information — whether the binary code of 1s and 0s in computer software or the four-letter (A,T,C,G) nucleotide alphabet of DNA — is becoming the dominant form of human economic activity. Building systems of coded information is to our economy what building machines was to the economy of the industrial era.

But even in the machine age, technological information was the enabling essence of economic life. This fact was not fully recognized because the physical mass of industrial products masked their "information content." Today, by contrast, we can readily see just how dependent we are on pure information. Indeed, in many cases, our vital economic systems have been stripped of their physicality and reduced to little more than coded information. Recall for a moment the havoc recently caused in cities all over the United States by just three lines of "bad code" in a 2.1 million line telephone switching system computer program.[18] With coded information now so obvious and prominent in modern economic life, it is incumbent upon economic thinkers to reassess certain long-held assumptions. Unfortunately, history shows that there is little hope that orthodox equilibrium economists will rethink

As long as Austrian economics relies exclusively upon fundamental concepts that are inherently unfalsifiable, it cannot expect to be regarded as more than a marginal movement.

the fundamentals. They crave stability and predictability and are likely to cling even more tightly to their Newtonian mythology. The real world of advancing technology and historical change is simply too alien to their static intellectual domain.

But Austrian economists are particularly well-equipped to make sense of our bewilderingly complex high-technology economy. The validity of Austrian concepts like methodological individualism, spontaneous order, market disequilibria, and market process is reconfirmed daily by the empirical reality of economic life. What is missing from Austrian economics — and what bionomics may have to contribute to Austrian thought — is a way to connect these observations to the coherent and scientifically testable theoretical system of biology.

I must emphasize that making room for bionomic ideas does not require the abandonment of accepted Austrian principles. Here again, the way to avoid what may, at first blush, seem like a conflict is found in the biological dichotomy between proximate/functional causation and ultimate/evolutionary causation. Subjectivism and human action speak to the questions of proximate/functional causation, while bionomic principles address ultimate/evolutionary causation. Consequently, these worldviews are not mutually exclusive. In fact, they strengthen each other. Together, Austrian economics and bionomics can offer a comprehensive explanation of economic life — part social science, part natural science.

Consider: The "human action" stressed by Ludwig von Mises is always a response to the information that presently exists in society. In most cases, that information, as emphasized by Hayek, is simply a matter of knowing about things like local price differences for a commodity. But in other cases, particularly in a high-technology society, human action will be taken in direct response to the evolution of technological information. Now, of course, since individual perceptions of the potential economic value of a given new technology will differ, and because those differences in perception are inherently unpredictable, we cannot possibly forecast which human beings will act to take advantage of that potential opportunity. Some will immediately see the economic value in a piece of "new code," others will dismiss it, and still others will take a "wait and see" attitude. Since we cannot read their minds, we cannot predict who will do what.

However, we *do* know that if a new strand of technological code significantly improves performance and/or reduces the cost of an economic good (a kilowatt of electricity, a pound of coffee, a long distance phone call, etc.), then at least some alert entrepreneurs will leap on the opportunity. And from the standpoint of the economist, we do not really care which entrepreneurs do the leaping. It is enough to predict that new organizations and new industries will self-organize around the "technological genes" that scientists have encoded from their observations of nature.

In recent history, we have witnessed many examples of this evolutionary process. The science of quantum physics led to the technology of solid-state electronics. As it was enhanced through experience-based learning, solid-state electronics was developed into the integrated circuit and the microprocessor. Microprocessor technology, in turn, became the essential "technological genes" around which the personal computer hardware and software industries were built. Nobody planned it all. Even those most intimately involved with these

technologies were astonished by their explosive economic growth. The technologists and business people at Intel Corporation, the inventors of the microprocessor, could at first imagine only one application for their epoch-making technology — as a signal controller in hearing aids. But once the technology existed, it did not matter to the larger economy whether the inventors at Intel were rewarded for their breakthrough. If they had not seized the moment, someone else would have, and the economic and social impacts upon society would have been virtually the same.[19]

Supplementing the proximate/functional causation elucidated by the principles of Austrian economics with the ultimate/evolutionary causation revealed by bionomics is essential if economics is ever to break free of orthodox equilibrium thinking. In a recent speech, after acknowledging that "Ludwig von Mises has done more to spread the fundamental ideas of free markets than any other individual," Milton Friedman went on to argue that Mises' philosophy of subjectivism and human action "convert an asserted body of substantive conclusions into a religion. They do not constitute a set of scientific propositions that you can argue about in terms of empirical evidence. . . . The virtue of th[e] modern scientific approach, as proposed by Popper, is that it provides a way in which, at least in principle, we can resolve disagreements without a conflict."[20]

Professor Friedman's words are unduly harsh, but they help define the challenge facing Austrian economists as they look to the future. As long as Austrian economics relies exclusively upon fundamental concepts that are inherently unfalsifiable, it cannot expect to be regarded as more than a marginal movement. Without a paradigm that generates testable hypotheses, Austrian thinking will never overthrow the reigning orthodoxy. Though the hypotheses that flow from the "economy as machine" paradigm of orthodox economists have always proven to be false when tested against empirical reality, at least these economists accept as valid the intellectual rigor imposed by Popper's falsifiability standard. Without this objective standard, there can be no science. And without science, we are left to fathom the unknown with religion alone.

Recalling Mark Blaug's statement that "it takes a new theory, and not just the destructive exposure of assumptions or the collection of new facts, to beat an old theory," we can now understand why Austrian economics, despite its enormous superiority over equilibrium thinking, has failed to displace the orthodoxy. Penetrating criticisms and valid empirical observations are simply not enough. To date, Austrian economics has offered no testable new theory.

In the past, some have rationalized their disregard of the Popperian standard by attacking "scientism." But, along with virtually everyone else, most Austrian economists have failed to realize that science no longer equals physics

and that modern biology — the study of the manifestations of coded information — offers an enormously fertile paradigm for economic thought. If Austrians are willing to supplement their traditional views with the lessons of bionomics, they will finally possess what orthodox equilibrium economists have always wanted but never had, a paradigm — "economy as ecosystem" — drawn from the natural sciences that actually comports with the reality of human economic life. Today, we are just beginning to imagine a synthesis of Austrian and bionomic concepts. But if, in time, these ideas are fully developed, we will have created the "new theory" that will satisfy Mark Blaug's challenge, and we will witness the long overdue paradigm shift in "mainstream" economic thought. ❑

This article is based on a paper presented at the North American regional meeting of the Mont Pelerin Society on August 24, 1991, in Big Sky Montana.

notes

1 Blaug, Mark, *Economic Theory in Retrospect* (Cambridge: Cambridge University Press, 1985), pp. 708 and 711.

2 Rothschild, Michael, *Bionomics* (New York: Holt, 1990).

3 Gilder, George, "Principles of Business Transformed Into the Laws of Nature," *The Washington Times* (December 24, 1990).

4 Arrow, Kenneth J., "The Economic Implications of Learning by Doing," *Review of Economic Studies* (June 1962), p.156. "The role of experience in increasing productivity has not gone unobserved, though the relation has yet to be absorbed into the main corpus of economic theory."

5 Mayr, Ernst, *Toward a New Philosophy of Biology* (Cambridge: Harvard University Press, 1988), p. 172. Mayr, Ernst, *The Growth of Biological Thought* (Cambridge: Harvard University Press, 1982) pp. 45–47.

6 Hayek, Friedrich A., "The Use of Knowledge in Society," *American Economic Review* (September 1945), pp. 519–30. Reprinted in Hayek, F. A., *Individualism and Economic Order* (Chicago: University of Chicago Press, 1948), pp. 77–91.

7 Hayek (1948), p. 87.

8 Hayek, Friedrich A., "The Theory of Complex Phenomena" in *Studies in Philosophy, Politics, and Economics* (Chicago: University of Chicago Press, 1967), pp. 22–42.

9 Hayek (1948), p. 80. "The shipper who earns his living from using otherwise empty or half-filled journeys of tramp-steamers, or the estate agent whose whole knowledge is almost exclusively one of temporary opportunities, or the arbitrageur who gains from local differences of commodity prices — are all performing eminently useful functions based on special knowledge of circumstances of the fleeting moment not known to others. It is a curious fact that this sort of knowledge should today be generally regarded with a kind of contempt and that anyone who by such knowledge gains an advantage over somebody better equipped with theoretical or technical knowledge is thought to have acted almost disreputably. To gain an advantage from better knowledge of facilities of communication or transport is sometimes regarded as almost dishonest, although it is quite as important that society make use of the best opportunities in this respect as in using the latest scientific discoveries."

10 In his later writings Hayek modified his argument, but in this essay at least, he does not mention historic economic change.

11 Mayr (1988), p. 17–18. "Broadly speaking, functional biology deals with the decoding of the genetic program and with the reactions of an organism to its surrounding world from the moment of fertilization to the moment of death. Evolutionary biology, on the other hand, deals with the history of genetic programs and the changes that they have undergone since the origin of life. A philosopher who fails to recognize both of these two very important and very different aspects of biology will arrive at conclusions that are at best incomplete, but more likely wrong."

12 Herman, Louis M., Douglas G. Richards, and James P. Wolz, "Comprehension of Sentences by Bottlenosed Dolphins," *Cognition* (March 1984), pp. 129–219.

13 Mercier, N., "Thermoluminescence Dating of the Late Neanderthal Remains from Saint Césaire," *Nature* (June 27, 1991), pp. 737–39. Stevens, William K., "New Finding Moves Up Age of Neanderthals," The New York *Times* (June 27, 1991), p. A6. Marshack, Alexander, "Upper Paleolithic Notation and Symbol," *Science* (November 24, 1972), pp. 817–28. Diamond, Jared, "The Great Leap Forward," *Discover* (May 1989), pp. 50–60.

14 Hayek, Friedrich A., "The Counter-Revolution of Science," *Economica* (February 1941), pp. 9–36; (May 1941), pp. 119–50; (August 1941), pp. 281–320. "All this is revealed to Saint-Simon by the Lord himself who announces to His prophet that He has placed Newton at His side and entrusted him with the enlightenment of the inhabitants of all planets. The instruction culminates in the famous passage from which much of later Saint-Simonian doctrine springs: 'All men will work; they will regard themselves as labourers attached to one workshop whose efforts will be directed to guide human intelligence according to my divine foresight. The supreme Council of Newton will direct their works.' Saint-Simon has no qualms about the means that will be employed to enforce the instructions of his central planning body: 'Anybody who does not obey the orders will be treated by the others as a quadruped'" (p. 28).

15 Mayr (1988), pp. 16–17.

16 Kitcher, Philip, "1953 and All That: A Tale of Two Sciences," *Philosophical Review* (July 1984), pp. 335-73.

17 Hayek (1967), p. viii. "Readers of some of my earlier writings may notice a slight change in the tone of my discussion of the attitude which I then called 'scientism.' The reason for this is that Sir Karl Popper has taught me that natural scientists did not really do what most of them not only told us that they did but also urged the representatives of other disciplines to imitate. The difference between the two groups of disciplines has thereby been greatly narrowed and I keep up the argument only because so many social scientists are still trying to imitate what they wrongly believe to be the methods of the natural sciences."

18 Andrews, Edmund L., "The Precarious Growth of the Software Empire," The New York *Times* (July 14, 1991), p. E1.

19 Gilder, George, *Microcosm* (New York: Simon & Schuster, 1989).

20 Friedman, Milton, "Say 'No' to Intolerance," *Liberty* (July 1991), p. 18.

America's Bi-Partisan Apartheid

by Brian Doherty

There are few things more stupid than racism. One of those things "more stupid" may be, however, a supposed *solution* to racism.

South Africa recently abolished the cornerstone of its hated apartheid system — the population Registration Act of 1950, which officially classified individuals by race. Meanwhile, the United States Congress seems intent on enacting legislation that could lead to a similar classification system here.

The alleged "compromise " Civil Rights bill pushed through by Senator Danforth — which is actually a craven cave-in on the part of the alleged anti-quota Bush, whose own suggested bill was actually as much of a quota bill as the Democratic version he excoriated — is being passed, as usual, with no attention paid to its implications.

The basis of U.S. job-discrimination law is Title VII of the 1964 Civil Rights Act. One of its provisions says that nothing in it "shall be interpreted to require any employer . . . to grant preferential treatment to any individual or to any group." This was added to deflect accusations that the Act would merely institutionalize reverse discrimination; in the language of the current debate, this provision ensured that Title VII would not be a "quota bill."

The 1971 Supreme Court decision in *Griggs* v. *Duke Power Co.* changed the emphasis of Title VII (in line with the actual practices of the Equal Employment Opportunity Commission, Title VII's enforcement agency) by insisting that legally challenged hiring practices had to be defended by proving that there was a "business necessity" for them, thereby shifting the burden of proof to the defendant. This was a severe departure from standard American legal tradition.

The 1989 decision in *Wards Cove Packing* v. *Atonio* raised the ire of *Griggs* lovers by requiring plaintiffs in job discrimination cases to "isolate and identify the specific employment practices that are allegedly responsible for any observed statistical disparities" between the percentage of minorities in the workplace and the percentage in the available labor pool, thereby slightly reducing the burden on the employer.

Even this tiny reduction in the onus on employers was too much for the Democrats and the Bush administration, both of whose bills cemented the principle of "guilty until proven innocent" on the employer in job discrimination cases. The "compromise bill" recently passed has finalized this heinous result.

Under these measures, an employer would be required to prove his lack of sinister discriminatory intent in his every hiring decision — by producing records he is forced to keep. The employer would do well to take great care to maintain the "right" numbers of minorities. In other words, he'd be a damn fool if he didn't hire by quotas, even if the bill explicitly bans quota hiring.

There is an even more striking result. When the government takes an interest in making sure the "right" mix of races prevails in every workplace, dispensing advantages for proper racial balance and imposing punishments for wrong ones, it can be an advantage to the *employee* to situate himself on the right end of the racial rainbow.

In 1988, Phil and Paul Malone were fired from the Boston fire department when their names were submitted to the fire commissioner on a list for potential promotions to lieutenant. The list was meant to be of blacks only. The commissioner knew the Malones — they were the department's only identical twins — and they certainly seemed white to him.

What the commissioner couldn't see with his eyes was that the Malones ini-

tially failed the department's entrance exam in 1975. They tried again in 1977, this time claiming to be black on their application forms. Because of a court-ordered affirmative action plan, the Malones' exam scores passed muster for blacks while still falling below the required score for whites.

When their deception was discovered, the Malones claimed blackness because of an old sepia-toned photograph they had seen of their great-grandmother. She looked black to them, they said. These shades of Pudd'nhead Wilson bring to mind the arcane regulations of the old Jim Crow south, where arbitrary percentages of "black blood" were said to make one black.

The Malones are not an isolated case. When their deception was discovered, Boston's mayor launched an investigation and found at least five more suspicious cases who were required to prove their racial status. Two were subsequently fired for racial classification tomfoolery. Similar cases have appeared around the country (usually, for some reason, in fire departments).

Consider the ramifications. When race determines an individual's legal status, an individual's race can no longer be left up to personal interpretation any more than can guilt or innocence. When people must prove their race in a court of law, it can't be long before concerned, sensible, practical judicial thinkers will see the need to define terms in court. They have to make decisions on proper employment practices based on the race of employees. However, in the American melting pot, race is a slippery, hard-to-define concept.

So what is to be done? Suddenly, the South African solution seems to make sense for America, although for benevolent purposes, of course: some official, unmistakable definition of race must be established in order to help people, not oppress them. I'm sure the federal bureaucracy, perhaps through some newly created commission, can come up with a good plan.

South Africa needed the Population Registration Act of 1950 because it wanted to create a system of laws in which race was always an issue. If the U.S. Congress insists on passing legislation that requires legal distinctions to be made based on race, the United States will approach the same vile destination through the back door. But the result will be the same: a society where decisions about people's livelihood and freedom of association are dictated by legally-mandated standards based on the phantasm of "race." ❑

Reflections, *"A Stalking Horse of a Different Color,"* *continued from page 16*

national exposure by inviting him to appear on his "Crossfire" cable television show and plugging Rockwell efforts a few times in his syndicated column; Rockwell has promoted Buchanan's candidacy in his syndicated column and praised Buchanan effusively in his newsletter, etc.

In the surge of popularity that George Bush enjoyed after his triumph over the devil Saddam, Buchanan got cold feet. But as the economy went belly up and Bush's popularity ebbed, Buchanan decided that maybe it might be a good idea to challenge Bush in the primaries after all.

But he wasn't sure. Once again, Rockwell managed to be of service to Buchanan. He floated the idea to a friendly columnist at the Washington *Times* that Ron Paul might challenge Bush, and secured Paul's permission to organize the Ron Paul for President Exploratory Committee (RPPEC).

In early October, Rockwell put out a direct mail solicitation of funds for RPPEC. By then, Rockwell and his colleagues had put together a fairly impressive letterhead, consisting mostly of libertarian intellectuals who are associated closely with (and funded by) Rockwell's Ludwig von Mises Institute, so-called "paleo-conservatives" with whom Rockwell has made an alliance, and Libertarian Party refugees. The letter, sent out over Burt Blumert's signature, was among the finest efforts of direct-mail-maven-turned-think-tank-boss Rockwell, eloquently explaining how bad Bush is and how wonderful a successful Paul candidacy would be. It concluded with an urgent note:

> Ron needs your name for this effort, your volunteer time if you can give it and your most generous contribution.
>
> $100, $50, $25, or any amount would be great. $250, $500, or $1,000 would be magnificent. Join the most exciting Republican campaign since Barry Goldwater.
>
> Barry lost, but he built a national movement, and that's the least that Ron can do, if you support him . . .
>
> Ron wants to run, but he must know he has your support for the long battle ahead. He faces, after all, a prevaricating president and a leviathan state . . .
>
> Time is very short. The New Hampshire primary is February 18th. A successful campaign must be geared up no later than December 18th. So we must finish "exploring" by November 4th.
>
> Please, rush the most generous amount you can. Give Ron the helping hand he must have. Join him on this historic adventure.

There was no mention that Ron had all but decided against any campaign. To the contrary, it claimed that "Ron wants to run," and made numerous other suggestions that Paul had all but committed himself to the campaign.

I asked Paul about the fundraising letter, which hundreds of Libertarian Party activists reported that they received. "I think they did real well. Lew (Rockwell) was telling me that it got the highest percentage return on mail out of any mailing he's ever done." It did so well that a second mailing, nearly identical to the first except it was dated "November 5th," and now reported "December 4th" as the deadline for "exploring."

It is perhaps a trifle ironic that Lew Rockwell, who left the Libertarian Party because, in his words, it had become a "haven for bunko artists" and had been "taken over by petty crooks," was raising money on behalf of a campaign that he knew almost certainly would never take place.

On November 20, Paul still didn't want to state publicly that he absolutely would not run. Instead, he told me that he was now "99.9% sure" that he wouldn't challenge Bush, "now with Pat Buchanan and David Duke in there, I think I'd be more a sideshow than anything else. So some of the arguments for it earlier — filling a vacuum — made more sense than they do now. I'm still thinking about getting on some talk shows and doing some things you know to stir things up a little bit, you know, to stir up a debate." —CAA

Explanation

How to Think About Pollution;

or, Why Ronald Coase Deserved the Nobel Prize

by David Friedman

Economics has undergone a revolution in the theory of "externalities," such as pollution, though you wouldn't know it if you listened only to the regulators and politicians.

When the Swedish Academy awarded the Nobel Prize in Economics to Ronald Coase this year, it surprised two different groups of people. The larger group consisted of people who had either never heard of Coase, or heard of him only as the author of something called the "Coase Theorem," generally presented as a theoretical curiosity of no practical importance. The second and much smaller group consisted of people who were familiar with the importance of Coase's work — and assumed that the Swedish Academy was not.

Some people get the Nobel Prize for doing a large amount of complicated and technical work that is difficult for an outsider to understand. Coase is at the other extreme. His contribution to economics has largely consisted of thinking through certain questions more carefully and correctly than anyone else, and in the process demonstrating that answers accepted by virtually the entire profession were false. One side effect of his work was a new field of economics: economic analysis of law, the attempt to use economic theory to understand legal systems. While there would probably be something called economic analysis of law if Coase had not existed, it would be a very different field.

One of Coase's important contributions to economics was to rewrite the theory of externalities — the analysis of situations, such as pollution, where one person's actions impose costs (or benefits) on another. His ideas are sufficiently simple to be understood by a layman, as I will try to demonstrate in the next few pages, and sufficiently deep so that they have not yet been entirely absorbed by the profession; to a considerable extent what is still taught in the textbooks is the theory as stated prior to Coase.

To understand Coase's contribution, it is useful to start with the theory of externalities as it existed before Coase published "The Problem of Social Cost," the 1960 essay that first introduced the Coase Theorem to economics. The basic argument went as follows:

In an ideal economic system, goods worth more than they cost to produce get produced, goods worth less than they cost to produce do not; this is part of what economists mean by economic efficiency. In a perfectly competitive private property system, producers pay the value of the inputs they use when they buy them from their owners (wages to workers in exchange for their labor, rent to land owners for the use of their land, etc.) and receive the value of what they produce when they sell it. If a good is worth more than it costs to produce, the producer receives more than he pays and makes a profit; if the good is worth less than it costs to produce he takes a loss. So goods that should be produced are and goods that should not be produced are not.

This only works if producers must pay all of the costs associated with production. Suppose that is not the case. Suppose, for example, that a steel producer, in addition to using iron ore, coal, etc., also "uses" clean air. In the process of producing a ton of steel he puts ten pounds of sulfur dioxide into the air, imposing (say) $100 worth of bad smells, sore throats, and corrosion on people downwind. Since he does not pay for that cost, he does not include it in his profit and loss calculations. As long as the price he sells his steel for at least covers his costs it is worth making steel. The result is inefficient: Some goods may be produced even though their cost, including the resulting pollution, is greater than their value.

It is inefficient in another respect as well. The steel producer may be able to reduce the amount of pollution by various control devices — air filters, low sulfur coal, high smokestacks — at a cost. Calculated in terms of the net effect on everyone concerned, it is worth

eliminating pollution as long as the cost is less than the pollution damage prevented — in our example, as long as it costs less than $10 to prevent a pound of sulfur dioxide emission. But the steel producer, in figuring out how to maximize his profit, includes in his calculations only the costs he must pay. So long as he does not bear the cost of the pollution, he has no incentive to prevent it. So the fact that air pollution is an external cost results in both an inefficiently high level of steel production (it may be produced even when it is not worth producing) and an inefficiently low level of pollution control.

There are two obvious solutions. One is direct regulation — the government tells the steel company how much it is allowed to pollute. The other is emission fees — referred to by economists as Pigouvian taxes (named after A. C. Pigou, the economist whose ideas I am describing).

The first step is to realize that an external cost is not simply a cost produced by the pollutor and born by the victim. In almost all cases, the cost is a result of decisions by both parties.

Under a system of Pigouvian taxes, the government charges the steel company for the damage done by its pollution — $10 per pound in this example. By doing so it converts the external cost into an internal cost — internalizes the externality. In deciding how much steel to produce and what price to sell it at, the company will now include the cost of its pollution — paid as an emission fee — along with other costs. In deciding how much pollution control equipment to buy, the company balances the cost of control against its benefits, and buys the optimal amount. So a system of emission fees can produce both an efficient amount of steel and an efficient amount of pollution control.

In order to achieve that result, the government imposing the fees must be able to measure the cost imposed by pollution. But, unlike direct regulation, the use of emission fees does not require the government to measure the cost of preventing pollution — whether by installing air filters or by producing less steel. That will be done by the steel company, acting in its own interest.

I have just described the theory of externalities as it existed before Coase. Its conclusion is that, as long as externalities exist and are not internalized via Pigouvian taxes, the result is inefficient. The inefficiency is eliminated by charging the polluter an emission fee equal to the damage done by his pollution. In some real world cases it may be difficult to measure what the damage is, but, provided that that problem can be solved, using Pigouvian taxes to internalize externalities produces the efficient outcome.

That analysis was accepted by virtually the entire economics profession prior to Coase's work in the field, and still is accepted by a good deal of the profession. It is wrong — not in one way but in three. The existence of externalities does not necessarily lead to an inefficient result. Second, Pigouvian taxes, even if they can be correctly calculated, do not in general lead to the efficient result. Third, and most important, the problem is not really externalities at all — it is transaction costs.

I like to present Coase's argument in three steps: Nothing works. Everything works. It all depends.

Nothing Works

The first step is to realize that an external cost is not simply a cost produced by the polluter and born by the victim. In almost all cases, the cost is a result of decisions by both parties. I would not be coughing if your steel mill were not pouring out sulfur dioxide. But your steel mill would do no damage if I (and other people) did not happen to live downwind from it. It is the joint decision — yours to pollute and mine to live where you are polluting — that produces the cost.

Suppose that, in a particular case, the pollution does $100,000 a year worth of damage and can be eliminated at a cost of only $80,000 a year (from here on, all costs are per year). Further assume that the cost of shifting all of the land downwind to a new use unaffected by the pollution — growing timber instead of renting out summer resorts, say — is only $50,000. If we impose an emission fee of a hundred thousand dollars a year, the steel mill stops polluting and the damage is eliminated — at a cost of $80,000. If we impose no emission fee the mill keeps polluting, the owners of the land stop advertising for tenants and plant trees instead, and the problem is again solved — at a cost of $50,000. In this case the result without Pigouvian taxes is efficient — the problem is eliminated at the lowest possible cost — and the result with Pigouvian taxes is inefficient.

Moving the victims may not be a very plausible solution in the case of air pollution; it seems fairly certain that even the most draconian limitations on emissions in southern California would be less expensive than evacuating that end of the state. But the problem of externalities applies to a wide range of different situations, in many of which it is far from obvious which party can avoid the problem at lower cost, and in some of which it is not even obvious which one we should call the victim.

Consider the question of airport noise. One solution is to reduce the noise. Another is to soundproof the houses. A third is to use the land near airports for noisy factories instead of housing. There is no particular reason to think that one of those solutions is always best. Nor is it entirely clear whether the "victim" is the landowner who finds it difficult to sleep in his new house with jets going by overhead or the airline forced by a court or a regulatory agency to adopt expensive sound control measures in order to protect the sleep of people who chose to build their new houses in what used to be wheat fields — directly under the airport's flight path.

Consider a simpler case, where the nominal offender is clearly not the lowest cost avoider. The owner of one of two adjoining tracts of land has a factory, which he has been running for twenty years with no complaints from his neighbors. The purchaser of the other tract builds a recording studio on the side of his property immediately adjacent to the factory. The factory, while not especially noisy, is too noisy for something located two feet from the wall of a recording studio. So the

owner of the studio demands that the factory shut down, or else pay damages equal to the full value of the studio. There are indeed "external costs" associated with operating a factory next to a recording studio — but the efficient solution is building the studio at the other end of the lot, not building the studio next to the factory and then closing down the factory.

So Coase's first point is that "externalities" are a joint product of "polluter" and "victim," and that a legal rule that arbitrarily assigns blame to one of the parties only gives the right result if that party happens to be the one who can avoid the problem at the lower cost. Pigou's solution is correct only if the agency making the rules already knows which party is the lower cost avoider. In the more general case, nothing works — whichever party the blame is assigned to, by government regulators or by the courts, the result is likely to be inefficient if the other party could prevent the problem at a lower cost.

One of the arguments commonly offered in favor of using Pigouvian taxes instead of direct regulation is that the regulator does not have to know the cost of pollution control in order to produce the efficient outcome — he just sets the tax equal to damage done, and lets the polluter decide how much pollution to buy at that price. But one of the implications of Coase's argument is that the regulator can only guarantee the efficient outcome if he knows enough about the cost of control to decide which party should be considered the polluter (and taxed) and which should be considered the victim.

Everything Works

The second step in Coase's argument is to observe that, as long as the parties involved can readily make and enforce contracts in their mutual interest, neither direct regulation nor Pigouvian taxes are necessary in order to get the efficient outcome. All you need is a clear definition of who has a right to do what and the market will take care of the problem.

To see how that works, let us go back to the case of the steel mill and the resorts. Suppose first that the mill has a legal right to pollute. In that case, as I originally set up the problem, the efficient result occurs immediately. The lowest cost avoiders are the owners of the land downwind; they shift from operating resorts to growing timber.

What if, instead, the legal rule is that the people downwind have a right not to have their air polluted? The result will be exactly the same.

One solution to the problem of airport noise is to reduce the noise. Another is to soundproof the houses. A third is to use the land near airports for noisy factories instead of housing. There is no particular reason to think that one of those solutions is always best.

The mill could eliminate the pollution at a cost of $80,000 a year. But it is cheaper to pay the landowners some amount, say $60,000 a year, for permission to pollute. The landowners will be better off, since that is more than the cost to them of changing the use of the land, and the steel mill will be better off, since it is less than the cost of eliminating the pollution. So it will pay both parties to make some such agreement.

Now suppose we change the numbers in the example, to make pollution control the more efficient option — say lower its cost to $20,000. In that case, whether or not the mill has the right to pollute, it will find that it is better off not polluting. If it has the right to pollute, the landowners will pay more than the $20,000 cost of pollution control in exchange for a guarantee that it will not exercise its right. If it does not have the right to pollute, the most the steel mill will be willing to offer the landowners for permission to pollute is $20,000, and the landowners will turn down that offer.

The generalization of this example is straightforward:

If transaction costs are zero — if, in other words, any agreement that is in the mutual benefit of the parties concerned gets made — then any initial definition of property rights leads to an efficient outcome.

It is this result that is sometimes referred to (by people other than Coase) as the "Coase Theorem." It leads immediately to the final stage of the argument.

It All Depends (On Transaction Costs)

Why is it, if Coase is correct, that we still have pollution in Los Angeles? One possible answer is that the pollution is efficient — that the damage it does is less than the cost of preventing it. A more plausible answer is that much of the pollution is inefficient, but that the transactions necessary to eliminate it are prevented by prohibitively high transaction costs.

Let us return to the steel mill. Suppose the mill has the right to pollute, but that doing so is inefficient — pollution control is cheaper than either putting up with the pollution or changing the use of the land downwind. Further suppose that there are a hundred landowners downwind.

With only one landowner, there would be no problem — he would offer to pay the mill for the cost of the pollution control equipment, plus a little extra to sweeten the deal. But a hundred landowners face what economists call a public good problem. If ninety of them put up the money and ten do not, the ten get a free ride — no pollution and no cost for pollution control. Each landowner has an incentive to refuse to pay, figuring that his payment is unlikely to make the difference between success and failure in the attempt to bribe the steel mill to eliminate its pollution. If the attempt is going to fail even with him, then it makes no difference whether or not he contributes. If it is going to succeed even without him, then refusing to contribute gives him a free ride. Only if his contribution makes the difference does he gain by agreeing to contribute.

There are a variety of ways in which such problems may sometimes be solved, but none that can always be expected to work. The problem becomes harder the larger the number of people involved. With many millions of people living in southern California, it is hard to imagine any plausible way in which they could voluntarily raise the money to pay all polluters to reduce their pollution.

This is one example of the sort of problem referred to under the general label of transaction costs. Another would occur if we reversed the assumptions, making pollution (and timber) the efficient outcome but giving the landowners the right to be pollution-free. If there were one landowner the steel mill could buy from him the right to pollute. With a hundred, the mill must buy permission from all of them. Any one has an incentive to be a holdout — to refuse his permission in the hope of getting paid off with a large fraction of the money the mill will save from not having to control its pollution. If too many landowners try that approach the negotiations will break down, and the parties will never get to the efficient outcome.

The law should define property in such a way as to minimize the costs associated with incompatible uses.

Seen from this perspective, one way of stating Coase's insight is that the problem is not really due to externalities at all, but to transaction costs. If there were externalities but no transaction costs there would be no problem, since the parties would always bargain to the efficient solution. When we observe externality problems (or other forms of market failure) in the real world, we should ask not merely where the problem comes from, but what the transaction costs are that prevent it from being bargained out of existence.

Coase, Meade, and Bees

Ever since Coase published "The Problem of Social Cost," economists unconvinced by his analysis have argued that the Coase Theorem is merely a theoretical curiosity, of little or no practical importance in a world where transaction costs are rarely zero. One famous example was in an article by James Meade (who later received a Nobel Prize for his work on the economics of international trade).

Meade offered, as an example of the sort of externality problem for which Coase's approach offered no practical solution, the externalities associated with honey bees. Bees graze on the flowers of various crops, so a farmer who is growing crops that produce nectar benefits the beekeepers in the area. The farmer receives none of the benefit himself, so he has an inefficiently low incentive to grow such crops. Since bees cannot be convinced to respect property rights or keep contracts, there is, Meade argued, no practical way to apply Coase's approach. We must either subsidize farmers who grow nectar rich crops (a negative Pigouvian tax) or accept inefficiency in the joint production of crops and honey.

It turned out that Meade was wrong. In two later articles, supporters of Coase demonstrated that contracts between beekeepers and farmers had been common practice in the industry since early in this century. When the crops were producing nectar and did not need pollination, beekeepers paid farmers for permission to put their hives in the farmers' fields. When the crops were producing little nectar but needed pollination (which increases yields), farmers paid beekeepers. Bees may not respect property rights but they are, like people, lazy, and prefer to forage as close to the hive as possible.

Coase, Property, and the Economic Analysis of Law

"The Problem of Social Cost" provides more than merely a revolutionary rethinking of the question of externalities. It also suggests a new and interesting approach to the problem of defining property rights.

A court in settling disputes involving property, or a legislature in writing a law code to be applied to such disputes, must decide just which of the rights associated with land are included in the bundle we call "ownership." Does the owner have the right to prohibit airplanes from crossing his land a mile up? How about a hundred feet? How about people extracting oil from a mile under the land? What rights does he have against neighbors whose use of their land interferes with his use of his? If he builds his recording studio next to his neighbor's factory, who is at fault? If he has a right to silence in his recording studio, does that mean that he can forbid the factory from operating, or only that he can sue to be reimbursed for his losses? It seems simple to say that we should have private property in land, but ownership of land is not a simple thing.

The Coasian answer to this set of problems is that the law should define property in such a way as to minimize the costs associated with the sorts of incompatible uses we have been discussing — factories and recording studios, or steel mills and resorts. The first step in doing so is to try to define rights in such a way that, if right A is of most value to someone who also holds right B, they come in the same bundle. The right to decide what happens two feet above a piece of land is of most value to the person who also holds the right to use the land itself, so it is sensible to include both of them in the bundle of rights we call "ownership of land." On the other hand, the right to decide who flies a mile above a piece of land is of no special value to the owner of the land, hence there is no good reason to include it in that bundle.

If, when general legal rules were being established, we somehow knew, for all cases, what rights belonged together, the argument of the previous paragraph would be sufficient to tell us how property rights ought to be defined. But that is very unlikely to be the case. In many situations a right, such as the right not to have noises of more than X decibels made over a particular piece of property, may be of substantial value to two or more parties — to the owner of the property and the owner of the adjacent factory in my earlier example. There is no general legal rule that will always assign it to the right one.

Coase demonstrated that what everyone else in the profession thought was the correct analysis of the problem of externalities was wrong, and, in the process, he opened up a whole new approach to the use of economics to analyze law.

In this case, the argument underlying the Coase Theorem comes into

play. If we assign the right initially to the wrong person, the right person, the one to whom it is of most value, can still buy it. So one of the considerations in the initial definition of property rights is doing it in such a way as to minimize the transaction costs associated with fixing, via private contracts, any initially inefficient definition.

For some problems, there is no legal rule, no form of regulation, that will generate a fully efficient solution. The real choice is not between an inefficient market and an efficient government solution but rather among a variety of inefficient alternatives, private and governmental.

An example may make this clearer. Suppose that, in the pollution case discussed earlier, damages from pollution are easy to measure and the number of people downwind is large. In that case, the efficient rule is probably to give downwind landowners a right to collect damages from the polluter, but not a right to forbid him from polluting. Giving the right to the landowners avoids the public good problem that we would face if the landowners (in the case where pollution is inefficient) had to raise the money to pay the steel mill not to pollute. Giving them a right to damages rather than giving each landowner the right to an injunction forbidding the steel mill from polluting avoids the holdout problem that the mill would face (in the case where pollution is efficient) in buying permission from all of the landowners.

A full explanation of how Coase's argument can be applied to figuring out what the law ought to be (more precisely, what legal rules lead to the best outcome from the standpoint of economic efficiency) would require a much longer article — perhaps a book. I hope I have said enough to make clear the basic idea, and enough to show the unique and extraordinary nature of one of Ronald Coase's principal contributions to economics. He started with a simple insight, based in part on having read cases in the common law of nuisance — the branch of law that deals with problems such as noisy factories next door to recording studios. He ended by demonstrating that what everyone else in the profession thought was the correct analysis of the problem of externalities was wrong, and, in the process, opening up a whole new approach to the use of economics to analyze law.

There is at least one more thing worth saying about "The Problem of Social Cost." Economists, then and (to some degree) now, tend to jump from the observation that the market produces an inefficient result in some situations to the conclusion that the government ought to intervene to fix the problem. Part of what Coase showed was that, for some problems, there is no legal rule, no form of regulation, that will generate a fully efficient solution. He thus anticipated public choice economists, such as James Buchanan (another Nobel winner), in arguing that the real choice was not between an inefficient market and an efficient government solution but rather among a variety of inefficient alternatives, private and governmental. In Coase's words: "All solutions have costs and there is no reason to suppose that government regulation is called for simply because the problem is not well handled by the market or the firm." ❑

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Reviews

Objectivism: The Philosophy of Ayn Rand, **by Leonard Peikoff. Dutton, 1991, ix + 448 pp., $24.95.**

Peikoff's Objectivism: An Autopsy

David Ramsay Steele

According to a very old joke, an optimist proclaims that we live in the best of all possible worlds, while a pessimist harbors the horrible suspicion that such may indeed be the case.

In the words of Leonard Peikoff, author of *Objectivism: The Philosophy of Ayn Rand*, "this book is the definitive statement of Ayn Rand's philosophy — as interpreted by her best student and chosen heir" (p. xv). Upon perusing said work, I have to recognize the awful possibility that this description may be literally accurate.

Metaphysics

Peikoff tells us: "Whatever exists, exists. Whatever exists is what it is. In whatever form one is aware, one is aware" (7). Throughout this book, such inoffensive truisms are frequently intoned, sometimes belligerently, sometimes with solemn emphasis, always as though they were daring new formulations, distinctive to Randism, which we might have a hard time grasping. And evidently we do, for Peikoff affects to deduce from them all sorts of propositions which are more debatable.

For example, he claims to derive from the above the proposition that every entity "must act *in accordance with* its nature" (12). That is something of a leap. It's not clear that an entity has a nature in accordance with which it must act, unless this just means that it acts the way it acts, which I take to be true but not exactly this morning's news flash. "A thing cannot act apart from its nature, because existence is identity; apart from its nature a thing is nothing" (13). But that just begs the question whether things have "natures" other than mere descriptions of the way they actually behave, or of the ways they might behave in all possible circumstances.

From here Peikoff swiftly moves to cause and effect as "a universal law of reality" (13). By this he means determinism: every thing in a given set of circumstances can behave in only one way (*ibid.*). (It immediately follows that everything we are doing right now is the only possible outcome of the state of the universe, say, a billion years ago, but Peikoff doesn't seem to accept that corollary.) Peikoff even claims that cause and effect follows from the logical rule of non-contradiction.

Suppose that the way something behaves is that, in a specific, exactly defined state of affairs, it can do one thing with 50% likelihood or another thing with 50% likelihood. Such is the entity's nature, if you like that way of talking. An entity like that would contravene Peikoff's deterministic version of cause and effect but there is nothing self-contradictory about it. Peikoff may suppose there are no such entities, but he can't prove this, and he didn't arrive at that conclusion by logical inference from factual evidence.

Having come so far and so fast, Peikoff proves the non-existence of God in four lines comprising 36 words: "One may no more ask: who is responsible for natural law (which amounts to asking: who caused causality?) than one may ask: who created the universe? The answer to both questions is the same: existence exists" (15). Puzzling how Aquinas missed that one.

Epistemology

Peikoff holds that the data provided by our senses are "unchallengeable" and *"self-evident"* (35). He does seem to mean that our senses are infallible, that we can absolutely rely on our sensory experiences and our memories of those experiences. That appears to be the clear gist of pages 33–36.

For a page or two, we might think that Peikoff is telling us that our senses present to us the world as it actually is.

Peikoff seems to think that the most effective strategy is to issue a succession of hot-tempered incantations, often abusive, slovenly in logic, and so constructed as to head off thoughts subversive of his position.

This would be a highly unusual position to take. But although he begins by, perhaps inadvertently, giving us that impression of his standpoint, he then emphatically rejects it: there are differences in sensory "form" (37–39). If I see a thing as one color, and you see it as a different color, there is no disagreement between us; we perceive the same thing in a different form (37). These differences in form don't matter philosophically. It's the job of physics to discover the

way physical objects are, independently of the forms of perception (39). The form is not, however, subjective — meaning that it doesn't arise from the perceiver alone, but from the interaction between perceiver and object (39–41).

Rhetoric aside, that's akin to a simplified and uncritical kind of Kantianism. If we perceive *only* in "forms," as Peikoff holds, then it may not always be entirely clear what is due to the form and what is due to objects independently of perception (things in themselves). And if we perceive only in forms, surely some aspects of what we perceive (or of what we experience as we perceive) must be attributed to ourselves, and must in that sense be "subjective." And how can physics, if it depends upon sensory evidence, give us an account of physical reality independent of the forms of perception? Peikoff stops where the interesting questions start.

If I read him correctly, Peikoff holds that perception occurs before concepts are formed, and concepts are then based on accumulated past perceptions. Concepts, then, arise — somehow! — from stored prior sense experience. Interpretation begins only after pristine sense data have been collected. "Consciousness begins as a *tabula rasa* (a blank slate); all of its conceptual content is derived from the evidence of the senses" (34). "We begin . . . by looking at the world" (4).

That account is, in my opinion, virtually the opposite of the truth, and indeed barely coherent. An ordering and selecting principle has to be built and ready to operate before any mechanism can utilize information from the outside world. Before there can be observation, there must be theory. There can be no perception without interpretation. A fetus is programmed with theories, ready for application and revision. We are born theorizing, and we develop and refashion our inborn theories as we learn the skills of perception. To see a physical object requires a theory about the world, a theory that might be very different if we spent our first months in a world where holograms were commonplace.

It makes no sense to say that a baby begins by looking at the world — in the conceptless sense intended by Peikoff — for "looking" presupposes expectation

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Objectivism: The Philosophy of Ayn Rand, **by Leonard Peikoff. Dutton, 1991, ix + 448 pp., $24.95.**

Might "Objectivism" Ever Become Academically Respectable?

Henry B. Veatch

Speaking as the oldster that I am, I distinctly recollect how, some 25 years and more ago, a veritable Ayn Rand cult appeared to be spreading among students on American college and university campuses. Still, it was a cult that touched only the students and not the professors — at least not those professors whose calling was "academic philosophy."

Just why was it, though, that in those days there seemed to be so little meeting of minds between Randians and professors of philosophy? Perhaps it was that Miss Rand was nothing if not a fiercely independent thinker not given to tolerating fools gladly, and in her eyes the then regnant professors of philosophy — and most especially of moral philosophy — must indeed have seemed to be little better than fools. These professors apparently had neither time nor patience to develop an ethics that human beings could actually live by, or at least use to make sense and add meaning to their own lives as individuals. Philosophy then — yes, even moral philosophy and ethics — seemed to be very largely an affair of acquiring and then displaying certain highly sophisticated techniques of logico-linguistic proficiency.

In *Objectivism: The Philosophy of Ayn Rand* the author, Leonard Peikoff, makes it quite clear that he wishes to carry on the tradition of anti-academic philosophy as set by Miss Rand. He makes no bones of the fact that he himself writes not as a professional philosopher, but rather as a still devoted and undeviating Randian disciple. Indeed, Peikoff states that he not only studied with Miss Rand for a number of years before her death in 1982, but actually discussed with her at length many of his proposed formulations of her views that he had in mind for his own future book. And he makes it clear that even since her death he has been in close touch with orthodox Randians, thus ensuring the orthodoxy of his own presentation and defense of Objectivist ideas and principles.

Is it surprising, then, that directly in the preface to his book, Peikoff apparently disqualifies any prospective academic philosopher as either critic or reviewer? "This book," he says, "is written not for academics, but for human beings (including any academics who qualify)." And where does this put an unfortunate reviewer like myself? For what else can I do but plead guilty to having been a dyed-in-the-wool "academic" for the whole of my professional life? Perhaps I might plead at least some extenuating circumstances, in that, however benighted an academic philosopher I may long have been, in recent years I have been not just retired, but very much retired. And just conceivably, this might serve to restore at least some humanity to me once again!

The Orthodoxy and Its Critics

One can safely say that the academic moral philosophy that had become dominant, at least in this country, for nearly the whole of this present century — whether it be of Kantian or of utilitarian inspiration — was largely aimed at eliminating from ethics any and all concerns a moral agent might have with his own ends and purposes in life, and to direct those concerns instead toward such duties and obligations as one might have toward others. Accordingly, ethics in this view was to be construed as being exclusively a "duty-ethic" rather than a "desire-ethic." Likewise, one's moral stance, it was insisted, ought always to be one of "altruism," rather than "egoism." That is, to use a recently fashiona-

ble term, the proper attitude for a moral agent to cultivate should be one of "impartiality": any action that one takes one should always regard the interests and desires of others as being entitled to an equal and impartial consideration along with one's own.

It is little wonder that such a type of ethics should have become anathema in the eyes of orthodox Objectivists. For it is the very hallmark of Objectivism — at least as presented by Peikoff in his book — that it is no less than a human individual's own very end and goal in life that is at stake in any study and pursuit of what is rightly to be called ethics. More specifically still, Peikoff insists that, in Miss Rand's eyes, the end or goal or objective in life that every moral agent should aim at is none other than simply Life (with a capital "L"). And the Life that should thus be the all-absorbing object of concern to the moral agent is precisely his or her own life, and not the life of anyone else! An Objectivist ethics is every inch an egoism, and in no wise an ethics of altruism or impartiality.

An Objectivist ethics is every inch an egoism, and in no wise an ethics of altruism or impartiality.

Granted then that what we have been calling mainstream academic ethics in this country is the very antithesis of any ethics of a Randian or Objectivist type. Still, one wonders whether this quite justifies Peikoff in simply brushing academic ethics aside, as being the product of thinkers who, he suggests, might scarcely even be "human," and thus, presumably, not deserving of serious philosophical consideration and attention. Instead, would it not have been better for Peikoff to have paid serious critical heed to some of the classical formulations of the standard types of "duty-ethics," or "ethics of impartiality," if for no other reason than simply to determine just where and how they presumably went wrong, as well as how they might best be answered? Certainly Aristotle — to whom Objectivists profess allegiance — never failed to avail himself of what he called "dialectic," which for him involved a review of his predecessors, with a view to seeing how, by an exposure of their missteps and false starts, he could more successfully set his own philosophy on course.

But there is an even more striking reason to consider contemporary philosophy. For recently there have been signs of a revolt, right within the ranks of the academic philosophers, and particularly in the areas of ethics and moral philosophy — a revolt that would seem to be directed pretty much against the long-standing dominance of old-line analytic-linguistic philosophers. Indeed, this revolt might be seen as a radical new departure, a departure that seems to have a number of affinities with the Randian position in ethics.

Among these latter-day critics of the moral-philosophical establishment are some of the most outstanding of contemporary moral philosophers — Alasdair MacIntyre, Bernard Williams, and Martha Nussbaum. This is not to say that these established figures who have now become critics of the traditional ethical establishment are ready to be enrolled in the ranks of the Randians! At the same time, one does need to mention a number of younger one-time Randians (or near-Randians) who are now very much a part of the present-day academic scene, but who, understandably enough, have become sharp critics of the longstanding fashions in establishment ethics — Douglas Rasmussen, Douglas Den Uyl, and Fred Miller. One wonders why Peikoff nowhere mentions them in his book. Had he taken cognizance of what various of these contemporary critics have said about some of the long-standing fashions in analytic-linguistic moral philosophy, it would have rendered his own presentation of Objectivist ethics far more sophisticated and illuminating.

The Collapse of an Orthodoxy

Given this century's shift in fashion from an egoistic, or primarily self-regarding, ethics, to an altruistic or other-regarding ethics, just what, one might ask, is the reason or ground of justification for such a shift? Why is it to be supposed that a concern for my own interests should never take precedence over my concern for others, but rather that I should ever work to further the interests and concerns of others equally and impartially as compared with my own? "But just why?" one may ask. "And who says so?"

The root weakness of the usual academic philosophical answers to these questions was that its champions did not rely on any facts in nature or in reality in confirmation of their altruism and their partiality for a duty-ethic. Instead, they seemed to rely solely on mere considerations of logic and language.

In Aristotelian eyes, the standard for what a human being ought to try to be and become is just what his human nature requires of him.

Two centuries ago, Kant had tried to maintain that his "categorical imperatives," or absolute "oughts" requiring uncompromising consideration of others, were to be justified seemingly on the sole ground that for a moral agent to disregard such categorical "oughts" could not but involve the person in serious inconsistencies. And yet when subjected to careful logical analysis the inconsistencies turned out to be more apparent than real.

More recently, philosophers from the camp of the logico-linguistic analysis have sought to show that if someone should pronounce a thing — just anything at all — to be good, and it being granted that anything that is good needs to be promoted and pursued, it follows that any and every moral agent has a moral duty or responsibility to promote and pursue any and every good, regardless of whether it be his own good or not. But again, this supposed commitment on the part of moral agents always to further the good, whoever's good it might be, turns on a kind of linguistic legerdemain that has recently been shown to be rather readily exposable as little more than a curious sophism.

In fact, the sophism is found to lie in the original understanding of "good." No sooner does one come to see that the term "good" cannot be taken as a simple or absolute property just in itself, but rather ever and always as designating a good *of* something or somebody, or a good *for* someone or something, then

one quickly recognizes that when something is reckoned as a good of or for someone, it does not follow that the thing that is an acknowledged good of or for my neighbor must therefore be recognized as a good for me as well, and that I must therefore pursue as being an obligation incumbent upon me as well.

Aristotle for Objectivists

Objectivists and latter-day Aristotelians can agree on this critique of mainstream ethics, for both hold that the basic concern of the moral agent should be a concern for oneself and for one's own personal development and eventual flourishing. Nevertheless, there would seem to be a marked difference between the two when it comes to the ways in which they would go about justifying both the *telic* character (designating the element of purpose, or end, derived from the Greek word *telos*) and the *egoistic* character of their respective ethics.

Consider first the Aristotelian approach. The Aristotelian seeks to appeal to *nature* as the source of his justification for both the *telic* and the *egoistic* character of his ethics. Thus in Aristotelian eyes, the standard for what a human being ought to try to be and become, is just what his human nature requires of him.

True, one often hears it said that the end or goal or *telos* of man, as this was conceived by Aristotle, was simply that of happiness or *eudaimonia*; and certainly this is true. And yet *eudaimonia* or happiness for Aristotle is to be conceived as a person's full flowering, as it were, or his full perfection and development such as is demanded by his very nature as a person. Moreover, if one wants to know of what such a development must consist in the case of human beings, the Aristotelian answer is that it must consist of the cultivation and exercise of both the intellectual and moral virtues. In other words, a human being, in so far as he or she is fully and properly human, needs both to know what the score is, so to speak, so far as human life and existence are concerned, and to be so disciplined as regards his feelings and desires and emotions as to be able to act on that knowledge. In other words, the end or goal in life for an individual is simply that he learn to live rationally and intelligently.

How is it that an Aristotelian moral philosopher can claim to know these things — how can he profess to know both that there really is an end or *telos* of human life, such as we have just described, and what the basis for such a knowledge is? The basis for such a claim lies simply in the very facts of nature themselves. Nature discloses to us the difference between, say, health and disease — not just in the case of human beings, but with respect to living beings generally throughout the whole of animate nature. And as far as animate nature is concerned, we are forever being made clearly, and often painfully, aware of what it means for things to be in a flourishing or healthy condition, as over against their being sickly or deprived, and thus anything but flourishing.

"Still," one might well ask, "just where does one find the actual justification for introducing such standards of value — i.e. of good and bad, of better and worse — directly into situations where the only differences would seem to be purely factual ones? For although we human beings may be accustomed to reading value distinctions into differences between the healthy and the diseased, or between the flourishing and the not-so-flourishing, what warrant is

there for our importing such values into what, objectively considered, are no more than factual differences alone?"

To this sort of challenge the Aristotelian reply is simply to insist that throughout the whole of nature there are discernible distinctions between what Aristotle called *potency* and *act* — between what a given thing might be or could be, and what it actually is. Accordingly, when it comes to explicit value distinctions — between "good," say, and "bad," or "not-so-good" — an Aristotelian holds that these connote just such distinctions as that between the actual as against the potential, and so, by extension, as that between the more developed and the less developed, the healthy as over against the diseased, or the flourishing as over against the not-so-flourishing. And so it is that value distinctions between good and bad are to be recognized as pervading the whole of nature, and so to be nothing if not empirically discoverable right in nature.

Peikoff disqualifies any prospective academic philosopher as either critic or reviewer. Where does this put an unfortunate reviewer like myself? For what else can I do but plead guilty to having been a dyed-in-the-wool "academic" for the whole of my professional life?

Even if one credits this Aristotelian line of argument, one might insist that even though value distinctions are a part of nature, this still does not imply that the morally good, as over against the morally evil, are both a part of nature, and thus discoverable and observable in the facts of nature. However, an Aristotelian answer to this sort of objection is not hard to come by: *for in just what does the distinction between moral value specifically and values consist?* It is a distinction that emerges as soon as one recognizes that human beings are beings possessed of reason and intelligence, and that they are able to discern differences in value and disvalue, or between good and bad, in situations they actually confront in the world. And being distinctive in their capacity for discerning such differences between good and evil, it is understandable why it is only human beings, as contrasted with other beings in the world, who, have the power to act on their knowledge, and thus have a responsibility — yes, a specifically moral responsibility — to choose the better and not the worse.

Against this background one can begin to see readily what the justification is for our typically Aristotelian contention earlier on that a human being's end or goal in life — that in which his perfection or well-being or true flourishing may be said to consist — is not anything that need be arbitrarily determined, or set up merely at will. No, the good for man, or that in which the true value or perfection for a human being may be said to consist — these are all things that are both discoverable in nature and grounded in nature, so that one's very conduct of life might be said to be prescribed for us ultimately by nothing less than actual natural laws.

Objectivism Without Foundations

But now what about the Objectivists? How do they make a case for their ethics, at least as presented in Peikoff's book? How does he justify an ethics that is both *telic* and *egoistic*? Alas, with respect to this question, it seems to me that not only is he unable to come forward with any discernible line of justification, he is not even sensitive to the *need* for such justification.

We have seen how Aristotelians believe their appeal to nature and to the natural world provides them with knowledge as to what man's natural end is and why such a natural end is to be reckoned as being a good, not to say *the* good, for man. But unfortunately, it seems that the Objectivists — at least as Peikoff presents their case — are unable to make any such appeal to nature in support of their ethics. In Chapter 1 Peikoff does recognize that both ethics and politics seem to presuppose and rest upon two more basic branches of philosophy, metaphysics and epistemology. Still there is no word here about nature, or about a knowledge of nature, in the form of a physics (for the Greek word for nature is simply *physis*), as being able to ground such knowledge as one might claim to have in either ethics or politics. Instead, Peikoff insists that physics is a scientific (in the modern sense of the word "scientific") discipline, and not a philosophical discipline at all. As a consequence, even if in Peikoff's eyes physics in the modern sense might conceivably be said to afford a knowledge of nature, it would not be a knowledge of nature that would have the slightest relevance, so far as ethics or politics are concerned.

If the Objectivists apparently do not appeal to nature as providing a foundation for their ethics, then where else can they appeal? And to this question, I am afraid that the answer is that there is *nowhere else*. In other words, their ethics would seem to be nothing if not simply lacking in any proper foundation or justification at all.

The end or goal in life for an individual is simply that he learn to live rationally and intelligently.

Suppose that right here we even call Miss Rand herself as a witness. For as Peikoff represents her position, it was her view that the true end or goal in life for a human being is simply Life. And yet without asking just what "Life," taken as an ultimate end might mean here, or whether possibly "Life" here is to be construed in terms of various alternative ways of life, in which certain of these ways might be designated as acceptable for human beings, and others not acceptable — waiving all questions

of this sort, let us but focus directly on the question of justification as such: just why and on what grounds did Miss Rand hold that Life should somehow be the true and all-encompassing end or goal for human beings?

Alas, I am afraid that the Randians can then scarcely come up with any answer to the question of what possible justification there could be for such basic ethical principles as that Life should be taken as the true end or goal or *telos* for human beings, or that such a goal must be conceived in terms of an egoism, and not an altruism. For surely, it would do no good to argue, as I feel sure Miss Rand would not have wanted to argue, that merely because Life might be supposed to be that which all human beings do in fact pursue, it therefore is what they ought to pursue. Say that, and immediately all the linguistic analysts will jump down our throats and say that one cannot infer an "ought" from an "is." And in this, I believe that the linguistic analysts would be unhappily only too right.

Similarly, if Objectivists are not careful to specify the principle that what we call "good" or "value" is to be understood (not to say even "defined") as the actual as over against the potential, then it will do no good just to argue that "Life," as Rand and Peikoff call it, is what should fulfill us as human beings, and therefore is what we should strive to attain as human moral agents. For unless "good" and "value" are to be understood as the fulfilling or the perfective as over against the unfulfilling and the imperfect — and this directly within the order of nature itself — then an Objectivist ethics that would set up Life as being our proper human end or goal will unhappily be entirely without philosophical foundation.

No, not even the egoism of the Objectivists would seem justifiable apart from a recognition that an individual can only orient his life toward his own good. After all, no act can be the act of anything other than that very thing that is to be reckoned as having a potentiality for just such activity or actuality.

For all of the moral insight that Objectivists have displayed in their insistence upon an ethics that is at once *telic* and *egoistic*, they have nonetheless failed rather signally when it comes to providing anything like an adequate ground or justification for their insights. For all of Miss Rand's skill in depicting characters whose conduct and behavior is of a definite moral and ethical import — as being some of them wise and some of them foolish, some noble and some ignoble, some admirable and some despicable — for all of this, when one turns to the Objectivist philosophy behind Miss Rand's novels, one seems forced to say that as a philosophy, it fails to provide any adequate moral-philosophical justification for the moral and value judgments implicit in the novels.

And that perhaps accounts for the rather paradoxical nature of this review's title. For had the Objectivists paid a more discerning and discriminating attention to present-day academic philosophy, they might have seen their way clear toward basing their own philosophy on rather more solid Aristotelian foundations by way of justification. In short, academic respectability is not always and everywhere a thing to be avoided, certainly not by the Objectivists. ❑

Steele, "Post-Randian Objectivism," *continued from page 61*

and purpose. A blank slate cannot be aware of anything, just because it is blank. If we want a computer to process the marks on a slate, we have to give the computer the capacity to analyze the marks, and that means to translate the marks into the computer's "language." The computer itself cannot be blank. Perception represents the world by constructing conceptual models; these models always have the character of incomplete and fallible hypotheses, and they can often be misleading, though they can sometimes be replaced by better ones.

That all seems perfectly obvious to me, though I don't claim to have made out much of a case for it here. Peikoff, however, has the space to make out his case, and, such as it is, it is depressingly feeble. He seems to think that the most effective strategy is to issue a succession of hot-tempered incantations, often abusive (demeaning all who disagree with him), slovenly in logic (I've given a few examples, but there are dozens of appalling non sequiturs), and so constructed as to head off thoughts subversive of his position, before these thoughts can be looked at closely. If Peikoff has ever lost his philosophical virginity — if he has ever seriously wondered about any philosophical question — he has taken great pains to conceal the fact in this book, which has the tone of an encyclical against heresies rather than an attempt to discuss inherently and delightfully fascinating issues.

The propaganda significance of the Randians' doctrine is that it enables them to avoid seriously considering any statement they view as arbitrary — any statement they particularly dislike.

Take this argument for instance, designed to show that our senses can never deceive us: "Obeying inexorable laws, the organs transmit a message to the nervous system and the brain. Such organs have no power of choice, no power to invent, distort, or deceive. They do not respond to a zero, only to something, something real, some existential object which acts on them" (35).

We cannot prove that there are any laws, nor whether any laws there might be are inexorable, as opposed to probabilistic, but let's suppose that there are inexorable laws. Perception is not done by the sense organs and then handed in a finished package to the brain. Perception is performed by the brain, using the sense organs, the way it might also use a hearing aid or a TV camera. The bit about the organs' lack of conscious intention is excruciatingly silly: if my radio emits a beep which I interpret as a noise occurring at the broadcast concert, the radio is not necessarily trying to trick me.

Truth

Peikoff describes some contentions as "arbitrary," by which he means that they are based on emotion and devoid of evidence (145). He maintains that such arbitrary propositions are "automatically invalidated" (145), neither true nor false (147). He goes on to say that statements made by a parrot cannot be true or false, since the parrot is not conscious (147). In the same way, arbitrary assertions are neither true nor false; they have "no cognitive standing" (148).

I am dying of thirst wandering around in the Sahara, and I seem to hear the voice of God telling me that if I walk half a mile due south, I will come to an oasis. I believe it, and set off in that direction. After a while it occurs to me that I must have been deluded, but for want of anything better to do, I keep on. I then discover an oasis at exactly the point predicted.

According to Peikoff it would be wrong to say that I found the proposition about the oasis to be true (or if the oasis had not been there, that I found it to be false). Thus his position is not, as he wrongly claims "the classical correspondence theory of truth," but a different kind of position which holds that a statement cannot be true (or false) unless you have the right frame of mind when you assert it, and unless you came to hold it in the right way. The psychological state of the utterer of a statement is supposed to cling to the statement like a ghost.

By contrast, I hold that a statement's truth or falsity is independent of its history or of its maker's motives. Furthermore, there is absolutely nothing wrong with any statement merely because it is based on emotion and devoid of evidence — it might, for all that, very well be true. We can look and see whether there is any evidence *after* the statement has been made. Propositions are not subject to original sin.

A refutation of Peikoff's position can be given along the following lines. A advances a claim p, based on emotion and devoid of evidence. B denies this claim, because of evidence he has collected. Investigation indicates that B is right. Now according to Peikoff's position, B's claim ("p is false") is true, whereas p is neither true nor false. But the denial of any true statement must be false. Hence, by *reductio ad absurdum*, Peikoff is wrong.

The point is not trivial, because the history of thought is filled with ingenious, beautiful, and ultimately fruitful theories which were based on emotion and devoid of evidence. Virtually all the ancient Greek cosmological speculations, such as the atomic hypothesis, fall into this category. In fact, as I indicated above, all human thinking commences from mental activity which is devoid of evidence, and "emotionally-based" in Peikoff's sense (though I don't like the description, since thought cannot arise from emotions alone). We are all born into the world holding theories for which we have no observational evidence — the vital role of such evidence is in causing us to abandon some of our theories, though we can then make progress by replacing the refuted theories with new, unproved, possibly better, but also usually false theories.

The propaganda significance of the Randians' untenable doctrine is that it enables them to avoid seriously considering any statement they view as arbitrary — any statement they particularly dislike. They can handle any such statement with all the anti-intellectual bigotry displayed in this disgraceful pronouncement of Peikoff's: "The proper treatment of such an aberration is to refrain from sanctioning it by argument or discussion" (150).

Peikoff shamelessly brings up the notorious piece of Randian illogicality that "It is impossible to 'prove a negative'" (148-49). After asserting this most strenuously, he then fills in some of the

finer detail: It is, in point of fact, possible to prove a negative (149). *En route* he advances the following argument:

> If gremlins, for instance, do not exist, then they are nothing and have no consequences. In such a case, to say: "Prove that there are no gremlins," is to say: "Point out the facts of reality that follow from the nonexistence of gremlins." But there are no such facts. Nothing follows from nothing. (149)

From the fact that gremlins do not exist, it does not follow that it makes no difference if they do or do not exist.

Science is a succession of false theories, though the theories may possibly get progressively closer to the truth.

Phlogiston, the Ether, the Collective Unconscious, and changes in human behavior due to a full Moon do not exist, and it's possible to point to facts that follow from their nonexistence. It may be, of course, that we cannot find any testable consequences of some entity's existence or non-existence, because it is too vaguely specified or for some other reason. But this is quite distinct from whether they actually do or don't exist. And it may be helpful to speculate about them anyway, since we really don't know what future tests may be devised for currently untestable theories.

Certainty

Peikoff asserts (153) that if a person follows the Randian epistemological policy he will never have to abandon earlier views in the light of new evidence. A Randian is always right all the time. Yet one page earlier he seems to accept that we can never be sure that a theory will not "be overthrown one day by new information as yet undiscovered" (152). His attempt to reconcile these two positions employs the example of blood types: four types were identified, but then it was found that some A-type blood was incompatible with other A-type blood — the Rh factor was subsequently identified. Peikoff has to say that the discovery of the Rh factor did not contradict the earlier theory. To support this claim, he maintains that the correct formulation of the earlier theory would have been: "Within the context of the circumstances so far known, [Type] A bloods are compatible" (154). He comments: "like all properly formulated truths, this truth is immutable." I suppose that any true statement is true immutably, but the question remains whether our attempts to get at the truth are infallible and incorrigible, if we follow some Randian recipe.

Peikoff overlooks the problem of induction. It is inseparable from the epistemological status of a *theory* that it goes beyond the observational evidence we have, and therefore can never be proved from that evidence. If we attach to any theory the proviso: "This holds only in the cases we have so far looked at," the theory becomes scientifically quite useless. The main point of any theory is to be applied to new circumstances, circumstances where it may, for all we know, not hold good. If we try to protect a theory from future refutation by attaching the qualification "within the context of the circumstances so far known," then either this has to be made precise enough to specify exactly when the theory does and does not hold good (in which case the theory still yields an infinite number of possibly false predictions), or the theory is effectively scuttled (since it comes to mean: "Either such-and-such will happen or it won't").

According to Popper, induction is logically invalid and science does not operate by induction. According to the surviving inductivists, such as the Bayesians, induction is valid and does work, but only by raising or lowering the probabilities of theories — and never raising them to 1. Either way, there is no escape from the fact that any theory, no matter how well corroborated, can never be shown to be true but could turn out to be false.

Peikoff states that: "A man does not know everything, but he does know what he knows" (154). He evidently means that if a man is a good Randian, he can never accept a false theory. On this view, individual or social knowledge grows by simple addition of new material, not by revolution. But this

overlooks the problem of induction. The price of an interesting, non-vacuous theory is that we can never have conclusive evidence that it is true. Science is a succession of false theories, though the theories may possibly get progressively closer to the truth. Peikoff talks about "ideas" being "logically proved," but this has no applicability to scientific theories. No theory of empirical science has ever been logically proved, nor will one ever be.

Ethics

All the usual ingredients of the Randian ethical theory are reproduced here by Peikoff, irresponsibly ignoring the many serious criticisms that have been made time and again. The completely bogus argument from the immortal robot is trotted out once more (184–86). It is asserted that an indestructible robot could have no values, hence life is the basis of value. Now, it is hardly controversial to propose that life is one precondition for holding values, but from this it doesn't follow that life is a value.

Peikoff slips in a ridiculous false alternative, that if we don't accept 100 percent egoism, we have to accept 100 percent self-sacrifice for the benefit of others.

And it is bootless to bring in the indestructible robot, since there is no reason why such a robot (if it could exist at all) couldn't hold values. I now possess the capacity for preferring some states of affairs to others, in cases where this preference has no bearing on my survival. And if I became indestructible, there is no reason why I should necessarily lose this capacity.

There is the same old Randian trading on confusion between two usages of "life": on the one hand, biological survival, and on the other, something else (something poorly thought out, but at any rate, something which is not to be identified with biological survival, since it may justify deliberately nullifying one's biological survival).

Peikoff explains that: "When a plant turns its leaves to reach the sunlight, when an animal digests food" (and so forth) "the organism is pursuing the values its survival demands" (205). It's difficult to see why Peikoff thinks an unconscious organism can be said to have values, if a thermostat, or a tornado, or a crystal of salt, or a glass of water cannot. More seriously, Peikoff's statement displays his misunderstanding of biology.

According to the neo-Darwinian theory, individual organisms tend to maximize the reproduction of their genes in competition with other genes in the same population. This often leads individuals to pursue their own survival, but also sometimes leads them to sacrifice their own survival for the sake of spreading their genes. Most important features of living organisms are adapted to making them efficient machines for spreading their genes, and individual survival is purely instrumental. It is mistaken to say that: "As a living entity, each necessarily acts for its own sake; each is the beneficiary of its own actions" (205). For instance, individual members of most animal populations will typically risk their lives to help their siblings, who share an average of 50 percent of their genes. Such limited altruism persists because it is reproductively profitable (from the gene's point of view).

Therefore it is quite unwarranted for Peikoff to suggest that any departure from total devotion to self-interest will make self-preservation impossible (205). Consequently, there is no basis for the ridiculous false alternative unmistakably slipped in by Peikoff (208–09), that if we don't accept 100 percent egoism, we have to accept 100 percent self-sacrifice for the benefit of others. Most people are predominantly self-interested and somewhat altruistic. This state of affairs may be as inexorable as the law of gravitation, and it is quixotic to try to abolish it. That doesn't remove our ethical obligation to do something to help the poor and the weak, and to uphold the moral values of kindness, compassion, and consideration for others.

Carelessness

I have merely picked out a few of Peikoff's blunders. My main point is, not that this or that position of Peikoff's is wrong (though they are mostly demonstrably wrong, and where not wrong, vacuous or trite), but that Peikoff is the philosophical equivalent of William McGonagall, though far less enjoyable. Some of Peikoff's positions could be given a respectable defense by others, but in this book the most elementary standards of competent argument are flouted on every page.

Peikoff's approach is slapdash. He hardly ever reports anyone else's position accurately. Here, for example, is his account of an argument by Rawls:

> It is perfectly just, Rawls maintains, for society to sacrifice the men of intelligence and creative ability — to seize their products and redistribute them to the world's losers — because, he says, nobody worked to achieve his own gray matter; nobody earned his brain, which is a mere gift from nature. (108)

Peikoff refutes "this monstrous theory" by arguing that the notion of earning one's brain is illegitimate. He gives no page citation, and nowhere in Rawls is there any discussion of working to earn one's brain, but I presume Peikoff is referring to II:17 of *A Theory of Justice* (100–08). Here Rawls says: "No one deserves his greater natural capacity nor merits a more favorable starting place in society" (Rawls, 102), which is obviously true for those of us who reject reincarnation. Rawls is here summarizing an argument whose conclusion he rejects, and he quickly goes on to say that the distribution of natural talents does not rule out the possibility of justice: "The natural distribution is neither just nor unjust; nor is it unjust that people are born into society at some particular position. These are simply natural facts" (ibid.). Rawls defends a just society in which there are differences in wealth and income due to birth and other causes. He does also favor some government redistribution, but not for reasons recognizably like those described by Peikoff.

Peikoff cannot seem to cite anyone without misrepresenting them. He says that Spencer defended capitalism as survival of the fittest, and drew this idea from Darwin's theory of evolution (Peikoff, 356). He even misrepresents the Munich agreement of 1938 (110), saying that Hitler was demanding Czechoslovakia (instead of a German part of Czechoslovakia whose population wanted to join Germany). To commit one outrageous howler may be put down to misfortune. To cram so many into one book looks like undue carelessness. ❑

The United States of Ambition: Politicians, Power, and the Pursuit of Office, by Alan Ehrenhalt. Times Books, 1991, viii + 311 pp., $23.00.

American Democracy Diagnosed

Leland B. Yeager

Alan Ehrenhalt earned a master's degree in journalism, has worked as a political reporter, editor, and columnist, has been a Nieman Fellow at Harvard and a visiting scholar in political science at Berkeley, and is now executive editor of *Governing* magazine in Washington. His new book, *The United States of Ambition*, shapes his keen observations into an intelligible pattern.

The U.S. political system has changed vastly from what it was several decades ago. Old-style machines like the one bossed in Utica, New York, by Rufus Elefante (never elected to anything) are gone. Political parties have lost their organized character. Experienced politicians and party leaders no longer have much chance to screen potential candidates. Success no longer belongs to team players. The political process has become much more open to leaderless individuals seeking office on their own. "The skills that work in American politics at this point in history are those of entrepreneurship. At all levels of the political system . . . it is unusual for parties to nominate people. People nominate themselves" (p. 17).

Those who gain and keep office tend to be people who like politics, see it as a full-time career, and either enjoy campaigning or dislike its rigors less than most people would. They bask in publicity and put a relatively low value on privacy. As careerist professionals, they develop expertise in fund-raising and in exploiting technology and the media. Furthermore, people who have these tastes tend to be people who believe in activist government. Even out of genuine public spirit, they work to expand their scope for doing good in their favorite way, through exercising governmental power.

People with a negative image of government, seeing it as overly meddlesome, or whatever, tend to shun politics. Exceptions do exist, but they are just that, exceptions; and they tend not to persevere in politics as tenaciously as career-oriented devotees of activist government. Under our current system, furthermore, a party's success depends on steadily recruiting full-time talent. Government-bashing does not build majorities. Ronald Reagan's antigovernment rhetoric reinforced a distaste for political careers among young Republicans.

When conservatives occasionally come to power, they do not do much to roll back activist programs already in place. "Government programs acquire an inertia and a set of constituencies that make repeal look like onerous and politically costly work, even for a newly installed conservative regime that finds them unattractive" (64).

> [T]hrough the 1970s and 1980s, the Democratic party strengthened itself as the vehicle for people who grew up interested in government and politics and wanted to make a career of them. And the Republican party was forced to compete as the vehicle of those who felt that government was a dirty business and that they were demeaning themselves to take part in it. (222)

Ehrenhalt illustrates his points with case studies of local government (Concord, Cal., Utica, N.Y., Greenville county, S.C.), state government (South Carolina, Alabama, Connecticut, Colorado, Wisconsin), and members of Congress.

In Wisconsin, for example, the people "have never chosen the Democratic party *en bloc* to be the legislative majority. The question is not put to the electorate that way. . . . Wisconsin's voters have elected individual Democrats who outperformed their opposition at the tasks a modern political career requires. The electorate has not sent them to govern; it has merely maintained the conditions under which they could send themselves" (142).

In Wisconsin, "the GOP has become the party of Cincinnatus — the party of those who, in the final analysis, would rather be doing something else for a living. The Democrats are the party of those who believe, with [Assemblyman] David Clarenbach, that 'I can't think of anything I'd rather devote my life to'" (126).

As Ehrenhalt recognizes, his observations do not fully apply to the general election for President. For a brief period every four years, after the self-nomination process is over, the opinions and values of the electorate are decisive. However little the voters know about the vast majority of political choices confronting them, "they do have enduring images of what the two major parties are about in presidential politics" (270). They apply these images and they pay attention to the campaign as they choose between the two major candidates — or many of the voters do; so the qualification should run. Another qualification should be that the voters are choosing only between two candidates that they have not themselves deliberately nominated.

It is a gross fallacy to slide from the case for democracy as the least bad political method into the case for throwing more and more aspects of life into the political, meaning governmental, arena.

Ehrenhalt identifies a "central contradiction" of the U.S. political system that cries out for explanation: although voters have shown a clear preference for Republican presidential candidates over the last twenty years, this has done nothing to give the GOP a majority in the country as a whole (208). Yet his own method of analysis suggests how to explain this "contradiction," as well as the common observation (if it is correct) that voters tend to disdain Congress in general

while admiring their own particular representative.

Presidential elections deal with the big picture. Voters are interested and informed — relatively. They have a chance to express conservatism more effectively than in local and Congressional elections.

Voters may dislike the performance of Congress as a whole. Taking the system as given, though, they can sensibly elect a representative who knows how to manipulate it in defense of their interests. Forbearance from grabbing their own supposed share of federal largesse would not appreciably turn the system around. Responsible government — government responsible to the general public interest rather than overresponsive, piecemeal, to numerous local and special interests — is a public good; pursuing it has prisoners'-dilemma aspects. Why should one's own representative behave responsibly when few others would follow the example and when the payoff to himself and his (or her) constituents would be so slight and conjectural? Furthermore — as is one of the book's main themes — their representative tends to be a specialist in providing services to constituents and in projecting an attractive personal image.

Ehrenhalt mentions the chronic U.S. government budget deficit as an example of irresponsibility or dissipation of responsibility in the political and legislative processes (although he does not phrase the matter just that way; see pp. 245–250). More generally, the political system has developed a critical flaw: "It has allowed power and leadership, at many levels, simply to evaporate" (38).

What accounts for changes in the political system over the past few decades? Ehrenhalt makes or hints at several suggestions. Skill in communicating — in town meetings, in door-to-door canvassing, on television, in direct-mail literature — has gained in importance (p. 19). "The more campaigning becomes a science unto itself, the more public offices and rewards flow to people who have mastered its details" (206).

Air conditioning and jet planes helped change the character of Congress. More so than before, serving in it can and must be a year-round, full-time occupation; yet members can keep in touch with their constituents. But long weekends back in the district, together with heavier work loads, have further eroded camaraderie among the members (p. 234 in particular). On local as well as Congressional levels, an explosion in staffing has changed the legislative process, making legislatures both more competent and more active (138).

"The GOP has become the party of Cincinnatus — the party of those who, in the final analysis, would rather be doing something else for a living."

Redistricting under the 1962 Supreme Court decision and the civil-rights movement contributed to opening up the political system. Changed convention rules and the increased importance of primaries have altered the presidential race. Vietnam and Watergate created opportunities for antiestablishment, antiorganization types (152, 209–210).

Some of these points, obviously, are just as much features as explanations of the new system and require explanation themselves. Ehrenhalt does not, and does not claim to, provide anything approaching a full, well-articulated, persuasive explanation.

Still, he has made a praiseworthy contribution to political science. It meshes nicely with the work of public-choice economists. Perhaps more academically oriented researchers will build on his work, figuring out, for example, how to obtain statistics on the personal characteristics of politicians and how to test his insights in ingenious ways.

The book's two final paragraphs state a brief conclusion. Our political system is deficient in leadership, discipline, and the willingness to seek accommodation of divergent personal preferences. It generates a politics of posturing and stalemate. Yet it will not do simply to blame ambitious professional politicians for "this mess":

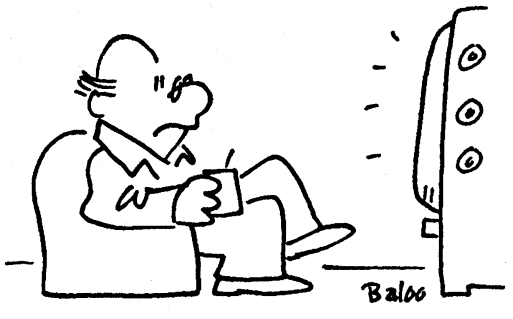
> We understand more than we might like to admit about city councils that can't defer to leadership; about state legislatures where every individual is a faction unto himself; about a Congress that lacks any sort of meaningful community among its members. We understand these problems, or should, because they are all around us in American life. For all our ignorance as voters and inattentiveness as citizens, we have a politics that is, in the end, appropriate to its time and place.

This rather lame conclusion overlooks the insights of Anthony Downs in *An Economic Theory of Democracy* (1957): It is perfectly rational for the individual citizen ordinarily to remain ignorant of political issues and give them only superficial attention. Any reform effort that hopes to succeed must take this circumstance to heart.

Ehrenhalt neither fully explains our political malady nor gives advice on how to cure it. Yet even unaccompanied by an etiology and a prescription, his diagnosis is well worth having. Although Ehrenhalt is not pushing any particular ideological line, his analysis tempts me to offer some libertarian embroidery.

Sheer eloquence, I conjecture, including a knack for devising memorable slogans, succeeds better in the political arena than competent concern for the sizes or importance of various supposed problems and of the benefits and costs of remedies offered. Knowing economics can hobble the honest politician, while the pangs of conscience spare the economic ignoramus as he prevails with promises and eloquence. Concern for the long run is a similar handicap, since looking good at election time is what counts.

These are among the reasons why the qualities and skills of a successful political campaigner do not coincide with those of a good government execu-



"Washington, D.C. police today arrested two Democratic Congressmen for impersonating Republican Congressmen!"

tive or legislator (as Ehrenhalt noted in Concord, Cal., p. 55). "The ability to canvass for votes in Iowa or New Hampshire does not have much to do with the qualities that make a successful president. But it has come to be a virtual prerequisite for anyone who wants the job" (206).

Ehrenhalt further helps us understand why the outcome of the political process does not necessarily represent the will of the people. It is a fallacy to say (as George Will and Herbert Stein do) that people must be pretty well satisfied with government as a whole; otherwise they would vote to change it. The voters do not have an opportunity to express themselves, and express themselves knowledgeably, on the character of government and its overall scale of activity. The political process operates with a bias toward bigness. Furthermore, voters are probably trapped in a kind of prisoners' dilemma (as suggested in remarks about Congress above).

Ehrenhalt's readers will see further reasons for skepticism about democracy as a good in its own right. Democracy is a particular political method, a method of choosing, replacing, and influencing our rulers. Ideally it offers us a way of avoiding or dismissing rulers who would destroy our individual rights. It is a radically inaccurate method of implementing the desires of the people, but the alternative political methods are even worse. It is a gross fallacy to slide from the case for democracy as the least bad political method into admiring political methods as such and into a supposed case for throwing more and more aspects of life into the political, meaning governmental, arena. Ehrenhalt's observations bolster the case for strictly limiting the scope of government.

Although reforms in the democratic process will not dispel the dangers of big government, Ehrenhalt's book should arouse interest in exploring them. The case for limiting the terms of governmental office looks better. So does the case for choosing legislators, or some of them, by lot rather than by election. So, perhaps, do the radical reforms suggested by F. A. Hayek in *The Political Order of a Free People* (1979).

Prospects for reforming politics and restraining government may look bleak just now. In the long run, though, experience, reason, and the growth of organized knowledge can change what is politically feasible. (The historical and intellectual demise of socialism is a case in point.) Ehrenhalt has made a solid contribution to this growth of knowledge. So doing, he provides grounds for optimism. ❑

***Winning the Drug War: New Challenges for the 1990s,* edited by Jeffrey A. Eisenach. The Heritage Foundation, 1991, $10.00.**

Drug Policy Abuse

Mark Thornton

The Heritage Foundation monograph *Winning the Drug War* is more like a trip to Fantasy Island than a substantive work on policy. It is conservative propaganda clearly demonstrating that Heritage's "war" bias goes beyond the military and foreign policy levels to include the war against drugs and the war against individual rights.

Winning the Drug War cleverly mixes the pro-war themes of Ed Meese and Bill Bennett (who wrote its introduction and concluding essay) with writing by people like John Matthews, the founder of Peter Bug's Shoe Academy, an institution that attempts to teach teenagers to read and sell products while at the same time helping the elderly. This mixture is the key to the book's method of propaganda: it attempts to justify the government's war on drugs by conflating the activities of the drug warriors with the successes of private and voluntary efforts to alleviate the problems associated with drug abuse.

The entries on private rehabilitation programs are interesting and informative. But they are logically distinct from the government's war. It is grossly misleading to describe the efforts of ministers, parents, school teachers, counselors, and doctors as a "war against drugs." These people do not use guns and bullets. They don't destroy lives. They don't kill. The government's war, on the other hand, does all these things.

The lead article by Carlton Turner, the first "drug Czar," attempts to put the government's "spin" on the undeniable fact that the drug war has made things worse. This involves considerable sleight of hand, since he must simultaneously claim that the war is being won *and* that the anti-drug army deserves more money and power because things are getting worse.

Turner acknowledges that more and more people are dying from taking illegal drugs. But what he cannot admit is that this is a direct consequence of the escalation of the government's war on drugs. As the government becomes "tougher" on drugs, both the risks and rewards of drug dealing increase, providing incentives to increase the potency of criminalized drugs, to develop more dangerous drugs, and adulterate drugs. Not surprisingly, this has meant more deaths. Emergency room visits associated with illegal drugs continue to climb at an astronomical rate, a fact the Bush administration has been forced to acknowledge.

The Heritage study confirms Santayana's maxim, "Those cannot remember the past are condemned to repeat it." America's "noble experiment" with alcohol prohibition never happened, so far as Heritage is concerned. "Government used to murder by the bullet only, now it's by the quart," commented Will Rogers on the increased death rate from alcohol poisoning. And prohibition increases crime. It drives up the price of drugs, forcing addicts into criminal activity to finance their habit. The extreme profitability of contraband drugs engenders turf wars among dealers, increasing the number of murders. Drug wars destroy job opportunities and stunt economic growth in the inner city, providing addi-

tional incentives to criminal activity. Drug dealers invest a portion of their profits in police protection, thereby corrupting those hired to protect life and property. And with police busy fighting the war on drugs (or lining their pockets with drug money) and prisons filling up with drug criminals, other crimes against life and property go uninvestigated and unpunished. Yet prohibition's effect on drug use is marginal at most. As Will Rogers observed, "Prohibition was better than no whiskey at all."

Although neither the Heritage Foundation nor the Bush administration have learned anything from Prohibition, the same cannot be said of a growing number of American People. A Gallup Poll [1986] found that five out of seven people felt that politicians who advocated spending more money on the drug war were not serious about fighting drugs but were merely using the issue to get publicity for themselves. Only one-third of those polled [1986] felt that if the federal government made a much greater effort to reduce drugs that drug use would decline "a lot." Of those with an opinion the majority felt [in 1989] that President Bush's plan will not significantly reduce drug use in the long run.

It is grossly misleading to describe the efforts of ministers, parents, school teachers, counselors, and doctors as a "war against drugs."

A recent survey sponsored by the Drug Policy Foundation found that 36% of the population supports decriminalization of drugs such as cocaine. An extremely long list of local politicians, retired law enforcement officers, writers, journalists, economists, musicians, and leading professionals have recently declared their support for drug law reform in the direction of legalization.

Winning the Drug War is an attempt to bolster the conservative hold on public opinion about illegal drugs. This grip was significantly weakened when three major supporters of the Reagan Administration—William F. Buckley, Jr., Nobel Prize-winning economist Milton Friedman, and former Secretary of State George Schultz — declared their support for legalization. It will weaken further as the public comes to understand that the war on drugs is a total failure in its stated goal, is destructive of America's heritage of individual rights, and is a tremendous waste of tax money. ❑

Jack London: Novels and Stories.
The Library of America, 1982, 1,020 pp., $27.50.

An American Meteor

Gary Alexander

After his death at age 40 on November 22, 1916, Jack London's literary career fell into disrepute. Critics panned his super-human heroes, his lifestyle, his socialism — or all three.

On this anniversary of his self-predicted flame-out, we should look again at how London described his own writings and see how well he fulfilled his destiny through his own work, and how he changed the direction of American fiction for decades after his death.

Here is one of the first letters he wrote to a newspaper editor, at age 22:

> Dear Sir:
>
> I have returned from a year's residence in the Clondyke, entering the country by way of Dyea and Chilcoot Pass. I left by way of St. Michaels, thus making altogether a journey of 2,500 miles on the Yukon in a small boat. I have sailed and travelled quite extensively in other parts of the world and have learned to seize upon that which is interesting, to grasp the true romance of things and to understand the people I may be thrown amongst.
>
> I have just completed an article of 4,000 words, describing the trip from Dawson to St. Michaels in a rowboat. Kindly let me know if there would be any demand in your columns for it — of course, thoroughly understanding that the acceptance of the manuscript is to depend upon its literary and intrinsic value.
>
> Yours very respectfully, Jack London.
>
> — Jack London to the San Francisco *Bulletin*, September 1898.

Freelance writers understand this process. Manuscripts go out; rejection slips flow back. The response to this young freelancer's letter was typical — a scribbled note on the bottom of his offer, saying: "Interest in Alaska has subsided to an amazing degree. Then, again, so much has been written, that I do not think it would pay us to buy your story."

Perhaps the editor was busy; perhaps he was offended by an eccentric spelling (Clondyke), or perhaps he was honestly tired of the subject itself, as he stated. But he missed a golden opportunity to print the first commercial piece by the greatest American writer of the first decade of this century, because he didn't catch the key passage of the cover letter, the three defining elements of London's style, which, in fact, set the tone for much later American fiction:

(1) to seize upon that which is interesting;

(2) to grasp the true romance of things;

(3) to understand the people one may be thrown amongst.

American fiction had become painfully purple by the turn of the new century. Samples of short fiction from leading literary magazines of the day, such as *Atlantic*, would sound Victorian to modern ears. Into this somnolence strode a strong new voice from a man who lived life to the edge. His life became a lesson to all young writers: If you want to write, you must first live a life worth telling, then write about what you've experienced. And if a writer ever lived his work, it was London.

"To Seize the Interesting"

Adventure surrounded London from the womb. He was sired in Oakland, probably by an itinerant astrologer (William H. Chaney); his mother was a spiritualist (Flora Wellman), who attempted suicide by taking laudanum and shooting herself while two months pregnant.

Mother and son survived and Jack was born on January 12, 1876. His astrological parents no doubt thought it significant that his chart revealed Saturn in evil aspect to Libra — a dangerous sign, but an omen of genius. When the baby was 8 months old, Flora married an older widower, John London, and named her son after his stepfather.

London's early resumé reads more like a prison record. With barely an eighth grade education to show for his misspent youth, he was at 14 an oyster pirate; at 16, a hobo; at 17, he sailed seven months on the sealer Sophie Sutherland; at 18, he joined the hobo army formed to protest mass unemployment following the Panic of 1893. He spent 8 months on the rails, from coast to coast in the U.S., and back via Canada. In between, in Buffalo, he spent 30 days in prison for vagrancy. In the 1950s, he would have been called a juvenile delinquent; in the 1990s, the product of a dysfunctional home.

He then spent a fateful year in the Yukon, returning with no gold but with plenty of tales to tell. He finished high school in an accelerated course, spent a semester at Berkeley and learned the rest on his own. The product of his Yukon year and frantic auto-didacticism was 50-odd Yukon stories — starting with "To the Man on the Trail" (January 1899) and culminating in his best-selling short novel, *The Call of the Wild* (1903).

The Yukon tales gave him the freedom and money to begin a series of socio-political-psychological novels, principally *The Sea Wolf* (1904), *The Iron Heel* (1906), and *Martin Eden* (1908). A sub-theme of his life as hero-celebrity was his work as a highly paid journalist recording major events of the day, such as the Russo-Japanese war (1904), the San Francisco earthquake (1906), the Johnson-Jeffries boxing match (1910), and the Mexican Revolution (1914).

"To Grasp the Romance"

London's first short story (sold to the *Overland Monthly* in January 1899, at age 23), "To the Man on the Trail," tells of a rough sort of justice played out in a northland tavern one winter night. London echoed modern libertarian sentiment when his hero toasted the man on the trail — who was technically a criminal — while offering a second toast to the misled Mountie chasing him: "Confusion to the Mounted Police." It was the first story in *The Son of the Wolf* (1900), the first of three books of collected Yukon stories published from 1900 to 1902. All 30 of these tightly-told tales "grasp the romance" of the northland.

But his style is better exemplified, perhaps, by the beginning and ending of one of his most anthologized stories, "To Build a Fire," written in the heat of the South Pacific in 1907 aboard London's boat, the Snark. It is the story of a doomed man trying, and failing, to start a fire one cold day:

> Day had broken cold and gray, exceedingly cold and gray, when the man turned aside from the main Yukon trail and climbed the high earth bank, where a dim and little-traveled trail led eastward through the fat spruce timberland. There was no sun nor hint of sun, though there was not a cloud in the sky. It was a clear day, and yet there seemed an intangible pall over the face of things, a subtle gloom that made the day dark.

You can catch the sense of doom from the beginning. Still, the ending is surprisingly peaceful:

> Then the man dosed off into what seemed to him the most comfortable and satisfying sleep he had ever known. The dog sat facing him and waiting. The brief day drew to a close in a long, slow twilight. There were no signs of a fire to be made and, besides, never in the dog's experience had it known a man to sit like that in the snow and make no fire. . . . A little longer it delayed, howling under the stars that leaped and danced and shone brightly in the cold sky. Then it turned and trotted up the trail in the direction of the camp it knew, where were the other food-providers and fire-providers.

What is remarkable is London's *concrete* "grasps" on "the romantic." One of the most graphic memories I have from my first reading of London's 1904 novel, *The Sea Wolf*, is that of Wolf Larsen climbing up the forecastle ladder with seven or more seamen clinging to him, trying to pull him back into their abyss to murder him. The men are yelling, "Give me a knife, a knife," but without a knife, they must rely only on their arms to hold him. Larsen's primordial strength gives him the power to lift himself slowly, step by step, despite the arms grasping every inch of his lower body, back up to the deck and safety. This is London's portrayal of survival of the fittest in action, the attempts by brutes, lower life forms, to keep the strongest from surviving. Yet the strong survive. One by one, the sailors who attempted to murder Larsen are themselves cast out to sea or murdered.

"To Understand the People"

When reading London's more philosophical novels and psychological short stories, I am reminded of Ayn Rand's skill in transforming Objectivism into skin and bones characters. In fact, London foreshadowed Rand when he said to a friend, "Don't tell the reader. Have your characters tell it by their deeds, actions, talk, etc. Then, and not until then, are you writing fiction and not a sociological paper."

Here's a passage from *Sea Wolf* that puts literal "yeast" around an idea. The captain, Wolf Larsen, is speaking — partly for Nietzsche's superman, partly for Spencer's survival of the fittest, but mainly for London's strong sense of a powerful human character:

> With nothing eternal before me but death, given for a brief spell this yeasty crawling and squirming which is called life, why, it would be immoral for me to perform any act that was a sacrifice. Any sacrifice that makes me lose one crawl or squirm is foolish, and not only foolish, for it is a wrong against myself and a wicked thing. I must not crawl or squirm if I am to get the most out of the ferment. Nor will the eternal movelessness that is coming to me be made easier or harder by the sacrifices or selfishness of the time when I was yeasty and acrawl.

Another example of rendering philosophy through character comes from

Jack's socialist-hero Ernest Everhard in *The Iron Heel*. Devotees of Rand will notice the similarity to speeches by her heroes, in support of society's producers, and against the "moochers" (her word), or "metaphysicians" (London's word) of our age:

> Judge them by their works. What have they done for mankind beyond the spinning of airy fancies and the mistaking of their own shadows for gods? They have added to the gayety of mankind, I grant; but what tangible good have they wrought for mankind? They philosophized, if you will pardon my misuse of the word, about the heart as the seat of emotions, while the scientists were formulating the circulation of the blood. They declaimed about famine and pestilence as being scourges of God, while the scientists were building granaries and draining cities. They builded gods in their own shapes and out of their own desires, while the scientists were building roads and bridges. They were describing the earth as the centre of the universe, while the scientists were discovering America and probing space for the stars and the laws of the stars.
>
> In short, the metaphysicians have done nothing, absolutely nothing for mankind. Step by step, before the advance of science they have been driven back. . . . The difference between you and the Eskimo who makes a fur-clad blubber-eating god is merely a difference of several thousand years of ascertained facts. That is all.

And, suddenly, that *was* all. Jack London died early, as he said he would. It wasn't likely a suicide, in the conventional sense, but merely the price paid for high living in every facet of life — in food, philosophy, women, writing, drinking, curiosity, and non-stop adventure.

The Dreamer's Legacy

London died at a crucial time in history. Had he lived just one more year, he would have seen three things happen that he had predicted and worked toward: Prohibition, the Russian Revolution, and U.S. entry into World War I. He resigned in disgust from the Socialist Party just two months before he died, and three months after he died the Russian revolution began.

It's no secret that Jack London became the favorite American author of the early Soviet leaders. Two days before his death, Lenin had London's story "Love of Life" read to him again. "That tale greatly pleased Ilyich," said his wife. "That was the last time I read to him." Since his death, London has been the most widely read American writer internationally, now translated into over 60 languages.

Though he was America's most radical writer of the early 20th century, he was never, by any stretch of the evidence, a communist. He was more of an anarchist of the Russian bomb-throwing variety, not a socialist of the Marxian dialectic. Throughout his socialist speeches he used the terms "revolution" and "anarchy" far more than "socialism" or "communism." And it should be noted that his use of "socialism" was far from precise. When he was barely 20, the San Francisco *Chronicle* called him "the boy socialist of Oakland" — an entertaining oddity to Sunday supplement readers. When the paper asked the boy his definition of socialism, London answered: "It is an all-embracing term — communists, idealists, utopians, altrurians are all socialists." In the opinion of London, any man who strives for a better form of social organization than the one he is living under is a socialist.

In evaluating London, we should remember the youth of this "boy socialist." He did his best writing between

Statement of Ownership, Management and Circulation (required by 39 U. S. C. 3685) Title of publication: Liberty. Publication number: 002132. Date of filing: Oct. 1, 1991. Frequency of issue: Bi-monthly. Number of issues published annually: 6. Annual Subscription price: $19.50. Complete mailing address of known office of publication: Liberty Publishing, 1532 Sims Way #1, Port Townsend, WA 98368. Complete mailing address of the headquarter or general business office of the publishers: Liberty Publishing, PO Box 1167, Port Townsend, WA 98368. Full names and complete mailing address of publisher, editor, and managing editor: R. W. Bradford (publisher and editor), Timothy Virkkala (managing editor), PO Box 1167, Port Townsend, WA 98368. Owner: R. W. Bradford, Liberty Publishing, PO Box 1167, Port Townsend, WA 98368. Known bondholders, mortgages, and other security holders: None. Total number of copies printed (average issue during the preceding twelve months): 5790; (issue nearest filing date): 6640. Sales through dealers and carriers, street vendors and counter sales (average issue during the preceding twelve months): 704; (issue nearest filing date): 1125. Mail subscription (average): 4335; (issue nearest filing date): 4406. Total paid circulation (average): 5087; (issue nearest filing date): 5531. Free distribution by mail, carrier, or other means (average): 19; (issue nearest filing date): 22. Total distribution (average): 5105; (issue nearest filing date): 5553. Copies not distributed, office use, left over, unaccounted, spoiled after printing (average): 586; (issue nearest filing date): 1087. Copies returned from news agents (average): 99; (issue nearest filing date): 0. Total paid circulation (average): 5087; (issue nearest filing date): 5531. Total (average): 5790; (issue nearest filing date): 6640.

I certify that the statements made by me above are correct and complete (signed) *R. W. Bradford*

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ages 22 and 36, and many of his views were as yet unformed, even when he died. (For instance, he had just discovered Jung. Who knows what road his works would have taken had the Jungian influence in his 1914 novel, *Start Rover*, had time to percolate?) Nevertheless, his philosophy is secondary to his style, which commands reading to this day, whatever one's philosophical baggage.

His heroes may be bigger than life, but the charm of London, like that of Rand or Victor Hugo, is that it inspires people to reach for unrealistic heights and thereby reach higher than they ever would have on their own. At age 15, I began reading Jack London and finished all his works during high school. At the age when he was living life so fully, I lived his life vicariously. In the process, he helped me to love life and learning (especially the self-directed kind). His longest novel, *Martin Eden* (1908) was my favorite. It made me decide to become a writer for the rest of my days. ❑

Letters, *continued from page 6*

controversial novel, but more needs to be said. Bateman, the title psycho, does indeed have a moral system: *you should earn your way in life.* Bateman is often indignant at people who don't work for a living, and he kills some of them when he can. (Show me a man's indignations and I'll show you his morality.) But since he also doesn't work for a living — he has a phony job that his daddy got for him — he is painfully aware of not "paying his way." He has no morality to fall back on, and expresses his frustration through rage and force.

Bateman is not a consequence of normal capitalism, which when it works reaffirms the link between reward and effort, but he is something libertarians should understand (perhaps by introspection). Lacking a social bond between himself (the nobody) and those who do "pay their way," he is back in the state of nature, Manhattan-style.

It is too bad that it takes a boring, second-rate novel like Ellis' to raise this issue.

Noel Criscoula
Port Townsend, Wash.

Question Nationalism

The only problem with Carol Moore's "The Woman vs. the Nation-State" (November 1991) is that she limited her description of *nationalism* by referring simply to the nation-state.

Nationalism is a term that is very easy to comprehend: it is the chauvinistic and jingoistic sentiment that dominates both societal and domestic life in the United States today. And, of course, it is a secular religion that treats all criticism as blasphemy, labeling the unfaithful as *unpatriotic.*

This may explain why critics prefer euphemisms like the *military industrial complex*, and the *welfare/warfare state.* The socialist doctrines of left- and right-wing nationalism are always subject to debate, but nationalism, itself, is seldom questioned.

Nationalism continues to be the prevailing sentiment that molds public and private life around the world today. And the United States leads them all with a larger percentage of its citizens behind bars than any other country on this planet.

So the question is: Why do some libertarians attempt to identify libertarianism within the political spectrum of left- and right-wing nationalism? Libertarianism is not a nationalist movement, and it never has been. Like America's founding fathers, the goal of libertarianism has been *to reform government*, not society. It should be obvious that the *spirit of nationalism* clashes with the revolutionary *Spirit of '76*, which founded America.

Bob Krel
El Paso, Tex.

But What About Toe Jam?

After reading Carol Moore's manifesto I thought it would be interesting to make a complete list of problems/issues that are *not* the result of the pornography-watching, prostitute-forcing, child-abusing, war-causing and politically oppressive Male Dominated Culture. Here it is unabridged: belly button lint, chronic halitosis and not getting salt and ketchup at a Burger King drive-through window. Although, come to think of it, I'm not so sure about belly button lint.

Tim Yule
Prince George, B.C.

Utopia *and* Oblivion

What Carol Moore presented in her article on the nation-state and war is a variant of the old paranoid conspiracy syndrome: blame the world's problems on some convenient-to-hate group, and then offer a Utopia as an alternative. She says that the world is currently dominated by something called "patriarchy," which causes war; get rid of the patriarachy and peace will emerge. This is the equivalent of saying that the world is currently dominated by (take your pick) capitalists, communists, pagans, monarchies, Jews, or white supremacists, and that by getting rid of them the classless society (or whatever) will triumph.

It would make just as much (or little) sense to argue that the world is run by matriarchy, as evidence by the fact that men's lives, in most societies, are considered less valuable than women's (cannon fodder being an exclusively male role); war is a female invention, caused by women inciting men to fight each other. Women, in war, remain a privileged class, immune by law from battlefield duty, and protected by convention from harm.

The real problem with Moore's article is her assumption that power could somehow be had without resort to force. This demonstrates a dangerous ignorance of what power really is. Power is the ability to compel people to do what one wants. Any power based solely on consensus would evaporate the moment someone refused to consent. Such a society as described by Moore would not survive its first challenge, either internal or external. Those who were willing to use violence against it — whether by an imperialist nation-state or a rampaging street gang — would inevitably have the advantage. To claim that such a society would be morally better than others would have no meaning to those citizens about to be victimized, enslaved or destroyed.

Finally: any man who does forswear violence will be immediately branded by women as a "wimp" and summarily rejected. Perhaps *Lysistrata* had it backwards: it was women who insisted that men march off in the first place.

Joseph Miranda
North Hollywood, Calif.

Notes on Contributors

Gary Alexander lives in Reston, Virginia. Like Jack London, he once spent 30 days in jail for non-violent civil disobedience, and has covered a local war. Unlike London, he prefers capitalism to socialism and plans to live long.

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"Baloo" is the *nom de plume* of *Rex F. May*, a cartoonist whose works frequently appear in *The Wall Street Journal* and other publications.

Bob Ortin [Baures] lives in southern Oregon, far from the madding crowd. He advises that the word "Burons" (his cartoon editorials) derives from the words "bureaucrat" and "moron."

R. W. Bradford is editor of *Liberty*.

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Richard Kostelanetz is a prolific writer and anthologist. His books for 1991 include *The New Poetries and Some Olds* and *Politics in the African-American Novel*. Look for more in 1992.

William P. Moulton lives in Michigan. He does not believe that this should be held against him.

James S. Robbins is a writer and historian living in Massachusetts. He does not care whether or not you hold this against him.

Michael Rothschild is the author of *Bionomics: The Inevitability of Capitalism* and President of the Bionomics Institute of San Rafael, California.

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Leland Yeager is the Ludwig von Mises Distinguished Professor of Economics at Auburn University, and the author of numersous essays on economics, monetary policy, and political philosophy.

Coming in *Liberty*

The Third World Property Rights Dilemma — *James Dale Davidson* shows that the problems of poverty and environmental degradation in the "less developed countries" are closely related to the lack of clearly defined, enforceable property rights.

Albert Jay Nock: Prophet of Libertarianism? — We all know Albert Jay Nock as a provocative libertarian writer. *Stephen Cox* reveals a very complex man, who shrouded his life in mystery, advocated the "single tax," and railed against monopoly.

The Ten Commandments of Orthodox Environmentalism — *James Huffman* has descended from the mount with the shards of an ideology, and offers for our edification the goals implicit in environmental extremism.

Who Wrote *Little House on the Prairie?* — To libertarians, Rose Wilder Lane is an important pioneer of libertarian thinking. To the general population, if she is known at all, it is as the daughter of Laura Ingalls Wilder, author of the *Little House* books. In this startling essay, *William Holtz* explains that it was Lane who should be given the lion's share of credit for authoring the hugely successful series. He also shows how she injected libertarian thinking into the classic children's stories.

Terra Incognita

Houston

Evidence of the finer sensibilities of the distaff side, as advised in a recent article by Jacsun Shah, in the Houston *Chronicle*:

> Yes, I am a man-hater, yes, I am a feminist. and why not? Women are dying. They die every day, at the hands of men. Men . . . beat them, rape them, dismember them. Hell yes, I hate men. . . . To all of you women out there, I say *hate*. You have every right to. . . . I knew the kindest thing I can do for the women of this world is to hate men with full force.

Kenya

Progress of democracy in the Third World, as reported by the Detroit *Free Press*:

> Daniel arap Moi, president of Kenya, denounced the Ford automobile as "an ancient and derelict vehicle, which could not move without support and which failed after every few kilometers." Energy Minister Nicholas Biwott, Moi's closest political ally, called for a boycott of Ford automobiles because it will help people understand that "the name stinks," he explained. The Forum for the Restoration of Democracy, a popular movement challenging Moi's one-party rule, is popularly referred to by its acronym, FORD.

Vancouver, British Columbia

Another triumph for multiculturalism, as reported in the Toronto *Sun*:

> The Canadian tax enforcement agency, Revenue Canada, has established 26 bilingual positions in Vancouver. However, since practically no one in the area speaks French, the bilingual employees "don't get many opportunities to speak in French," explained the head of the bilingual program. They have been told to practice their French by speaking to each other for one hour per week.

Houston

Amendment to a progressive notion in the war on crime, as proposed by Dr. Louis Girard, who has previously advocated castration or the removal of ovaries of those convicted of serious crimes, as reported in the Detroit *News*:

> "For lesser crimes, partial castration or removal of one testicle or one ovary could be considered.

California

Progressive measure to protect consumers in the Golden State, as reported by *The Wall St Journal*:

> A California law passed in 1987 allows home buyers to sue sellers who do not disclose all deaths at the property that occurred within three years of the sale.

New York

Travel advice from Augustus Hall, national chairman of the Communist Party, as reported by *Associated Press*:

> "The world should see what North Korea has done. In some ways, it is a miracle. The capital is one of the nicest, finest cities in the world. If you want a nice vacation, take it in North Korea."

Washington, D.C.

Protection for the endangered federal horse inspector, reported by the Detroit *Free Press*:

> The 1991 Anti-Crime Bill includes a measure making it a capital crime to kill any of the nation's 20 federal horse inspectors.

Montgomery County, Va.

Innovation in elementary education, as reported by the Montgomery *Journal*:

> The PTA Halloween Committee of the Highland View Elementary School has outlawed Halloween costumes that involve weapons, violence or suggestions of violence. Instead, they are encouraged to dress as "native Marylanders or regions in Maryland."
>
> Principal Myra Abramovitz, who instigated the changes, was praised by Superintendent of Schools Brian J. Porter: "It appears to be a very, almost brilliant way to connect a social holiday with teaching and learning at school."

Minneapolis

New means of achieving marital bliss, as reported by the Minneapolis *Star Tribune*:

> Many wives turn in their husbands for working on their automobiles in their yards or garages. "The husband has an old car, and she gets tired of looking at it, so she calls us," explained John Moncur, director of licenses in Minneapolis. "She says, 'I'm his wife, but don't tell him I was the one who called.'" In Minneapolis, it is against the law to "do any car repair in a residential neighborhood, whether for profit, fun, or just to save money."

Hamburg, Germany

Historical note on the value of fiat currency, as reported by *Reuters*:

> German Finance Minister Theo Waigel announced his ministry is investigating disposing of 4 million pounds of East German paper money by shredding it, mixing it with manure, and using it as compost. "Burning the notes would cost too much and be environmentally unfriendly."

Chicago

Evidence that there are limits to official corruption even in the Windy City, as reported in the Chicago *Tribune*:

> Arthur Gloria, 20, was arrested after he drove a stolen car to take an exam to become a police officer. He parked his 1983 Oldsmobile across a crosswalk, and an officer noted that its window was broken and its steering column "peeled." After verifying that the car was stolen, the officer waited for its "owner" to return. Gloria was arrested as he started the car by inserting a screwdriver into the steering column.

Kansas City

Theological observation from the Show-Me State, as reported in *The Wall St Journal*:

> In response to criticism of spending $45 million to build an additional runway at Kansas City International Airport when nearly one third of the airport is vacant, Kansas City Aviation Department administrator John Duba exclaimed, "O ye of little faith!"

Atlanta

Further evidence that the ways of the Lord are mysterious indeed, at least in the Peach State, as reported by *Associated Press*:

> Dozens of motorists report that their lives have been changed by their noticing an "image of the crucified Jesus" in a billboard of a plate of spaghetti overlooking Memorial Drive in Atlanta. Joyce Simpson, who was considering leaving her church's choir for a "professional career," stopped at a gas station and noticed the sign. "And I saw Christ's face," she said, explaining that she was inspired to stay with the choir.

(Readers are invited to forward newsclippings or other items for publication in *Terra Incognita*.)

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