

# Liberty

June 1993

Vol. 6, No. 5

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How to Profit  
from Clinton's  
Coming Nervous  
Breakdown

## The Clinton "Revolution"

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Harry Browne asks Who Profits?  
Sheldon Richman asks What's New?*

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*by Stephen Cox & R.W. Bradford*

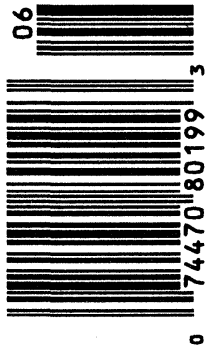
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*by Randal O'Toole*

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*by John Hospers and Leland Yeager*

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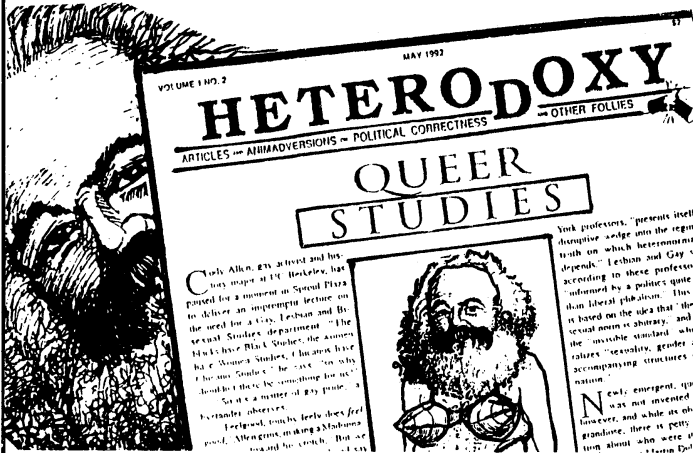
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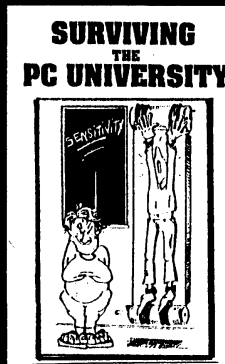


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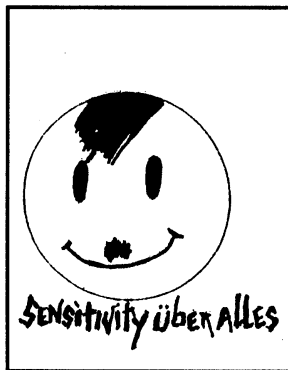
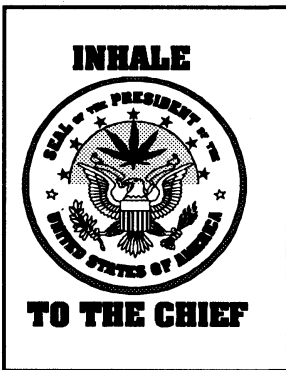
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# Inside Liberty

June 1993

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# Letters

## The Equality of All Species

In John Hospers review of Screaming Wolf's *A Declaration of War: Killing People to Save Animals and the Environment*, he claims that comparing the rape of your sister to the killing of animals is "assuming" that the two are on a par. Strictly speaking, even agreeing that a rape victim suffers is assuming a similarity in human reactions. Suffering is subjective: I can never experience another's pain. I conclude that the rape victim suffers because I think that in a similar situation, I would also suffer, but this is still an assumption, albeit a common one. If I argue by analogy that I can experience something of what the other person suffers, why does that same analogy not hold for the suffering of an animal?

According to Hospers, we don't feel about unknown people the same way we feel about our family. Of course not, but an ethics cannot be based on subjective feeling for obviously not everyone has the same feelings. Hospers adds that even the "most empathic person will hardly feel duty-bound to rescue all victims of aggression." Certainly such a person will not feel duty-bound because such a task is impossible, but this does not mean that we should not be equally appalled at all aggression.

His second point about a cow not fearing death as it grazes in the meadow misses the point. The cow in the slaughter house, smelling the blood, being forced off a truck or into a ramp with an electric prod, certainly experiences fear — perhaps a greater fear than a human being since the cow cannot reason, cannot plan to bribe someone to escape, cannot contemplate the existence of God, etc.

Nor is it true that "What people do to animals is a small thing compared to what animals do to each other." Animals kill to survive, humans choose to kill. We kill for fun (recreational hunting), for momentary pleasure (the taste of a steak which is not necessary for survival and indeed hinders survival insofar as it has been linked to heart disease, colon cancer, breast cancer, etc.), for prestige (a fur coat, an ivory carving), and so forth.

Finally, Hospers asks if there is not a "unique value in the existence of creatures with intelligence, language and a conception of the future and how to mold it, that exists nowhere else among ani-

mals?" Certainly some of us think we have a unique value, but from a biological point of view, we are simply one species among many. To establish his point about the unique value of humans, Hospers must prove more than the fact that we have some unique characteristic for many animals are unique in one way or another. He must prove that our unique human characteristics are more valuable, objectively speaking, than the unique characteristics of any other species. This he has not done. A difficult task, for we may be the only species to make life impossible, not only for ourselves, but for the other species that inhabit the planet. Is our intelligence a good thing? The verdict is not in yet.

Priscilla Cohn  
Villanova, Penn.

## Give 'em an Inch . . .

I might agree with Professor Hospers ("Just Deserts," February 1993) that capital punishment is an appropriate power for a libertarian state. But capital punishment under the malignant Democrat/Republican state is another matter. These guys have proven themselves untrustworthy with our property and our liberty. How can they be trusted with our lives?

Mike Binkley  
Los Angeles, Calif.

## The Young and the Feckless

In Richard Kostelanetz's appeal ("Get Out the Teen Vote," February 1993) for the voting rights of the under eighteen crowd, he laments that children have been subject to the "state-enforced ageism" that denies them the same voting rights given to adult citizens. While this observation is undeniably true, I disagree that children's suffrage lends proof to the argument that they are being oppressed. Children are granted other legal rights that they well deserve and that are not — or at least should not be — given to adults, such as the right to adequate subsistence from their parents.

The author advocates that we might consider lowering the legal voting age down to thirteen at first, then perhaps move it even closer to the cradle. But no matter what age is chosen, will it not always be a matter of "state-enforced ageism?" The current line at eighteen years old is arbitrary to be sure, and therefore cannot genuinely reflect individual merits

(especially not of those in the border zones). But the two groups that the division makes represents a separation that is both real and serves a useful purpose: most of the children under eighteen are not yet responsible and intelligent enough to make adult decisions.

Never mind the fact that after the voting age was dropped from twenty-one to eighteen, this new group of voters has had the worst voter turnout of any voting age group. This lack of voter turnout is not because of their anti-government pessimism, either. Rather, it is apathy and complacency, which is hardly a new niche that would boost Libertarian votes, as Kostelanetz speculates.

But perhaps all of this talk about voting "rights" misses the real point, anyway. As Lysander Spooner said about the women's suffrage movement, women have the exact same right to vote as men do. None!

Rodney Mood  
Cary, N.C.

## But We Cleaned Up Yours

I found Roy Childs' tacky, slovenly, cheap, ad hominem approach to Ayn Rand's life unacceptable ("Ayn Rand, Objectivism, and All That," April 1993). You people didn't even bother to clean up Childs' syntax. I don't need to hear it strongly suggested by an admitted gossip-lover that Miss Rand was a drug addict, a sadist and a paranoiac. Childs spits on the image of a dead woman with his crypto-envy and the black void that is his non-ego.

I thank the powers that be that Miss Rand is now where no one can really harm her.

With the spirit of Voltaire, and Hugo, and Twain, and Jefferson, and Schiller, and Locke, and Bacon, and Pasternak, she stands for "the best within us" and the defiant!

Cancel my subscription and go to your room.

MacDonald Eaton  
New Orleans, La.

## More on Childs

What a blockbuster interview! Jeff Walker's conversation with Roy Childs, Jr. revealed more about this brilliant and tragic figure than anything else I have seen in print. What a shame Childs published so little.

I'm glad all the personal stuff about Rand and the inner circle is being aired and gotten out of the way. That will help

*continued on page 6*

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Warren C. Gibson  
San Carlos, Calif.

## Dream On

Roy Childs complained that Ayn Rand was responsible for "an enormous number" of her admirers' "grandiose ambitions that bore no relationship to what they were ever going to do with their lives. Most of them 25 years later haven't done anything."

True, but so what? As Rand underscores in "Ideal," the tragedy is not "those who cannot dream," but "those who can only dream."

Ayn Rand's early dreams might have seemed "grandiose ambitions." But Rand gave her life to her dreams and for them. As she grew, so did her dreams.

Compare her early work (collected in *The Early Ayn Rand*) to the novels she wrote at the height of her powers. Rand did not emerge full-blown from the brow of Zeus. While Ayn Rand created *The Fountainhead* and *Atlas Shrugged*, it is also true that these books created Ayn Rand. Who she was and what she became grew as she wrote. That is what separates Ayn Rand from many of her admirers: she paid the daily, difficult, demanding price for her dreams. For years and years. And she paid in advance.

We need larger lives, not smaller dreams.

Michael Emerling  
Las Vegas, Nev.

## The Good, the Bad, the Misfiled

If I were reading the *Altruist News* or the *Collectivist Quarterly* I would not be surprised to see an assertion by someone that Ayn Rand was evil. But in *Liberty*? Few people in history have fought more courageously or written more brilliantly in defense of individual liberty than Ayn Rand. She gave freedom the best moral defense it has ever had, and she stood by her values like a giant as a hostile world

of pygmies hacked at her knees.

The world was entirely different for me after I saw it through her eyes. I loved liberty more and saw why it is such a crucially important value. I understood the role of reason in man's life. I knew why faith and force were enemies of reason and freedom. I knew that self-sacrifice was an absurd ethical goal. I could go on for pages, but the point I wish to make is simply that this woman, more than anyone else, represents the source of my values. In the file drawer in my brain that is labeled "The Good" Ayn Rand has a very prominent place. So when I see an article in *Liberty* discussing whether or not she was evil it hits me like a punch below the belt. It hurts.

She may have been a bitter woman at the end of her life. She may have had a personality with rough edges. In many social encounters she was clearly her own worst enemy. But was she evil? No. No way. Not a chance.

Dr Bryce Buchanan  
Lake Oswego, Ore.

## They're Everywhere!

I am renewing my subscription to your fine publication with one request: *Please* — you must — absolutely — *must* print a regular feature concerning the Council on Foreign Relations (CFR). I will judge your next few issues on the basis of this one subject. The importance of the CFR's influence in this country's 20th century history cannot be ignored — and, *it must be stopped!* Stop it *now* — expose it for what it is — *Please!* If no articles on the CFR appear, the person reading this should beware. For if your "editorial staff" finds the CFR not to warrant such attention, socialism has crept further into the fabric of this country than I thought. *IT IS TOO LATE!!!*

K.L. Nelson  
Florissant, Mo.

## Philadelphia Freedom

I don't want to seem like I'm defending the People's State of Pennsylvania, but I question the Pennsylvania taxes tabulated in R.W. Bradford's April 1993 article "The Geography of Taxes." In particular, I question the values given for income taxes, which come to nearly 7 percent.

The state income tax in 1990 was 2.1 percent (it is now 2.95 percent) and many townships and boroughs impose wage taxes of up to 1 percent.

Philadelphia has special dispensation

to impose a wage tax of up to 4.3125 percent on non-residents, and over 5 percent on residents, so people employed in that suffer a total income tax of over 6 percent. But that is only a small and declining fraction of state residents, so the tabulated number doesn't seem to be representative for the state.

Again, I'm not defending our state statisticians. I'm elated to find concise compilations of data as in your article, but I want to be able to understand it and quote it with confidence.

Andrew E. Barniskis  
Levittown, Penn.

*Response:* As the article noted: "Because the level of local taxes varies from one jurisdiction to another, the survey cites taxes in the largest city in each state."

## Men Who Don't Get It and the Women Who Won't Give It to Them

I read Andrew Lohr's letter (April 1993) in response to Wendy McElroy's article ("The Unholy Alliance," February 1993), and felt compelled to respond.

Speaking for myself as a bachelorette: Yes, marriage constitutes a *generalized* consent to sex with one's spouse, but not necessarily *every single time*. Were I to marry a man, I would be giving him the message that I found him sexually attractive in general, but I could not guarantee *in advance* that I would be ready and willing to have sex *every single time* he wanted it, nor could any man guarantee any such thing to me in advance.

What if I had just given birth to a baby, or had abdominal surgery? What if I were simply not in the mood? Would a man be entitled to force me into having sex any time he wanted it, no matter what, merely because I had married him? I don't know what Mr Lohr calls it, but I call it *rape*.

Perhaps it is attitudes such as the one expressed by Mr Lohr that help account for the relative shortfall of women in the libertarian movement. As long as this type of attitude is rampant, there is still a "man shortage" in the libertarian movement — no matter how badly women are outnumbered.

Pamela B. Maltzman  
Long Beach, Calif.

## Warning: The Fact-Checkers Are Still on Vacation

Jane S. Shaw's reflection, "Chapter 11" (April 1993), is interesting enough, but she, and you, should know that the claim by Parker Brothers that the game which

continued on page 69

## 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.

# Reflections

**Credit where it is due** — Given the frequency of the President's "inoperative statements," I thought it might be noteworthy to mention an occasion when he told the truth. So when he does, I will. —JSR

**Carts and horses** — Fidel Castro announced he might step down as soon as Cuba's economy recovers. In a related story, Bill Clinton announced he might go on a diet, as soon as he gets his weight down. —RWB

**The Cabinet that looks like catsup** — Bill Clinton has not had a great deal to crow about during his first twelve weeks in office. Maybe that's why he is keen to claim credit for the quality of the cabinet he has assembled. Among its alleged virtues is that it is "the most diverse ever."

This claim is preposterous. This latest assemblage of super-bureaucrats runs the social-cultural-ideological gamut from A to not-quite-C. To be sure, if the president had been successful in his quest to name a felonious Attorney General the variety would have been a tad greater. Still, the novelty-value of indictable cabinet members has become rather depleted over the past couple decades.

No, if it's genuine and significant diversity one seeks, one has to look beyond the Beltway. And indeed, out in the Real America a veritable watershed of diversity has been breached. According to a recent USDA report, last year catsup was replaced as the country's most popular condiment by salsa. Homogeneous, bland, lowest-common-denominator catsup has released its death-grip on the American palate. It has been bested by something with chunks and chilis served on chips. Prophecies of national desuetude and decline will now have to be revised. The nay-sayers were wrong; we are not after all doomed to a diet of endlessly indistinguishable Whoppers and McCardboards. The bland is dead, long live the bold!

Now if only we could topple the unspeakable bright yellow glug that masquerades as mustard — and the collection of dwarfs and poseurs that parade as a cabinet. —LEL

**Code cracks** — The State Department assigns each embassy in Washington a two-letter code to be used on license plates of embassy cars. Officially, the codes are random and not an abbreviation for anything. They're also secret, but any interested person can drive by an embassy and see what the codes are on vehicles parked out front. In the waning days of the Reagan administration the State Department assigned a new code to the Soviet Union's cars — FC. Jubilant right-wingers snickered that Reagan's last gibe at the Evil Empire was to put the initials for "Fuck Communism" on in a new era. The Soviet Union has fallen, and a new government sits in Washington, one that is perhaps less enamored of the market than the new government in Moscow. And observant

Washingtonians have noticed that the new State Department has replaced that nasty FC with a new code — YR, which might be taken to mean Yeltsin's Russia, but which any political activist will recognize as something else, a far nastier epithet than "Fuck Communism," in fact — "Young Republican." Just wait till the Yeltsin people realize what Clinton is calling them. —DB

**The old bat** — Cincinnati Reds owner Marge Schott has begun her one-year suspension from baseball, imposed because of her "insensitivity." Among other things, she was accused of calling former Red Dave Parker her "million dollar nigger." Parker stated that he never heard her make a racial statement himself, nor learned about such statements second-hand. No one thought to ask Parker what terms the players used to refer to the assertive, sometimes abrasive Schott. Word around the batting cage was that they rhymed with "pitch" and "bunt." —JSR

**Cry cult!** — In the wake of the David Koresh affair, a question has reemerged into public consciousness: what is the difference between a religion and a cult? Reading between the lines of the psychologists and sociologists who never quite answer the question, I think I have determined the official, if esoteric, distinction: A cult is led by a *suicidal* psychopath; a religion by a *dead* one.

The U.S. government, apparently, favors the latter over the former. Though the *way* it shows its preference is a bit extreme. —TWV

**A fine point** — President Clinton told Congress that "the test of our program cannot simply be: What's in it for *me*? The question must be: What's in it for *us*?" Now let me see if I understand this. I mustn't ask what's in it for *me* but since I am part of "us," I can't really ask what's in it for us either; for that would be like asking what's in it for me plus a bunch of other people. So the president must really mean that I should ask what's in it for us *minus me*. Or, in other words, what's in it for *them*. There, I think I got it. —SR

**Qualified ignorance** — In response to a question at his Senate confirmation hearings, Clinton's choice for Interior Secretary, Bruce Babbitt, stated that he was "not familiar" with the takings clause of the U.S. Constitution.

The provision of the Constitution of which Babbitt was ignorant can be found in the Fifth Amendment, which specifies that "nor shall private property be taken for public use, without just compensation." It plays approximately the same role in recent government attempts to restrict the use of private property for environmental reasons as the First Amendment played in past government attempts to quell political dissent. Babbitt's "never-heard-of-it" response is incredible, given the

fact that the position he was seeking is charged with enforcing environmental laws and drafting environmental regulations. It's as if Joe McCarthy had said that he'd never heard of the First Amendment's right to free speech or the Fifth Amendment's protection against self-incrimination.

If Babbitt is telling the truth, the prospect of him as Interior boss is downright scary. If he is lying, well, it wouldn't be the first time a presidential appointee lied to an indifferent Senate.

The Senate, by the way, confirmed Babbitt. He is now Secretary of the Interior. —RWB

**On the bright side** — As the Clinton Administration trundles into place, and as leftists and modern liberals and statists of all kinds begin their joyous romp upon the mattress of the Democratic hegemony, bouncing to ever higher degrees of government interference, individualists inevitably raise cries of alarm. But remember: there is a silk lining. George Bush — that idealess liar, breaker of promises, and hypocritical mouther of occasionally libertarian sentiment — is *no longer in power*. What bliss to say these words! What satisfaction to know that he got what he deserved! What solace to realize that, should America now go into spectacular decline, Americans will have no plausible excuse to blame it all on *too little government*. And what perverse pleasure to watch Republican politicians once again squirm as they try to come up with a few genuine ideas. (It's so hard for them, you know.) —TWV

**The family leave-of-your-senses bill** — Descriptions of the Family Leave Act signed by President Clinton soon after he took office invariably stressed, with indignation, that the mandated leave is unpaid. (Thence followed obligatory references to the generously paid leaves provided in more progressive countries.) But the law not only requires that an employer reinstate returning employees to their old jobs or comparable ones, which may entail additional costs for training and personnel adjustments in the workplace. It also requires that the employer keep the absent employee's health-care insurance in effect during the leave. This requirement is hardly negligible. The cost of health-care insurance may amount to as much as 20 or 25 percent of the employee's total compensation. Evidently this part of the compensation package doesn't count when the burden on employers — or the benefit to employees — is being assessed by those who declare the leave to be unpaid. Needless to say, people who think this way could never run a railroad, or anything else lacking a pipeline to the taxpayers' pockets. —RH

**Something to shoot for** — Sixty-two percent of Ronald Reagan's cabinet members were millionaires. George Bush pushed the number up to seventy-one percent, and now Bill Clinton has beaten them both by achieving a seventy-seven percent millionaire mark. Is this a cabinet which "looks like America?" If only! —JSR

**Vice-Presidential gas** — Al Gore continues to offer evidence that compared to

him, Dan Quayle is a genius. In the March 29 issue of *Newsweek*, the Vice President — presented as an authority on environmental matters — explained that instead of "fossil fuels, such as oil" we should use "alternative fuels, like natural gas."

This prescient observation was contained in a two-page spread (entitled "Just for Kids! Ask Al Gore") in which grade school children asked the Veep questions about the environment. Of the six questions the kids asked, Al actually answered (or attempted to answer) only one. For example, to the question, "Why aren't there better recycling plants?" he explained why recycling is a good idea. To the question "If the hole in the ozone gets bigger, will the earth then become a desert?" he describes what the ozone hole is.

I commend the editors of *Newsweek* for providing the kids such a great lesson in both the stupidity and the evasiveness of American political leaders. —CAA

**Where is Horace Mann when we need him?** — The Los Angeles School System has a policy of expelling students who bring toy guns to school. In Minnesota, students as young as five are expelled for describing the size of their sex organ or pulling the pigtailed of fellow students. One has to wonder: in light of these developments, just how meaningful is the concept of universal, compulsory, free, and public education? —RWB

**Jobs for the boys** — One day after Labor Secretary Robert B. Reich invented the concept of "jobs gridlock," the Commerce Department reported that 365,000 new jobs were created in February. This occurred without the benefit of President Clinton's "stimulus package," and Reich quickly pointed out that these were not "good jobs." By whose definition? For comparison, examine the Clinton summer jobs program. The President will spend 15 million dollars to "create" one thousand part-time jobs. Even if the jobs pay ten dollars an hour, that adds up to a total of five thousand dollars per worker, leaving ten million dollars to go to government bureaucrats and Clinton cronies. It's good work if you can get it. —JSR

**The art of self-hate** — The Whitney Museum's biennial exhibit this year is a festival straight out of one of Ayn Rand's most perfervid nightmares. Dedicated to art by the socially marginal and incompetent, its accusatory representations of angry black street youth, vomit, and all the blind rage and envy that any of the unaccomplished could feel against the American "establishment" will, of course, be seen only by self-hating members of that very white, very privileged establishment. (Most of it was made by people with a privileged art school background as well, practicing that charming self-imposed "downward mobility" so beloved by many elements of the New York art demimonde.) Attendees were issued little buttons, each with a fragment of the slogan "I can't imagine ever wanting to be white."

**Liberty's Editors Reflect**

- CAA Chester Alan Arthur
- DB David Boaz
- RWB R.W. Bradford
- SC Stephen Cox
- BD Brian Doherty
- RH Robert Higgs
- BK Bart Kosko
- LEL Loren E. Lomasky
- WPM William P. Moulton
- RR Ralph Raico
- SR Sheldon Richman
- JSR James S. Robbins
- SJR Susan Rutter
- JSS Jane S. Shaw
- SS Sandy Shaw
- TWV Timothy Virkkala
- JW Jesse Walker
- LBY Leland B. Yeager



Perhaps next year they can "transgress" even further, and get to the point with more precision: force all attendees to leave wearing sandwich board signs emblazoned with the inspirational slogan, "I'm white. Kill me and take all my property." I'm sure it would be a hit, and that the *New York Times* would give it the awed, respectful attention it deserves for "forcing its audience to face up to the realities of hegemony and marginalization" in America. —BD

**The new math** — The Clinton Administration claims that its broad-based (read: huge) energy tax will only cost the average American about one hundred dollars a year. At the same time, they claim that it will raise 250 billion dollars. Since there are approximately 250 million Americans, simple division would suggest an average cost of one thousand, not one hundred, dollars per person. And these are the people who want to revamp the education system! —JSR

**Head Stop** — Apologists for the New Deal used to say that, while many of the programs were probably a waste — the NRA, AAA, WPA, etc. — Roosevelt did score two undoubted successes: Social Security and the Federal Deposit Insurance Corporation. You don't hear them saying that too much anymore. More recently, defenders of Lyndon Johnson's Great Society have advised us to forget the hundreds of billions squandered on "anti-poverty" programs that never worked. Concentrate instead on the one clear, scientifically-demonstrated winner: Head Start. In his new budget, Clinton has proposed an increase of \$9 billion in funding for Head Start over the next five years.

But it turns out that there are, after all, problems — to the point where the *New York Times* itself felt compelled to run a front page story detailing them (March 19). According to the *Times*: "Studies of Head Start have typically found that most of its academic benefits wear off after three years, with children who attend the program then performing no better than those who did not." So, Head Start is a flop, after all. Unfazed, the program's supporters have shifted their grounds: Head Start may not bring dumb kids from bad backgrounds up to par, but it does lead them to get their measles shots and it makes their parents more aware of the plethora of "better social services" available to them.

The *Times* writer thinks that these "changing criteria" make it difficult to evaluate "the program's accomplishments." This is to observe politics from the point of view of a child. Whether you approve of them or not, Head Start had certain stated (egalitarian) objectives, meanwhile wasting billions of tax dollars. The "criteria change" only because lying bureaucrats whose jobs depend on the program are desperate to keep those jobs. Not just libertarians, but any rational person has to agree: Kill Head Start. —RR

**Robbing the cradle** — The State of New York has imposed a seventeen dollar birth tax. Meanwhile, Governor Cuomo plans to use the Department of Revenue to apprehend women who have had abortions for tax evasion. —JSR

**Is Nancy Reagan a lesbian?** — The right-wing media are full of reports and innuendo about lesbianism among Clinton's political associates. The individuals most frequently named are HHS Secretary Donna Shalala and Attorney General Janet Reno (who denies the charge). The most titillating allegation is that Hillary Rodham Clinton is herself a lesbian. This last allegation, advanced by Jack Wheeler, would explain why HRC didn't mind Slick Willie's dalliance with Gennifer Flowers, though it seems to be militated against by the existence of the First Teenager.

What is annoying about all this is its ponderous irrelevance. Those reporting the secret lesbianism of the politically powerful argue that it makes them vulnerable to blackmail. But this is plainly buncombe: once the rumor-mongers report the lesbianism of an individual (as they have for years in the case of Janet Reno), it is no longer secret and blackmail becomes impossible.

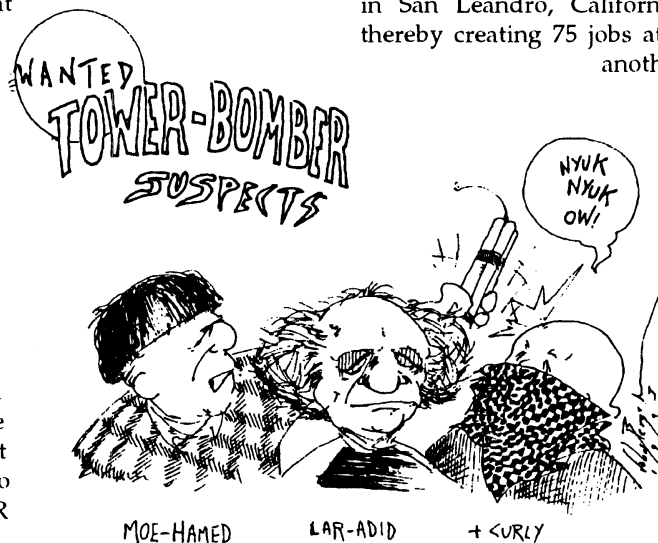
The rightwingers who traffic in such stuff are like little boys telling stupid sex stories behind the barn. If they believe that lesbianism is such a horrible character flaw that those afflicted (or blessed) with it ought to be precluded from public life, they ought to make their argument openly, and cut out their smut mongering. —RWB

**Whose pig is gored** — "They're talking about gutting the jobs program," President Clinton said with his patented righteous indignation. "They do not get it, they do not understand that we are three million jobs behind where we would be in a normal economic recovery."

The Republican critics of President Clinton's "economic stimulus" bill are right, of course. It is no more a jobs bill than Gennifer Flowers is a petunia. Its purpose, plain and simple, is to pay off some of the politicians who helped Clinton get the nomination and delivered votes for him in November.

The measure authorizes spending \$10 million for a sports park in Fairfield, California, an action that will create 50 new jobs at a cost of \$700,000 each. It calls for spending \$13 million in San Leandro, California, to expand the Civic Center, thereby creating 75 jobs at a cost of \$173,000 each. It drops another \$10 million to improve a road in a cemetery in Northwood, Connecticut, creating another 50 new jobs at a cost of \$200,000 each. There's \$3 million to create four jobs by building a new movie theater in Brewery District, Ohio. The list goes on. There's even a million bucks for the impoverished city of West Las Vegas, Nevada, to build an art museum and create four jobs at a cost of just \$250,000 each.

Things haven't changed



that much in Washington since Andrew Jackson and the spoils system. The only difference is the cost to the taxpayer. In Jackson's day, the "spoils" consisted of a few hundred jobs doled out to the party faithful. Today, they consist of billions of dollars doled out in practically every community in the country, but with exactly the same purpose: to reward the faithful with taxpayer loot.

Meanwhile, Senate Majority Leader, the Hon. Sen. George Mitchell of Maine, has little tolerance for Republican criticism. "It won't be very funny if the nation slips back into a

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*Before we acclaim the Republicans as heroes, we should remember how they spent the public treasury when they held the reins of power.*

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recession," he said as the Republicans filibustered against the measure, proving again his incredible stupidity. The measures propose to redirect the spending of \$16 billion in an economy where spending totals about \$6 trillion, i.e. to change where 0.3% of total spending will go. Think about it. Suppose, for example, that your family were on hard times. Your income has been declining for a couple years, and you are worried. In all, you spend a total of \$30,000 on food, clothing, shelter, entertainment, investment. To change the course of your family's economy and enhance its well-being, you propose to change the way you spend \$80. How much impact do you think this would have?

The idea that relatively small changes in spending could "fine tune" the economy was popular two generations ago. A lot of academic economists liked the theory, which coincidentally put them in demand to advise the government on just how to fine tune the economy. But during the later 1960s and the 1970s, it became obvious that fine tuning didn't work, and the government began to try to tune the economy with sledge hammers instead. (Remember those interest rates of 23%?)

In reality, the \$16 billion "stimulus package" will not likely have any substantial effect on the economy, except to spread some cash among some of President Clinton's favorite supporters and cost the rest of us a few dollars.

Those who think "fine tuning" will stimulate the economy and those who think it will do substantial harm to the economy both misunderstand what an economy is and how it works. An economy is a self-regulating, evolving super-organic system of interacting human beings, not a mechanism whose working can be destroyed or greatly enhanced by a minor change of this sort.

Many government actions do threaten economic well-being, of course. The burgeoning national debt, inflation of the currency, the imposition of a vast system of regulations, the exaction of huge sums of money in taxes, restrictions on voluntary trade — all these take their toll. But by itself, the Clinton stimulus package is no big deal, except for those who get the loot.

That is not to say that the stimulus package is harmless.

Every little intervention in the economy hurts. And this stimulus package may well lead to idiotic efforts on a grander scale.

Sen. Mitchell had a further warning for the evil Republicans. "If a single city erupts this summer, we have the Republicans to blame," he said, in reference to the pork bill's provision of funding for some make-work jobs for big city political machine's to hand out to favored inner-city youth.

But before we acclaim the Republicans as heroes, we should remember how they spent the public treasury when they held the reins of power. Who can forget the campaign promise of President Bush to rebuild Homestead Air Force Base in Florida in the wake of Hurricane Andrew, a base that both parties had agreed was a waste of money and had already been blue-penciled? —CAA

**Wet blankets** — Over the past six years, the Pentagon has distributed 1.5 million surplus blankets to homeless shelters and local governments. Not long ago, someone in the Pentagon became aware that the blankets, manufactured since 1956, had been made with wool that had been treated with DDT. So, in February, the Pentagon told 2000 homeless shelters that they should discard the blankets.

This illustrates the absurd lengths to which fear of chemicals has taken us. The risk to a homeless person of dying of the cold far exceeds any risk of cancer or anything else that DDT can inflict.

In fact, there is virtually no evidence linking cancer and DDT, although one of the reasons the EPA banned DDT in 1972 was that DDT was a "carcinogenic risk." The evidence for this was, however, extremely weak at the time. And scientists have since concluded that there is no credible link between DDT and cancer. (A 1989 article in the *American Journal of Public Health* concluded that "the evidence does not support the opinion that DDT is a human carcinogen.")

But fear has a life of its own — and the Pentagon probably doesn't want to be sued by a bunch of Legal Services attorneys claiming to represent homeless persons.

DDT was a miracle chemical. First used in World War II to fight malaria and typhus, it was so safe that people were dusted with it to kill disease-bearing insects.

The main problem with DDT was that it seemed to cause eggshell thinning of birds of prey and interrupted their reproduction. (Some scientists dispute this.) But back in 1972, harm to birds wasn't enough to ban a substance and EPA Administrator William Ruckelshaus justified the decision on grounds that it was an "unacceptable risk to man and his environment." As they shiver, homeless people should be grateful that the EPA and the Pentagon are trying to give them a risk-free world. —JSS

**An old-fashioned girl** — We have all learned from the media about the magnificent accomplishments of Hillary Rodham Clinton, about her intelligence, sensitivity, toughness, and resourcefulness. Unlike past First Ladies, she has earned her place in her husband's administration by virtue of her own achievements. Her ascendancy, we are told, is a milestone in progress for women.

Sorry, but I'm not buying it. Sure, HRC is as bright, accomplished, resourceful, etc, as the other political advisors

that surround Clinton. But so what? Lots of women who don't have the ear of the President are equally bright, accomplished, and resourceful.

The fact remains that Hillary gained her position of influence in exactly the same way in which Nancy Reagan and Barbara Bush got theirs: by being married to the big cheese. HRC's accomplishments are akin to those of Miriam "Ma" Ferguson, elected governor of Texas in 1924 after her husband had been impeached. Those looking for evidence of the political progress of American women had better look elsewhere. —RWB

**Category errors** — We should cut the President some slack on breaking his promise for middle class tax relief. It's a subjective question — he thinks people earning over \$30,000 are upper class. Where he comes from, "middle class" means moving from your cousin's trailer into your own. —JSR

**The silly season** — For sheer mindlessness, what can compare with the rhetoric of the interregnum that separates the election of a new president from his inaugural? Historians may record that after Clinton's election the newspapers broke out in a rash of foolish questions in their headlines: Can Clinton Tame the Special Interests? Will Bill Get the Budget Under Control? Can the New Administration's Reforms Check the Growth of Health Costs? Will Hillary Influence Bill's Appointments to Supreme Court? These interrogatories fall under the rubric of questions that answer themselves.

Finally — one could almost feel it coming — on the last Sunday before Slick Willie assumed the presidency, my hometown newspaper (the *Seattle Times*) placed boldly above a full-page opinion piece the stunningly stupid question: "Can Bill Clinton Save America?"

I daresay that even devout Christian readers would have recoiled had the question been "Can Jesus Save America?" But probably few readers reacted as I did to the Clinton headline, for its pathetic presumption — that the federal government, under the command of a glorious new leader, can salvage our faltering fatherland — only mirrors the country's dominant ideology.

No amount of disproof and disappointment can kill the people's ingrained faith in the power of throwing the rascals out — as if a new gang of rascals could be expected to pro-

mote the interests of the general public even though every preceding gang only pillaged and constrained the many to profit the favored few. Americans are prepared to recognize the law of gravity but not the iron law of oligarchy. What enlightenment might awaken our dimwitted citizenry were every schoolchild to study Albert Jay Nock's noble diatribe *Our Enemy, The State!*

Notice the alacrity with which the new administration disavowed most of its more far-reaching campaign promises and fell into line with the magnetic forces of the organized and well-financed pressure groups. No doubt the political winners and losers will be reshuffled somewhat during the next four

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years. But one would be naive to expect sweeping changes, and downright foolish to suppose that the barefoot boy from Little Rock will sacrifice the interests of the rich and powerful, many of whom backed his bid for office, in order to throw bigger crumbs to the public in general or the downtrodden in particular. —RH

**Who is not John Galt?** — Anyone wondering if Federal Reserve Board Chairman Alan Greenspan retained any of his Objectivist tendencies got their answer when he gave tentative support to the Clinton budget plan. I wonder if it has anything to do with the fact that he will be up for reappointment soon? —JSR

**New corruption for old** — The recent firing of all 93 federal prosecutors provides a curious lesson in political hypocrisy. Attorney General Janet Reno explained the firings as the legitimate consequence of her and Clinton's need to have prosecutors consonant with their own politics. This seems a bit mysterious: Traditionally federal prosecutors are *not* replaced when a new administration takes power. Furthermore, the



T H E W I D E E M B R A C E O F A L A N G R E E N S P A N

firings came only one day after she had told the press that politics would play no part in her enforcement of the law.

But there is, of course, a simple explanation. The federal prosecutors have all been fired because one of them, Jay Stephens of the District of Columbia, is in the midst of an investigation that would result in an indictment of the Honorable Dan Rostenkowski of Chicago. Rostenkowski is the powerful chairman of the House Ways and Means Committee, which is responsible for tax legislation.

This raises an interesting question: just how much independence will Chairman Rostenkowski have when dealing with an administration that saved him from public humiliation and possible jail time? It's hard to imagine that he will be very critical of Clinton's tax proposals, or that he will brook much criticism by other members of his committee.

The episode also illustrates the hypocrisy of the Democrats and their allies in the press. During the twelve dark years of Reagan and Bush, they constantly maintained that they were the guardians of public morality, righteously indignant at even the most trivial evidence of corruption in the administration. When John Sununu used government transport to take him to his dentist, a malfeasance involving an almost trivial cost to the public treasury, they forced him to resign.

Now with a Democrat in the oval office, things have changed. This is not a case of swiping office supplies. The firing of the prosecutors to save the Honorable Dan Rostenkowski from his just deserts is a blow against democracy at a fundamental level. Virtually everyone in Washington, including the press, knows the reason for the firings. Yet the indignation they felt at Sununu's peccadillo is missing. Is this the "new politics"? —RWB

***Neither rhyme nor reason*** — CNN reporter David Goodnow described the Clinton budget approach as "no pain, no gain." No brain, I think he meant. —JSR

***Moscow on the Potomac*** — Leona Helmsley would feel right at home in Washington, where the general attitude seems to be, "Only the little people obey the laws."

One of the best examples of this was Attorney General-designate Zoe E. Baird's hiring of two illegal immigrants and failure to pay Social Security taxes on their wages until she was nominated to head the Justice Department. Little people who hire illegal immigrants can be fined or even jailed. But no one in Washington seemed to mind if an attorney general is cavalier about the law.

Sen. Edward M. Kennedy (D. Mass.), a member of the Judiciary Committee and an author of the law Baird apparently violated, said, "It's not a significant problem." The rest of official Washington also shrugged off the Baird revelations until the voters, through thousands of phone calls to Senate offices and radio talk shows, made their opinions known. Only then did senators start to announce their opposition to her nomination.

In any case, Baird was not the only prominent Washingtonian to think that laws are for other people. Syndicated columnist Carl T. Rowan thunders on behalf of strict gun control but kept an illegal handgun in his Washington home, which he used to shoot at skinny-dipping

teenagers in his back yard a few years ago. President Clinton, Vice President Gore, Interior Secretary Bruce Babbitt, and House Minority Whip Newt Gingrich are among the public officials who have admitted smoking marijuana — yet they all support vigorous prosecution of people who use drugs today.

Congress sets the standard for arrogance of power these days. Little people, of course, don't have banks that let them bounce checks regularly. Little people can't fail to pay their taxes for seven years, then say, "Whoops!," pay up, and get away with it, like Rep. Eleanor Holmes Norton. And little people have to obey all the absurd and onerous laws that Congress passes — but Congress doesn't. Congress has exempted itself from the Civil Rights Act, the Equal Pay Act, the National Labor Relations Act, the Occupational Safety and Health Act, the Age Discrimination Act, the Americans with Disabilities Act, and the new family leave bill, among others. Maybe the members of Congress realize just how hard it is to run an office if you're bound by so many rules and regulations.

Another current example of Washington's hypocrisy is President Clinton's decision to send his daughter to an expensive private school, while opposing education voucher plans that would give the little people the same opportunity to escape the District of Columbia public schools. Bill and Hillary Clinton are to be commended for putting their daughter's well-being first — as are Al and Tipper Gore, Senator Kennedy, Jesse Jackson, Washington *Post* publisher Donald Graham, Washington mayor Sharon Pratt Kelly, and Children's Defense Fund head Marian Wright Edelman, all of whom send (or sent) their children to private schools. Yet all those people oppose voucher plans, which would give the parents of every child a voucher to be spent on education at either public or private schools. Only the little people go to public schools, and that's just fine with Washington's elite.

Most of these laws, of course, are misbegotten. No one is harmed by Newt Gingrich's pot-smoking, by Carl Rowan's gun ownership, or by Zoe Baird's hiring two people who desperately wanted a better life in America. But if anyone should obey those inane laws, surely it should be the people who pass them.

The arrogance of power in Washington is beginning to smell a lot like Moscow or Mexico City. Maybe along with term limits the little people need to get together and throw all the rascals out. —DB

***In dubious battle*** — After the terrorist bombing of the World Trade Center in New York, the governor of that state, Mario Cuomo, rejoiced the nation by proclaiming that, in spite of everything, New York was still the safest city in the world. No one had suspected that Mr Cuomo had such a wry sense of humor.

Of course, one act of violence does not an unsafe city make. But thousands of such acts, daily pursued, can do a little something toward undermining public safety. Foreign terrorists with bombs in their minivans just add a little spice to the daily banquet of urban dangers.

How long has it been since Americans acquiesced in the realization that they stand a good chance of being killed, and still better chance of being assaulted or robbed, if they merely make the mistake of getting off at the wrong subway stop?

The poor people who have to live near that subway stop

are familiar with the problem of public safety, and what they hear about it is, too often, a promise that more federal funds for Head Start programs or "job retraining" will, in some mysterious way, solve the problem. Most poor people know better than to believe this. But what about the Great American Middle Class? The middle class seems to have embraced the notion, or perhaps the visceral feeling, that it is unrespectable to become really concerned about such issues as one's own safety.

In the large cities of two or three hundred years ago, violent crime was at least as great a problem as it is now. In eighteenth-century London, Samuel Johnson took a stout stick with him when he left his house; he might have to beat up would-be robbers and he meant to be well prepared.

The modern middle class escape such affronts to its *amour propre* (not to mention its life) by resorting to physical isolation. When isolation proves impossible, it reacts, as often as not, with a sense of guilt. Middle-class victims of violent

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*Middle-class victims of violent crime — you know them — frequently confess that they "should have known better than to walk down that street."*

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crime — you know them — frequently confess that they "should have known better than to walk down that street." And when it comes to voting, they endorse the same leaders again and again, people who do little or nothing to protect them but who represent their image of liberal respectability. Voters and politicians agree to pretend that such lower-class paraphernalia as "drugs" or "handguns" cause crime, and that if we all just said no to these unrespectable articles, well then . . . we'd be safe. Wouldn't we?

Some of these reflections on the middle class's feckless attempts at self-isolation from reality are inspired by Erika Holzer's fine new novel *Eye for an Eye*. Holzer's protagonist is a middle-class woman who decides to do something about the normal, everyday urban terrorism that is taken for granted by the society around her. The novel's set-up shows that Holzer has a firm grasp of the psychology of middle-class victimization. People who are constantly victimized in "small" ways remain as aloof as they can from any attempt to think seriously about the problem, much less act on it; they would rather not recognize that freedom and justice are ebbing out of their daily lives. Only people, like the novel's protagonist, who are victimized in some particularly horrifying way are willing to abandon respectability and mess with the people who are messing with them.

But what happens when the barrier of respectability is broken? Holzer's protagonist joins a vigilante group, which contains precisely the sort of personalities that one would logically expect to find in such a group. Some are better, more idealistic people than those who refuse to admit the existence of dangerous social problems; others are people who started

to abandon principle when they started to abandon respectability; still others are the natural enemies of any moral order worthy of respectability.

Holzer knows that the issue is not "law and order" versus "vigilantism"; that's too simple. As a student of Ayn Rand's philosophy, she knows that the issue is whether individuals will find self-respect by acting intelligently and on principle. The fact that so little intelligent or principled action seems to be taking place in our major cities indicates that the psychological and moral problem is as bad as Holzer paints it, that the great middle class finds evasion of responsibility more important even than physical safety. "Manhattan is full of sirens," Holzer writes. "An invasion of sounds crisscrossing the sky like searchlights. You learn not to notice." —SC

*A clean mind* — Why do I find myself often reminding colleagues that newspapers exist not to deliver the news but to sell copies and that television news on commercial stations exist to deliver ratings? Most of what is published in newspapers and featured on television news programs serves that end; only incidentally is it newsworthy. That is one reason not to read newspapers. Another reason is that newspapers are concerned with what happened yesterday, whereas I, trained as a historian, am necessarily concerned with developments occurring over greater periods, such as last week, last month, last year, or even over the last decade. Whereas my friend Murray Rothbard boasts of reading several newspapers every day, I boast of reading none. It's a matter of intellectual hygiene, you know. —RK

*The Mencken test* — H. L. Mencken's memoir *My Life as Author and Editor* has just been published by — who else? — Knopf. It is one of two books he would not allow to be released until 35 years after his death, because he wanted to be free to speak frankly about all the important people he knew in the world of letters and other circles. (The other is the forthcoming *Thirty-Five Years of Newspaper Work*). The memoir is of course a delight that every Mencken aficionado will savor. Judging by the reviews and some queries lobbed at me, people are curious about what Mencken has to say about Jews. This curiosity is a hangover from the hubbub over the 1989 publication of Mencken's diary, which was widely read as containing damning evidence of HLM's anti-Semitism. After reading *My Life* I have not changed my mind on that question, which position I set forth under the title "Mr Mencken and the Jews" in the Summer 1990 issue of the *American Scholar*. But I do not wish to leave the matter at that, for there is something more fundamental than the question of whether Mencken liked or disliked Jews — viz., why should it matter? We know that Mencken was in favor of civil liberty for everyone; indeed, he called himself an "extreme libertarian." His bias toward the individual against the state has never been questioned by anyone. Also never questioned is Mencken's honor and decency regarding his family, his neighbors, his professional associates, and his many friends. In other words, in the two most revealing departments of life — how he treated people and how he wished the state to treat people — the Sage of Baltimore was *summa cum laude*. So what the hell does it matter whether he liked Jews *qua* Jews or not? —SR

## Just say "no" to the Libertarian Party

— Frankly, I think the days of the Libertarian Party are numbered. I speak as an outsider, but it seems to me difficult for a political party with such embarrassing defects to withstand the scrutiny that *Liberty* is giving it.

In February, after recording in some detail the weaknesses of its presidential campaign, Chester Alan Arthur concluded that, in spite of its "peripheral" influence, the party ought to continue. Arthur may be right, but missing in his analysis was overt consideration of the cost of running the party or its campaigns.

In a costless world, peripheral influence might be okay. But members are giving up substantial personal resources, devoting time, money, creativity, and enthusiasm to influence policy. The rewards may simply not be high enough to justify costs like the \$1.2 million spent on the campaign, along with the unmeasured hours of volunteer effort.

For disillusioned LPers, I offer an alternative, one that might be especially attractive for those Libertarians who now feel that the best they can do is abandon the presidential race and concentrate on races lower on the ticket. Instead, consider joining the state policy institutes that are springing up all over the country. You may have heard of the Heartland Institute, which started in Illinois, or its branches in Michigan, Wisconsin, and Ohio. Others are the Cascade Policy Institute in Oregon, the James Madison Institute in Florida, and the South Carolina Policy Council, to name a few.

While these are broadly conservative, many have a distinctly libertarian bent — and, with the right personnel, they could be even more libertarian. These groups select specific state issues (such as cutting taxes) and try to change policy. They are small, so individuals can influence them, but they have a significant impact in their states. —JSS

**The illiberal consensus** — The case for limited government eludes even conservatives. On TV's *Crossfire* of February 2, host Michael Kinsley and Representative Barbara Kennelly of Connecticut spoke for the "left," host Pat Buchanan and Representative Fred Grandy of Iowa for the "right." Their topic was the family-leave bill nearing passage in Congress. The left emphasized how desirable it is that an employee be able, without risking his or her job, to take several weeks of unpaid leave to care for a new baby or a sick relative.

Whenever the right raised an objection — chiefly, that the bill would impose undue costs on the creators of jobs — Representative Kennelly, in particular, repeated that its effects were desirable. She reminded me of James II. According to Macaulay, whenever a member of his court ventured to disagree on some point, the King

believed he refuted all objections by repeating what he had said in identical terms.

Representative Grandy stumbled with some objection about the bill's not applying to firms with fewer than 50 employees, and he hoped to encourage family leaves not by an actual mandate but by further complicating the tax code.

Even the spokesmen of the "right" focused narrowly on the prospective costs and benefits of particular interventions. They took it for granted that tension between family and job responsibilities is indeed a proper Federal concern. No one worried about how far the interventionist trend will carry if the Federal government is conceded authority to suppress everything bad and require everything good and if, moreover, politicians think they can further their careers by continuing to discover or invent problems and propose legislative solutions.

No one remembered that our government was established as one of limited powers. It was meant as a *novus ordo seclorum*, not bound to take its cues from the old world. (Someone should have reminded Representative Kennelly of this motto on the Great Seal of the United States when she noted, as if it were a nearly decisive argument, that family leave, even paid leave, is widely required in Europe.)

If our country is to slide further along the road toward a centralized and omnipotent state, let the supporters of this trend avow their position and present their arguments openly. Let their opponents recall the wisdom of the Founding Fathers.

The family-leave bill is unconstitutional on a straightforward reading of the words of the Constitution. True enough, the Supreme Court would not so rule nowadays; for an accretion of precedents has committed it to a strained and expansive interpretation of Federal powers. Neither on Capitol Hill nor in private life, however, should what one can get away with be the test of *what to do*. Members of Congress, not just Supreme Court justices, have taken an oath to uphold the Constitution. Political debate in the United States badly needs some return to Constitutional rhetoric concerning the nature and scope of our national government. —LBY

## Where is Ayn Rand now that we need her?

— Fred Grandy used to be an actor on the TV show *Loveboat*. He's now turned up as a Republican Congressman from Iowa. At a recent congressional hearing on health care, Grandy opined: "The problem is that some people have too much health care, and others don't have enough. We'll have to deny benefits to some people in order to provide them to others, and I think that's a plank we'll all have to walk." What does it say about our society that a Republican Congressman — even someone from the dreck-world of network television — should so openly evi-

NEW COLLEGE

Fashions

JUST FOR WHITE MALES



John Bergstrom  
1/1/93

dence the primitive-socialist mentality of a savage band? Years ago, in one of her newsletters, Ayn Rand had a feature entitled something like "Chamber of Horrors." It would cite chapter and verse, mainly from the liberal-left, attesting to the decay of our political and cultural life. Nowadays, such citations could fill volumes. —RR

**Definition by example** — If anyone ever wondered what is meant by the term *tax-and-spend politician*, Bill Clinton has provided an answer. Searching desperately for the megabucks it will take to finance his health plan and wishing to discourage smoking, he has proposed drastically increasing the tax on cigarettes. But to no one has he suggested eliminating the subsidies the federal government pays to tobacco farmers. So there's your definition: for our tax-and-spend president, it's perfectly permissible to pursue taxation and subsidy that *cancel each other out*, especially when the alternative is not to tax or spend at all. Any questions? —JW

**Rescuing the Constitution** — It is typical of the current overheated climate of public rhetoric that major judicial decisions are now almost universally judged by their real or alleged "result" or "message," rather than with reference to any legal or philosophical principles. This is nowhere more obviously the case than in regard to the issue of abortion. Few persons on either side of this emotion-laden conflict are willing to place it in any broader context or to admit that ancillary issues of legitimate import may be involved.

Thus it is not surprising that public reaction to the mid-January ruling of the U.S. Supreme Court regarding the use of the Ku Klux Klan Act of 1871 to bar anti-abortion demonstrators from blockading abortion clinics has been so out of focus. Most media commentary was appallingly superficial. Conservatives said, in effect, "Baby-Killers Lose Big One," while liberals replied, "Religious Right Triumphs Over Women Again."

In fact, the principle involved was an important one, and the Court ruled correctly. The attempt to use the anti-Klan statute to fasten new federal crimes (as well as torts) upon anti-abortion demonstrators had been from the first a legal improvisation pregnant with dangers. It called for a judicial finding of the states of mind and the emotional background of persons committing certain acts. This finding was to proceed not within the traditional context of "criminal intent" — the distinction one makes between a cold-blooded murderer and someone who accidentally backs a truck over a pedestrian — but according to an ideology-laden analysis of assumed motives. Thus, the Reconstruction-era law forbids conspiracies to deny any person or class of persons equal protection of the laws. Groups advocating its use argued that abortion clinic blockades constitute discrimination against women, that there is a legal symmetry between the KKK's animus toward blacks as a class and pro-lifer's animus toward women as a class.

Delving into bedrock attitudes in this way clearly invites bad law and selective prosecution. It can and does quickly glide into trivialities and absurdities. For example, in my own state of Michigan, if I were to walk over to my neighbor's house at this instant, yell "Get out of town, you SOB," and punch him in the snout, I would be guilty of a misdemeanor. If, however, I were to say, "... you Lutheran SOB," and serve

him a knuckle sandwich, I would, according to statute, be a felon.

But in arguing against the Klan/anti-abortion parallel, one need not even resort to analogy. It is manifestly true, first, that both men and women are active in vast numbers on both sides of the abortion question, and, second, that, as Justice Antonin Scalia stated in the majority opinion, "Whatever one thinks of abortion, it cannot be denied that there are common and respectable reasons for opposing it, other than hatred of or condescension toward (or indeed any view at all) concerning women." Precisely. Most anti-abortion activists I know have a sincere belief that the act in question is murder. I do not share that view, but it would never occur to me to equate it with *hatred of women*, any more than I would assume that those who are opposed to the North American Free Trade Agreement are motivated by an ethnic hatred for Canadians or Mexicans.

Does all this mean that Operation Rescue and similar outfits now have *carte blanche* to disrupt the legal operations of abortion clinics? Of course not. Common-law prohibition against trespass is still in effect, as are various applicable state and local laws, as well as the use of injunctions. What the Court wisely struck down was not a prohibition against unlawful assembly but rather an attempt to stamp an official finding of gender-based malice onto a movement of millions of people whose motives, if perhaps lacking in wisdom, are coherent and honorable, and at any event are none of the law's business. —WPM

**Clinical note** — While reading R.W. Bradford's analysis of the Clinton Presidency, I had an interesting flash on how the short-term outlook of politicians resembles an aspect of the genetics of aging. What Bradford wrote was: "So long as government is given control of the money and of the economy, the short-term incentives that politicians face will encourage them to take actions that are harmful in the long run."

There are certain genes, called pleiotropic genes, which are advantageous when an individual is young and harmful when the same individual is old. Some researchers studying aging believe that pleiotropic genes play a major role in aging. A common example of pleiotropic genes are genes which enhance reproductive fitness in young animals, but which accelerate certain aging processes later. These genes are not selected against because their negative effects don't show up until after an animal's reproductive period is over. The long-term harm resulting from both pleiotropic aging genes and short-sighted politicians is a discrepancy between early and late feedback signals. Perhaps the same mechanism accounts for the deaths of individuals and of great civilizations. —SS

**The FBI wants your codes!** — The FBI wants to be able to tap our new digital phones and faxes. It has drafted new laws to force firms to build a wiretap window in digital communication systems from phones to modems to satellites. Right now it looks as if the FBI will get its way.

In 1968 Congress approved wiretaps that stem from a court order. To get a court order for a wiretap the FBI must show "probable cause" of a crime or a threat to national security. In practice "probable cause" has come to mean just that the FBI asks for a wiretap. That stems from the new search

and seizure powers that the Reagan and Bush Administrations and the Supreme Court gave the FBI and CIA and police to wage the Cold War and the war on drugs.

In 1965 AT&T held a monopoly on phone lines. All phones were analog, as most still are. You speak into a phone and the phone turns your speech into smooth changes in current that flow over wires to some other phone or microwave link or satellite link. The FBI can tap a phone call if it can intercept the analog signal.

Now communications are digital. They send strings or packets of 1s and 0s through wires and the air. So you can code messages with encryption schemes and thwart an FBI or other

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*The FBI has proposed new laws that would "require providers of electronic communications services to ensure that the government's ability to lawfully intercept communications is unimpeded." And no one seems to care.*

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tap. When you read that someone or some computer has found some more prime numbers, you can bet those primes will end up in an encryption scheme.

The break-up of AT&T has spawned a wide market of phone and fax systems. The FBI wants to regulate this market. James K. Kallstrom, the FBI's chief of investigative technology, says "We see a rocky road ahead for law enforcement because the technology hasn't been designed with the correct feature packages."

The FBI wants us to use codes that it or the National Security Agency (NSA) can crack. The NSA has twelve underground acres of computers in Fort Meade, Maryland to crack codes. It has little or no oversight. So far the NSA has used export laws to stop Microsoft and other firms from using encryption codes in their software that the NSA felt was too hard to crack. Rep. Mel Levine (D. Cal.) tried to amend and loosen the NSA export laws to let the Commerce Department oversee encryption. The White House has threatened to veto the bill.

Now the FBI has proposed new laws to the Senate Commerce Committee on digital telephony. They would "require providers of electronic communications services and private branch exchanges to ensure that the government's ability to lawfully intercept communications is unimpeded by the introduction of advanced digital telecommunications technology or any other telecommunications technology." That would give prior consent to the state at the device level in one of our top high-tech industries.

And no one seems to care. You do not hear about this freedom fight on your digital TV. Bush and Clinton did not debate it. Larry King and Rush Limbaugh take no calls on it. The technical nature of the debate keeps out most lawyers and politicians and citizens.

Yet the outcome will affect us all and will shape our information age. You only go digital once. Big Brother wants the codes to our digital privacy. He may well get them with no fight.

Right now computers use your name or data about fifty

times a day. You cannot control that. The FBI and police can tap your cellular phone without a warrant. They can scan all calls to look for case leads and you cannot control that.

You can control whether what you say or write or compute is private and whether what the satellite or infra-red scanner sees is private. But for that you must code your own data in your own way. We need a law that gives us the right to code our own bits. And we need it fast. We need a Digital Rights Act. —BK

**Gridlock: RIP?** — According to radio and television news reports in February, the spring thaw of Congressional ice was such a *fait accompli* that we should have expected Utopia by around late March. Then we could witness how a magic, non-gridlocked government could cure "our intractable national sickness."

Now that the pesky rightist obstacle, Bush, has been removed, everyone is consumed with the difficulty of actually putting new plans into action (an ad hoc committee here, a clandestine task force there), or maintaining the hype that makes it seem that government is active. Yet, in the midst of all the bustle, some try to assess new legislation in light of their convictions. Are these the cautious members of Congress? Are they the Republicans who will at least occasionally vote in support of their political philosophies? No. These are the "prolongers of gridlock."

Well, it's April and still no Utopia. But the gridlock incantation is still being chanted in an effort to make the innocent feel guilty and distract discourse from the real meat of the policy at hand. Why, just yesterday I heard those pissin'-n-moanin' Democrats accusing recalcitrant Republicans in the great Motor Voter debate of "prolonging gridlock." Those meanies. They're doing it just to spite the winners of the election, certainly not because they have political beliefs or anything. The party poopers.

I guess the Clinton-believers in Congress will have to accept gridlock for what it is — a completely predictable difference of opinion.

First gridlock was off, then it was on, and now who knows what's going on. I don't feel any different. —SJR

**George Bush: RIP** — George Bush left the presidency in characteristic style, with tracers lighting the sky over Baghdad as U.S. bombs and missiles again rained down on the hapless Iraqis. But while Bush relinquished his grip on the power to commit vast violent crimes, Saddam Hussein retained his as tightly as ever.

Bush and those who served him still seem to regard his performance as Commander-in-Chief as his highest achievement in office. But in retrospect how can anyone view his military leadership with anything but contempt?

The 1989 attack on the Panamanians, resulting in hundreds of deaths, still has the odor of nothing more than a personal vendetta *cum* public relations stunt. What consequent good can be identified as a justification for having caused so much wanton death and destruction? Noriega's imprisonment? Hardly. Who, except Bush and Noriega, gives a damn? Breaking up the narcotics traffic? Now that's funny.

Of course, Bush's most egregious military misconduct occurred during the Gulf War, which never would have happened had Bush conducted himself more responsibly and



morally. Two years after the war, what can anyone say in defense of waging it? That Kuwait was restored to the Sabah clan? Bully for the oil-patch billionaires, those less-than-democrats who celebrated their reinstatement to power by promptly taking violent revenge against the resident Palestinians. The Iraqi masses, of course, continue to suffer from the regime's crimes against its own people. U.S. forces remain in the Gulf, patrolling the Iraqi skies and trying to prevent Saddam's forces from making aerial attacks on dissident groups in the northern and southern "no fly zones." Can anyone regard the current situation as an acceptable justification for the scores of Americans and tens of thousands of Iraqis, many of them conscripts and civilians, killed in the war?

Bush, the acclaimed aristocrat-boy-hero of World War II, could not resist the siren song of military glory, no matter how improper the occasion for exercising military force. Nonstatist historians will regard him as simply one more in a long line of mass murderers publicly excused from culpability because of their occupancy of ruling positions in the nation-state, the most murderous institution ever devised by man. —RH

**Lillian Gish (1893–1993)** — The death of Lillian Gish in her one hundredth year puts an end to the heroic age of an American art form. As a film actor, director, and producer from 1912 to 1987, Gish established a standard of intensity, beauty, and intelligence that the new medium required and, at its best, lived up to.

A close associate of the greatest director of silent films, D.W. Griffith, and a star of his *Birth of a Nation* (1915), Gish assimilated everything he had to teach, and she went on from there on her own. She knew that craft requires courage. To give aesthetic interest to the old-fashioned melodrama of *Way Down East* (1920), in which the heroine collapses in exhaustion on an ice floe that is racing toward a precipice, Gish decided to put her head on the ice and trail her hair and her hand in the freezing water; she also declined the use of a double. In terrible physical pain, waiting for the hero to rescue her, she grew more and more convinced that she was doomed. Only at the last possible moment did the hero arrive and carry her to safety. But she never flinched, never ran shrieking away from her role. If that was her last scene, it was going to be a good one.

I mentioned beauty and intelligence as well as courage and intensity. No one who has seen Lillian Gish in *The Wind* (1928) will ever forget its conclusion. Gish stands before an open door, challenging the perils of the outside world, and every line of her exquisite profile proclaims her triumph over her own fears. The visual impression is overwhelming, but Gish regarded the final scene as the studio's concession to sentimentality; *this* drama demanded a tragic ending, and she was too intelligent to overlook the problem. She insisted on it for the next sixty years.

It's obvious by now that Gish was anything but an ignorant, self-pitying, self-aggrandizing artiste of the kind that populates the contemporary cinema. She started working on the stage when she was five years old, because she needed to work. Her father was an incompetent businessman, incapable of supporting his family, and her mother kicked him out. Mother and children, Lillian and her sister Dorothy, therefore had to support themselves; in the social worker's vocabulary, they had to resort to "child labor."

This little girl's life was difficult, if only because it involved

hiding from humanitarians. The Gerry Society, specializing in the protection of children, tried to crack down on their employment. As Gish recalled many years later,

When we were children, they didn't say "the bogeyman would get you"; they said "the Gerry Society man would get you." And we were told to tell the truth, but we had to lie about our ages. . . . [Yet] I learned to love people; they were so kind. . . . I grew up in a beautiful, kind, generous, unselfish world.

But work was no paradise. When she tried out for her first movie, the director ran about the set shooting off a pistol, apparently attempting to get his young actor into the mood for a crime thriller. As an actress, Gish had little time for schooling— but she gave herself a good education, and she always preferred the company of literary intellectuals, such as H. L. Mencken, to that of her fellow actors. She said that she wanted friends who could *teach* her something.

Gish was determined to do whatever she did as well as she could possibly do it, and she ordinarily knew exactly what she wanted to do. She fought to produce *The Scarlet Letter* (1926), against the opposition of church women and other do-gooders who wanted this story of a Christian minister's adultery never to come to the screen. Gish told them:

I am an American! This is taught in the schools; it's an American classic. I resent the fact I can't make it!

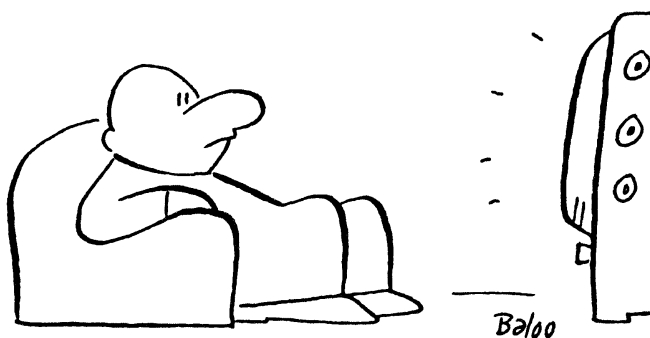
But she made it after all.

Gish was an exponent, not just of an American art form, but of the American ideal of individual achievement and the dignity of productive work. She was fond of remarking that in the early days of film "there were no unions. We worked twelve hours a day, seven days a week, and we *liked* it, because it was so interesting. And no one was more important than anyone else — the director, the property man, the man who swept up, the electricians up there; we were all one family. We were all after one thing, to get whatever that was, up on the canvas, perfect . . . It was work — serious — you didn't laugh at it, but it was interesting, because you could see yourself."

As an actor, Gish said, she was "never interested in money (though she made money well enough). I didn't want Rolls Royces, I didn't want houses, I didn't want jewels. I just wanted films I'd be proud of, because I felt they were permanent, and I didn't want to have to apologize for any of them."

There was no need for apology.

— SC



"A whole bunch of people shot at each other today — film at eleven."

**How you can profit from Bill Clinton's upcoming nervous breakdown** — Most, if not all, people reading *Liberty* are expecting the U.S. economy to be depressed by Bill Clinton's machinations, but before the economy is depressed, Bill himself will be depressed. Here's why.

We've been reading more and more in *The Wall Street Journal* (see especially the article on Bill's lifestyle in the March 9 issue) that Bill Clinton is having insomnia problems while, at the same time, he is on a bout of raving mania. Yesterday, while saying again and again "I really enjoy all this," he sent the Assistant Secretary of the Treasury on an expensive flight at government expense to check up on the

nicked nose of an agent at the government invasion in Waco, Texas. (He could have used a telephone, but it was so much more fun sending people on expensive trips, he couldn't resist.) He's having flights of ideas that keep him awake at night and his judgment is becoming impaired. What does all this sound like?

People having these kinds of symptoms are about to undergo a nervous breakdown. Under these conditions, certain neurotransmitters (natural substances that nerve cells use to communicate with each other), particularly noradrenaline and dopamine, are rapidly depleted. This is just what happens as a result of a crack or speed run; after intense cocaine or amphetamine use (which cause flights of ideas and unusu-

*continued on page 68*

## Medianotes

**Calumny!** — The day the first arrest was made in the World Trade Center bombing, I took note of how three of the daily papers I read chose to identify the alleged perpetrator in their front-page headlines. To the conservative, Moonie-owned *Washington Times*, he was a "Muslim"; to the *New York Times* he was a "Jersey Man"; and to the epitome of mainstream Washington political correctness, the *Washington Post*, he was simply a "Man." I guess all three papers chose the strongest calumny they could think of with which to smear one accused of so heinous a crime. —BD

**Rush to judgment** — The other day I heard Los Angeles disk jockey Jay Thomas, famous for his breast-implant jokes, denounce Rush Limbaugh for cheapening public discourse, thereby expressing the American political and cultural elite's pervasive view of the tubby talk show star.

It's easy (and cheap) to dismiss Limbaugh as a low-brow clown. I watch his television show occasionally, and he is a pompous, pretentious, portly, white middle-aged male — a fit target for ridicule. And, yes, his humor is sometimes a bit crude. But he's working on his weight problem, and I suspect his pomposity and pretentiousness are parts of his carefully-crafted persona. He is an entertainer, after all.

But he is not low-brow. To support this shocking thesis, I cite a single episode. A few weeks ago on his television show he spent several minutes discussing the issue of negative rights versus positive rights (i.e. the right to be left alone versus the right to be provided with goods or services). This is an important intellectual distinction, and Limbaugh's discussion, though couched in the vernacular, was intelligent and thought-provoking.

I hate to think how many hours I have listened to periphrastic bull sessions about political matters on National Public Radio, public television, and the major commercial television networks. In all those hours, I have never heard a single mention of positive or negative rights. Political discussion in these media is almost always profane (i.e. who's

doing what to whom). When it aspires to matters philosophical, it is almost invariably of the vague, lofty, we-have-to-help-everyone/isn't-capitalism-evil sort.

No, I am not about to nominate Rush for the Nobel Prize in political philosophy. But it is plain that he is not lowering the level of public discourse. Far from it. Besides, some of his jokes are funny. —RWB

**The most hated crime of all** — Neo-conservatives usually do a good job of trashing political correctness (*Heterodoxy*, a neocon monthly, specializes in such demolition-work, and performs it with great panache). Yet they refuse to touch the most notorious example of PC in democratic nations today. To do them justice, though, no one else seems to want to touch it, either.

"Hate" laws, aimed at the extreme right, are on the books in most western countries, and they are being applied with a vengeance. John Tyndall, a leader of the British National Party, believes that blacks are inferior to whites, and said so in print. For that he spent six months in jail for violating British law: he had "conspired . . . to publish divers items of written matter which were threatening, abusive, or insulting in cases where . . . hatred was likely to be stirred up against racial groups." (He tells his story in the April issue of *American Renaissance*.)

In Canada, David Irving, a brilliant, if erratic, independent historian, was hounded out of the country for allegedly "denying the Holocaust." Irving has already been fined for expressing such views — and prohibited from speaking — in Germany and Austria. Again, the pretext are laws against spreading "hate," and, in Germany, defaming the memory of the dead. And so it goes, in the communitarian-minded social democracies of the western world.

This is one case where we can say with some assurance that it can't happen here. Academic Brits sometimes like to condescend to Americans on account of our "obsession" with "legalistic" rights. My response to that is: thank God for the Bill of Rights and God Bless America! —RR

## Excoriation

# Darkness at Noon

by Stephen Cox

The Clinton era is christened with blood. There is plenty of blame to go around.

I am writing on the forty-fifth day of the siege of the Branch Davidian sect by agents of the federal government. *Liberty* is going to press, and I have no idea about how to wrap this story up. Things seem to have slipped out of my control.

I hope, however, that by the time you read these words, everyone will know exactly why the government summoned to Waco, Texas, the largest invasion force of little tin soldiers since the Trojan war — scores of plump ladies and gentlemen wearing quasi-military uniforms and brandishing enormous guns, *three* helicopters flapping around, tanks (naturally), and the large number of television cameras that a secret invasion usually requires, at least if it is expected to result in promotions for its organizers.

Oh, we were informed that the Branch Davidians had guns (which the government “feared” were purchased legally). We were informed that the Branch Davidians therefore constituted a threat to the nation, or at least to Waco. They constituted so large a threat, in fact, that the government was very concerned about what they *might* do — during the *several* years that passed while various government agencies plotted busily against them. And we were informed that the leader of the sect might have “abused” “children,” which meant, apparently, that he might have married a number of underage women.

When these arguments didn’t arouse the expected degree of public enthusiasm, we were darkly informed that certain Australians were living with the sect *in violation of immigration laws*. All of this, doubtless, provides good and sufficient reasons for a bloody assault.

The government’s difficulty, at this stage, is that its half-completed assault allows time for questions to be asked about the ethics, or at least the prudence, of some of its approaches to the problem of — guns, or sex, or cults, or illegal immigrants, or whatever is supposed to be the problem. The media may start asking questions, at long last, about the government’s purpose, as well as about its tactics. I look forward to seeing who will still be alive when the questions get interesting.

### Judgment Day

This is the 52nd day, and they are dead, burned to death: 17 children; 70 men and women. The flames washed over their bodies; poisonous air flattened their lungs; if they were lucky, they died before their eyes melted in

their sockets and their skin dropped off like worthless newsprint. They are dead, slaughtered by a false and repulsive religion and by the vicious banality of officials sworn to protect the liberty even of people so lost and hopeless as to embrace such a religion. I mean:

*Officials of the Alcohol, Tobacco, and Firearms Bureau*

— who invaded the compound at Waco on February 28 to serve a search warrant alleging the possession of guns, later “feared” to be legally purchased, and advancing second-hand reports of “child abuse,” an offense that the ATF was not legally empowered even to investigate;

— who used massive force to “surprise” the compound, even though they knew that the inhabitants were aware of this coming “surprise” and could be expected to resist;

— who invaded the compound, even though they knew that their search warrant could have been peacefully delivered on the many occasions when the leader of the Branch Davidians went out jogging or visited the

local Pizza Hut.

*Officials of the Federal Bureau of Investigation*

— who for seven weeks prosecuted the sadistic business of the ATF, after the ATF had proved to be incompetent as well as sadistic;

— who claimed that their own climactic invasion, on April 19, was motivated by "intelligence reports" about

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*The FBI claimed, simultaneously, (1) that they were not trying to end the siege, but merely trying to "ratchet it up," and (2) that they were trying to end the siege.*

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the intentions of the compound's inhabitants, but who, even after the death of their enemies, arrogantly rejected all requests to reveal the secret contents of this supposed "intelligence";

— who relied on "intelligence" that did not even include a consultation with officials of the local government that had (unsuccessfully) prosecuted the Branch Davidian leader on a previous occasion, and who apparently paid no heed to the first-hand observations of lawyers who spent over thirty hours inside the compound;

— who intimated that they (1) attacked the compound in a way designed to prevent mass suicide, and (2) were shocked that the people in the compound committed mass suicide;

— who asserted that they were prepared for all eventualities, but who made no preparations for any humane response to any eventuality, including the summoning of fire engines in anticipation of the possibility that fire might break out in the compound when it was assaulted by tanks; who, 15 or 20 minutes after a fire did break out, summoned two fire engines from a neighboring town, but stopped those engines a mile or more from the scene, alleging danger of attack from a building that was already totally engulfed in flames; who shut off water from the compound, and kept it shut off, and then made light of the notion that the fire could have been fought with water

drawn from a nearby pond;

— who imagined that the proper function of government was to send a tank cruising gaily around the outskirts of a residence, crushing the playthings of the children inside, thus undermining their morale, and then to knock down the walls of their house and deluge them with tear gas from dawn until noon;

— who announced to a wondering public that snipers, appointed to watch the Branch Davidian compound from a mile and a half away and to shoot anyone who appeared in a window, observed a man crawling out of the compound, kneeling down, and cupping his hands, from within which a fire blossomed, which then burned down the compound;

— who angrily rejected any suggestion by survivors that a fire could possibly have been started by a tank punching holes in the walls of a dwelling in which there were stockpiles of fuel and ammunition;

— who claimed, simultaneously, (1) that they were not trying to end the siege, but merely trying to "ratchet it up," and (2) that they were trying to end the siege;

— whose unflagging self-righteousness stands as a lesson to all officials everywhere.

*The Attorney General of the United States*

— who "took full responsibility" for the invasion of April 19 but denied responsibility for anything that might conceivably have gone wrong;

— who claimed that the siege had to be ended on April 19 because of reports of "child abuse" made months before;

— who claimed that the siege had to be ended on April 19 because of reports of "unsanitary conditions" within the compound;

— who claimed that there was no intention of ending the siege on April 19;

— who, like officials of the FBI, claimed that "all eventualities and options were considered," but who, like officials of the FBI, claimed to be astonished by what actually eventuated;

— who, after these pathetic attempts at analysis of her own actions, agreed with sympathetic interviewer Larry King that government control of "hand guns" would help to avert "tragedies" similar to the one she had helped to

engineer.

*The President of the United States*

— who on April 19 said that he took responsibility for the government's actions — by giving full responsibility to the Attorney General;

— who on April 20 magnanimously took full responsibility — meanwhile transferring this same full responsibility to the leader of the Branch Davidians, who had conveniently died on the preceding day.

All these are guilty. Sharing in their guilt are two groups of co-conspirators:

First, the national media, who on April 20 started asking intelligent questions about the events of the previous seven weeks, having thus far assiduously avoided any serious inquiry into the origin and justice of the government's action, biding their time until blood flowed and jerked them into a semblance of consciousness;

And second, the silly, the willfully ignorant, the unthinking members of the voting public, who happily acquiesce in every lie their government tells them, even when they know it is a lie; who care nothing for their heritage

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*Bill Clinton magnanimously took full responsibility — meanwhile transferring this same full responsibility to the leader of the Branch Davidians, who had conveniently died on the preceding day.*

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of freedom and could not say, if their lives depended on it (which they do), what the glorious First Amendment or the precious Second Amendment or any other sublime provision of liberty says or means; who make up the "83%," the "78%," and every other conscientiously surveyed portion of the American heart and mind that accepts as gospel any explanation of life that a "leader" may choose to give, so long as the explanation fails to threaten anybody's weekend fun.

But now let's come to some real explanations. Look at your hands. Can you see it? That's blood on your hands. □

## Exposé

# Mass Murder, American-Style

by R.W. Bradford

This isn't just business as usual. The government is not just lying. The government is murdering its citizens.

Janet Reno, the nation's top law enforcement agent, is a mass murderer. We know this because she confessed to it on national television on April 19, 1993.

On April 18, by her own statement, she ordered the FBI to take what it characterized as "the next logical step in a series of actions to bring this episode [the standoff between the FBI and the Branch Davidian community] to a conclusion." That "logical step" was to send a Bradley M-728s "combat engineering vehicles" (i.e. tanks) to punch holes in the walls of the buildings in which the Davidians lived, and to pump poisonous tear gas into their homes at 15 second intervals, while FBI loudspeakers proclaimed, "This is not an assault."

"I made the decision," Reno told reporters that afternoon. "I'm accountable. The buck stops with me and nobody ever accused me of running from a decision that I made based on the best information that I had. The buck stops with me."

That evening, in an interview with Ted Koppel, she elaborated:

This was a judgment I made. I investigated it completely. I did all the — I asked the questions, I talked to the experts when I had questions, and I think the responsibility lies with me . . . I made the best judgment I could based on all the information that we had after inquiry, after talking with experts, after trying to weigh all the terrible possibilities that could take place now or later. I've made the judgment, it's my judgment, I stand by it.

What information did Ms Reno get from the experts in her Federal Bureau of Investigation? According to statements from the FBI and from Ms Reno, the FBI believed the following:

1. That David Koresh, leader of the Branch Davidians, had been placed under serious stress by the events of the previous seven weeks. He had been shot during the armed confrontation of February 28 and his infant daughter had been killed. He was in a terrible situation, his home surrounded by heavily armed men intent on capturing or killing him and destroying the religious community he headed.

2. That the stress on Koresh had gotten worse during the standoff, thanks to the deliberate policy of the FBI, which had blasted him and the other members of his community with ear-shattering noise and aimed powerful electric spotlights into their windows at night to prevent them from sleeping, and turned off the community's water supply and cut off its sewers. Apparently, their logic was to drive the already crazy Koresh even crazier, to "ratchet up the pressure," in the words of FBI spokesman Bob Ricks.

3. That Koresh had publicly said that in the event of a confrontation, the standoff would "end with people devoured by fire."

4. That the Davidians were likely to attempt mass suicide if confronted. Even President Clinton was informed in advance of the high risk of mass suicide, if we are to believe what he said at his Tuesday morning press conference, he said they chose the tank-and-tear-gas assault as, "the best way to get people out of the compound quickly before they could kill themselves."

5. That the wooden buildings in the compound, filled with baled hay, inflammable liquids, and explosive and incendiary ammunition, were a terrible fire hazard, especially once the FBI punched huge holes in their walls through which wind could blow and spread any fire quickly.

6. That there were 30 mile per hour winds in the area on the day of the assault, which would quickly spread any fire very quickly.

It is not difficult to predict the effect of the "logical next step" of an assault on the compound: if several hours of tanks firing poisonous gas into the compound did not ignite the structures, the ammunition or the fuel stored there, then the unstable leader of the Davidians, made more unstable by the FBI's "psychological" campaign to deny him sleep or peace or quiet, who had predicted the standoff would end with "people devoured by fire"

and perhaps discussed and even planned a "mass suicide" in the event of an assault, would ignite the place himself. Given the high winds, the flammability of the buildings, the incendiary and explosive contents of the buildings, the fact that the FBI had cut off water to the area but not brought in fire-fighting equipment made the deaths of the nearly 100 people a virtual certainty.

By her own admission, Janet Reno had "asked the questions and investigated it completely," so she knew all this. She had weighed "all the terrible possibilities that could take place," including the virtual certainty that the Davidians — including the dozens of children present — would be burned to death.

Knowing all this, she ordered the assault. "I've made the judgment," Janet Reno said. "It's my judgment. I stand by it. The responsibility lies with me." The assault she ordered could only end with the deaths of nearly one hundred people, including a substantial number of people she knew to be innocent.

There is a term for what Janet Reno did. That term is mass murder.

Janet Reno and the FBI offered excuses for their action. The assault, they claimed, was intended "to increase the pressure to bring about serious negotiations." But early that morning, the FBI told neighbors "that it would end today," and telephoned the compound, "At this point, we're not negotiating. We say, come on out, come out with your hand's up. This matter is over."

Janet Reno told Ted Koppel the night of the assault that she had ordered the assault in order to protect the children from abuse. President Clinton backed up her claim the following morning at his informal press conference: "I talked to her [Janet Reno] on Sunday, I said, now, I want you to tell me once more why *you* believe, not why *they* believe, why *you* believe, we should move now rather than wait some more. And she said it's because of the children — they have evidence that those children are still being abused and that they're in increasingly unsafe conditions and that they don't think it will get any easier with time, with the passage of time."

But when Ted Koppel confronted her with testimony from a witness who had been in the compound and seen no signs of abuse (and who had reported

the same to the FBI), Janet Reno admitted that they had no recent evidence of abuse. But, she added, "The sanitation situation within the compound we were told was beginning to deteriorate."

This theme was reiterated by Bill Clinton ("The children . . . being forced to live in unsanitary and unsafe conditions") and FBI spokesman Jeff Jamar, who told reporters, "How would the federal government look, when we finally get in the compound, there are children dying of hunger or children dying of disease because of the conditions? That was one of the overriding concerns." So the abuse that the FBI and Attorney General accuse the Davidians

of consisted denying them proper food, water, and sanitary conditions. Who cut off the water supply to the compound? Who cut it off from sewers? Who controlled the access of the compound to food? The answer to all three questions is the same: the Federal Bureau of Investigation. To the extent that the children were so abused, the abuser was the FBI itself.

Curiously, a week before the assault, the FBI said that it would not use tear gas on the compound, because it feared for the safety of the children. It had evidence that the adults had gas masks, but the children did not. Yet their operational plan was to pump in gas until

## Who Started the Fires?

There are three plausible possibilities.

1. It was mass suicide.

*Supporting evidence:* The FBI says that Koresh planned a mass suicide from the start. FBI spokesman Jeff Jamar said, "This was his plan from the beginning. It's clear to us it would have happened 30 days ago if we had gone in there." The day of the assault, FBI spokesman Bob Ricks said, "an FBI hostage rescue team member observed a subject through a window in the second floor wearing a black uniform and a gas mask undergoing a throwing motion the person was knelt down with his hands cupped from which a flame erupted."\*

The FBI said that those who escaped the flames said that Koresh and other Davidians had started the fire. When asked what that "very specific evidence" was, Jeff Jamar replied:

At least three people observed a person spreading something out in this motion. [bends over and holds his hands together] This was reported yesterday, bent down with a cupped hand, and then was a flash of fire. We have aerial observations of multiple fires. So the person saying that there was one instance of where the CEVs may have bopped something. This is not so. We have another person telling us the [inaudible]

was reported to you yesterday that the fire was started with lantern fuel. There has been fuel containers found at the scene. There's no question in our mind that that's how the fire started.

*Evidence against:* Immediately after the conflagration, FBI spokesmen said that the fire was a complete surprise to them, and they had no indication that Koresh or the Davidians might commit mass suicide. The escapees all denied having said that Koresh or other Davidians started the fire, and all claimed the FBI had started it by knocking over lanterns within the compound.

*Other information:* In addition, a team headed by Paul Gray, an arson investigator from Houston, concluded that the fires were set in "at least two different locations." Gray said that all the investigators "were independent of any federal law enforcement agency." However, the Bureau of Alcohol, Tobacco and Firearms, confirmed that Gray had worked as part of a federal task force with ATF and that Gray's wife was an employee of ATF.

2. The fire started by accident, when the FBI knocked over lanterns inside the compound.

*Evidence for:* The survivors of the fire have stated at every opportunity that this is how the fire was ignited, and that it spread quickly, thanks to the flammability of the building and its contents, the high winds, and the fact that the FBI had knocked holes in the walls. This hypothesis is consistent with the fact that the buildings were illuminated with lanterns, since the FBI had turned off electrical power to the compound.

\* The "hostage rescue team member" was in fact an FBI sniper viewing the compound through the telescopic sight of a high powered rifle. Although the FBI called its squad of agents a "Hostage Rescue Team," all available evidence is that the compound held neither "hostages" nor anyone who wanted to be "rescued," except possibly from the threat posed by the FBI.

the masks failed — which would require *eight hours of continuous gassing*. What did they think would be happening to the people *without* masks (i.e., the children)?

Furthermore, child abuse is not a violation of federal law, let alone violation of any law that falls under the jurisdiction of the ATF, the FBI or Justice Department. And the charges of child abuse had been thoroughly investigated a year earlier by state authorities, under whose jurisdiction child abuse lies, and the Branch Davidians were exonerated. It is apparent that the whole "child abuse" issue was brought up only to persuade the judge who is-

sued the warrant and to gain the sympathy and complicity of the American people.

The grinding of political axes may prevent any sort of fair-minded, open investigation. The Waco holocaust is widely perceived as a threat to the Clinton presidency, and many partisan Democrats are rallying to his side. And many on the political right see the episode as a threat to the credibility and prestige of their old communist-hunter friends in the FBI. Congressman Henry Hyde has already opined that the episode illustrates why we need to give more money and power to the FBI.

Lost in all the commotion is the fact

*Evidence against:* The FBI claimed shortly after the arrest of the survivors that the survivors stated that the fires were ignited by members of the group.

3. The FBI started the fire, intentionally or quasi-intentionally.

*Evidence for:* The FBI took numerous actions that insured that a fire would spread very quickly and could not be stopped once it started. It chose a dry day with high winds for its attack — conditions that are terrible for flushing out people with tear gas but excellent for burning down a building. It cut off water that might be used to put out fires. It did not have fire-fighting equipment on hand. It kept fire fighters away from the scene, and delayed their arrival once they had been called: "The reason the fire trucks were not allowed to go in immediately was the fireman's safety. It's that simple. There were people there with automatic weapons ready to fire." Jamar did not explain why, despite ample opportunity, the Davidians never used the automatic weapons whose possession rendered the situation too dangerous for fire fighters. Nor did he explain why the FBI allowed the press within 1.5 miles of the assault, but kept fire fighters and their equipment miles away in Waco. Nor did he explain why the sophisticated aerial fire-fighting techniques of the military were neither employed nor ready for use, or why the FBI intercepted and halted fire fighters and equipment who were coming to the scene.

The FBI was frustrated at the inability to flush out the members of the community with tear gas. FBI spokesman Jeff Jamar told reporters the next day that at the time of the fire, "We were of

the opinion that deep inside the compound — you've seen your pictures where there's a concrete structure standing there — we were of the opinion that they were inside that structure and that they were able to survive in there even with the gas because maybe it would protect them from the gas maybe it was sealed." Presumably, if the FBI's tank and tear gas assault failed, the FBI would be even more embarrassed.

Furthermore, the mass annihilation of the Davidians could serve as an object lesson to other individuals and groups who might attempt to defy the federal authorities. As President Clinton said during his press conference on April 23, "I hope very much that others who will be tempted to join cults and to become involved with people like David Koresh will be deterred by the horrible scenes they have seen."

*Evidence against:* The FBI are good guys, who would never do anything bad.

But whether the truth will ever come out is dubious. There will certainly be investigations. Even President Clinton has sanctioned them: "That's up to the Congress, they can do whatever they want . . . if any congressional committees want to look in it we will fully cooperate. There's nothing to hide here, uh, this was probably the most well-covered operation of its kind in the history of the country." Of course, the superb coverage the president spoke about took place from a mile and a half away, and consisted mostly of news spoon-fed by FBI spokespeople, substantial portions of whose statements were obviously contradictory and patently false. —R.W. Bradford

that the cause of the standoff, the February 28 invasion of the Davidian compound by the ATF, was unjustified. In the aftermath of the holocaust in Waco, the secret search warrant that the ATF served with its army of 100 heavily armed men was made public. There were two charges brought to the judge who had issued that warrant: that the group had abused children and that the group possessed weapons without the required license.

The child abuse charge, as I have already pointed out, is an obvious red herring. It is also manifest that the second charge lacked any factual basis. The ATF accused the Davidians of possessing fully automatic weapons, that they had altered from semi-automatic rifles, without obtaining the appropriate government licenses. Yet in two pitched battles, one with the ATF on February 28 the other with the FBI on April 19, there has not been a single report of the use of automatic weapons by the Davidians. Nor have there been any reports that the Davidians used "rockets" or any of the other illegal weapons that the FBI alleged they had in their attempt to defend themselves from the FBI's tank assault on April 19.

Almost certainly, what upset federal authorities was the fact that the Davidians "resisted arrest" on February 28. Leaving aside the fact that the ATF was not attempting arrest, but to serve a search warrant to gather evidence for a violation of a licensing law, and the common-law right to resist unlawful arrest, it is certainly true that the Davidians acted imprudently. Federal agents have a long history of going ballistic when met with resistance.

But whether the Davidians had any choice in the matter is dubious. The search warrant was served by a virtual army of more than 100 heavily armed men clad in body armor, breaking windows and kicking down doors. This Gestapo-like approach to serving a search warrant was likely to trigger a defensive response, even if the agents were wearing shirts that said "ATF."

There is considerable evidence that the ATF (which Ronald Reagan denounced as a "rogue agency," when he called for its abolition a decade ago) hoped to provoke a violent response from inside the compound. It could have served the warrant to Koresh when he was away from the compound,

*continued on page 54*

# Who Benefits From the Clinton Program?

by Harry Browne

When a politician gets caught with his hand in the till, why do Americans think he was trying to put something *in*?

It's doubtful that very many people who understand how an economy functions believe that Bill Clinton's economic program will achieve its stated objectives. It is apparent that:

- The program won't reduce the deficit; it will increase the deficit.
- It won't bring interest rates downward; it most likely will send them soaring.
- It won't benefit from low inflation; more likely, it will be the catalyst that brings back the inflationary 1970s.
- It won't raise more revenue from the rich; it will simply send higher-income people into tax shelters, municipal bonds, tax evasion, and retirement.
- The program won't stimulate the economy; it will hurt the economy.

So you may wonder *why* Mr Clinton would advance a program that is so likely to fail. Is he stupid? Are his economic advisors brain-damaged?

His plans make sense only if they're placed within the broader context of all politics and government. If we understand *why* government programs almost always produce results opposite to their stated goals, we can understand why Bill Clinton would propose a program that has no chance of success.

## Poor Economics?

The customary explanation is that politicians don't understand economics — that they simply don't see that price controls lead to shortages, that boosting the minimum wage puts people out of work, that raising tax rates doesn't necessarily produce more revenue, and so on.

It's true that they espouse faulty economics. But I doubt that politicians believe the economics they advocate any more than *we* do. And so they're no more surprised at the results than we are.

The programs don't achieve their objectives because *the*



*politicians never intended them to. They have no interest in feeding the poor, rescuing the middle class, stimulating the economy, or reducing the federal deficit. They have other motivations for creating laws and imposing regulations.*

## Cui Bono?

An age-old question in law is *Cui bono?* — for whose benefit? Who profits from a given act?

And we can understand the politicians' motives only if we hold every proposed bill and program up to this question, because the individuals who ben-

efit are *never* those for whom the program is supposedly intended.

For example, raising the minimum wage doesn't boost the earnings of low-income workers; in fact it throws many of them out of work. But politicians are no more surprised



by this than we are. They don't pass such laws to help low-income workers; they do so to keep such workers from competing with labor unions — the real beneficiaries of the minimum wage laws.

Environmental laws and regulations aren't enacted to do away with pollution. They're designed to aid certain businesses at the expense of others. That these laws hurt most consumers is, to a politician, simply an incidental, irrelevant fact of life.

"Civil rights" and "disabilities" laws don't help the unfortunate. But they furnish countless money-making opportunities for trial attorneys, help large companies stave off competition from up-and-coming entrepreneurs, and provide the rationale to expand the enforcement bureaucracies.

Urban renewal didn't provide better housing for poor people; it provided better contracts and jobs to the building trades. The purpose of "campaign reform" bills is not to make campaigns fairer and less costly — but to make life easier for incumbents by handicapping challengers. Even defense decisions are made for the benefit of defense contractors, not for the benefit of the nation's defense.

We think we're superior when we use our best economic insights to determine who will be helped or hurt by a given law. But politicians are way ahead of us. They knew all that before they passed the law. *That is why they passed it.*

### Lies and Statistics

The novelist Mary McCarthy once said that every word uttered by the writer Lillian Hellman was a lie — even "and," "a," and "the." We can understand politics only by thinking of politicians in the same way. No politician speaks the truth; he says what's necessary to further his career. If, occasionally, that happens to be the truth, so be it — but truth isn't the standard that guides him.

I'm sure that some people enter politics with a genuine hope to improve the world — whether to reform society or to repair the wreckage created by previous reformers. But such a person soon comes to understand that his colleagues don't care about facts or theories — except as they may support their political

goals. It becomes necessary to make deals to enact even a tiny part of one's political agenda.

No matter what the agenda, it will coincide with the interests of some people — creating some natural, willing allies for whatever the politician went to Washington to accomplish. The defense contractors will support him if he pushes for a strong defense, for instance. But, eventually, he realizes that there won't be enough support — either to get a bill through or to get himself re-elected — if he doesn't compromise the purpose of the bill to suit the supporters and to buy additional support.

It's not a long leap from there to the point where his principled agenda is subordinated to the deals he can make

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*The individuals who benefit are never those for whom the program is supposedly intended.*

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and the benefits he can provide to the people who are keeping him in office. He may occasionally wish he had the freedom to work on the goals that once motivated him, but he does no more about it than the rest of us do about that novel we're all going to write someday.

Thus it's no surprise that a conservative hero like Orrin Hatch one day co-sponsors federal child-care legislation. Or that super-dove, anti-military Ron Dellums screams bloody murder when defense cuts lead to shutting down California military bases. Or that free-enterprise advocate Jesse Helms is a prime mover for tobacco subsidies.

Seeing such a thing, we might conclude that the politician has an unfortunate blind spot. Why can't he see what he's doing? But the truth is that he *can* see. If we accept his words and ideas at face value, it is *we* who are blind — blind to the politician's purpose.

### We, the Powerless

A politician thinks solely of his prime constituency. But that constituency isn't the voters in his district. It's the companies and organizations that provide the money and manpower for his campaigns. These are the beneficiaries

of the votes he casts in Congress or the programs he advances as president.

And to understand government and politics, you must realize that *no congressman fears the electorate*. "We, the people" hold no power over him. There is almost nothing he can do that's so outrageous that it will cost him his job.

Despite all the letter-writing campaigns, the assorted scandals, and all the occasional outrages, I'm not aware of a single instance of a congressman or senator being voted out of office because of a bill he supported, a tax increase he endorsed, or some popular movement he failed to join.

There was a tremendous uproar in 1989 about a proposed congressional pay raise. It was topic #1 on radio call-in shows all over America. The House backed off for the moment, but the next year the raise was passed anyway — and I know of no congressman who paid at the polls for voting for it.

With all the furor over the House bank scandal last year, I'm not aware of even one big check-kiter who was defeated in November. True, some of them decided not to seek reelection. But therein lies *another* tale — one with a considerably different story line from the one generally reported.

### Take the Money & Don't Run

For decades congressmen and senators have been able to hold on to any campaign funds they don't use during a campaign. They save the money for the next election — giving them a head start on fund-raising (while their opponents have to begin afresh each election year). Some incumbents have so little opposition that they spend practically nothing on their campaigns — and they accumulate greater and greater sums in their war chests.

And when an incumbent finally retires, *he can take any unused campaign funds with him*. Some congressmen have retired with literally millions of dollars of campaign money in their pockets.

In the early 1980s, Congress finally passed a bill requiring a retiring congressman to turn over unspent campaign funds to the U.S. Treasury. But the new rule wasn't to take effect until — guess when. That's right: not until 1993.

So last year an unusually large number of congressmen decided to retire. Because of their overdrafts at the House

bank? Because of public disgust with Congress? Because these idealistic public servants had become discouraged trying to bring the federal budget under control?

Get real. They quit because it was their last chance to take the money and run (or not run). Years ago — long before any recent scandals — it was predestined that a lot of incumbents would retire in 1992.

No matter how bad things may become this year and next, no matter how much public outcry there may be over tax increases, no matter how many scandals erupt, the number of congressmen retiring in 1994 is unlikely to be even one-fourth the number of 1992.

### Public Opinion Doesn't Matter

The fact is that a congressman is immune to public opinion. A president is held accountable for the state of the nation and a governor for the condition of his state, but no congressman pays at the polls for the votes he casts.

For one thing, most voters have no idea what he's voted for. They know only that they've heard of him, but not the other guy.

Because incumbents have such strong name recognition, they benefit from large turnouts of voters who don't have strong political beliefs. Thus the current agitation for a "motor voter" bill — whereby people register to vote automatically when they apply for a driver's license, welfare, or unemployment compensation (but not when they pay taxes). The new proposals also allow someone to register at the polls on election day — which helps the organized pressure groups to "vote early and often."

Incumbents also benefit from "campaign reform" laws that limit spending and prevent challengers from acquiring the name recognition the incumbent already has.

A politician's reelection doesn't depend on public opinion or his record, but on the support of corporations, rich benefactors, and organized groups that will provide the money and the manpower to get out the vote for him.

And when he weighs a vote in Congress, all that matters is whether these supporters will benefit from the bill — or whether he can trade his vote

to obtain support on another bill that will aid his benefactors.

Who benefits? Not the voters or the taxpayers.

### The Pressure Groups

Obviously, the politician's supporters have their own motives.

It's not hard to identify the motives of corporate executives who want subsidies, or who push for legislation to outlaw competition — foreign or domestic. Nor is it difficult to see how labor unions profit from minimum wage laws,

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*"Civil rights" and "disabilities" laws don't help the unfortunate. They merely furnish countless money-making opportunities for trial attorneys.*

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bills that compel federal contractors to pay "prevailing wages" (also known as "union wages"), and so on.

And it's easy to see why the NEA fights against parental choice and why the public-employee unions oppose the privatizing of government.

The motivations of ideological groups — "civil rights" organizations, conservative lobbies, environmental groups, and the like — are slightly more complicated. Undoubtedly, most of these organizations' members believe strongly in their causes. But their leaders are a lot less devoted.

The leaders are much like politicians themselves — concerned with perpetuating their own power. They may not have started out thinking that way — but, like politicians, they inevitably wind up weighing issues and battles in terms of personal power, money, prestige, fund-raising, and privileges.

Such a leader never abandons his original ideology, because that's where his support comes from — and because it's a part of his style, just as an entertainer has a style he retains throughout his career. But we can't expect the "cause" to be more important to the leader than his career.

The leaders make deals to gain financing from companies who can profit from the groups' agendas, and they

alter the groups' programs as necessary to keep those companies happy. The leaders also have to keep the membership satisfied, but that doesn't mean they have to do what furthers the members' goals.

Here again, if we realize that these leaders aren't necessarily motivated by the goals they profess, we can see that apparent ignorance and hypocrisy are actually cunning and consistency. These leaders don't waste their time promoting complicated, low-key, long-term programs that might eventually aid the cause at hand; it's more valuable to do something — even something totally ineffectual — that makes a show of furthering the cause. It's important to have a dramatic and perhaps winnable campaign — no matter how little it might actually advance the cause.

Thus we saw "civil rights" leaders promoting sanctions on South Africa — sanctions that threw thousands of South African blacks out of work and destroyed hundreds of black-owned businesses there. We see academics, who profess to believe in free inquiry, ruthlessly suppressing research and discussion that might lead to more productive routes to the very goals they espouse.

We see feminists pushing anti-discrimination or family-leave bills that will make employers less willing to hire women. And poor-people advocates supporting slum-clearance projects that kick the poor into the streets.

You cannot convince these leaders that they're taking the wrong route to their destination, because *the destination isn't what you think it is*.

To them, it's important only that the proposal *looks* good and that it makes anyone who opposes it seem cold and heartless. The point is to *act* concerned, to *appear* to care, to do something that's showy and *seems* compassionate, to seem to be on the moral high ground.

It is necessary only that they display what James S. Coleman has labeled *conspicuous benevolence* — an ostentatious display of caring.\*

Thus the organizational leaders accomplish what is showy for their members, even if nothing meaningful ever happens.

The leaders collaborate with politi-

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\* *National Review*, March 18, 1991, page 34.



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cians to get bills passed that make the leaders look good, and in turn the leaders rally their members to give the politicians job security. The process is little different from the politicians' making common cause with corporations, labor unions, and other groups that have direct financial motives.

These "special interests" are all that concern the typical politician. He makes deals with them, he votes on their behalf, and he has little interest in anything that happens outside the world of the Beltway, his colleagues, and the lobbyists.

And so seemingly inane government programs (such as foreign aid,

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*Clinton's program is not a misguided, incoherent mish-mash of conflicting purposes, failed economics, and left-wing ideology. It is a carefully crafted attempt to assemble a series of sub-programs that will cement an immense coalition of politicians, bureaucrats, corporations, labor unions, and interest groups.*

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honey-bee research, and anti-consumer regulations) begin to make sense when we realize who actually benefits from them.

And we can see as well that you won't change a politician's vote by rallying public support, appealing to his good nature, or inundating him with common sense. A politician will change course only when doing so seems likely to improve his own power and job security — in other words, when you can offer to replace his benefactors with more powerful patrons.

### The Clinton Program

Bill Clinton's program makes sense once we see it through the eyes of a politician.

It is not a misguided, incoherent mish-mash of conflicting purposes, failed economics, and left-wing ideolo-

gy. It is a carefully crafted attempt to assemble a series of sub-programs that will cement an immense coalition of politicians, bureaucrats, corporations, labor unions, and interest groups. Deficit reduction and economic stimulus are its veneer, not its goals.

Certainly Bill Clinton is one of the most deliberate liars ever to sit in the White House. It's obvious that his campaign promises of middle-class tax cuts, a line-item veto, school choice, reinventing government, and creating new jobs formed no part of his intentions. Taking office didn't expose him to the cold chill of reality; he knew what he was doing all along.

But the difference between Slick Willie and other politicians is only a matter of degree — not a difference in kind. And to think of Mr Clinton as an aberration is to set yourself up to be fooled by the next politician to come down the road.

Let's approach the Clinton program by looking first at his warm-up proposals.

The first two bullets out of the Clinton gun were the family leave bill and the "gays in the military" campaign. These are "showcase" issues — excellent examples of conspicuous benevolence. They achieve nothing useful for the people supposedly being helped. Their purpose is to allow special-interest leaders to show off for their followers — enhancing their recruiting and fund-raising efforts.

No one in Washington (except Larry King) could possibly believe employees or employers will benefit from the family leave bill. It will send some marginal companies into bankruptcy, and it will divert employers' resources away from benefits (higher wages, longer vacations, or shorter working hours) that many employees would have preferred.

The object was to pay off the leaders of feminist organizations that had provided strong support for Mr Clinton and many congressmen. The bill allows feminists to show that they have clout with the government — the power to pass a bill that ratifies the notion of a woman having both a career and a family without sacrificing anything for the privilege.

The family leave bill also is a boon for ambulance-chasers — wealthy trial lawyers who spend a lot of money buy-

ing politicians. Obviously, employers will try to avoid hiring anyone with a family, anyone young enough to be a prospective parent, and especially anyone female. This opens yet another market for law suits.\*

In addition, the bill helps large corporations by putting a comparatively larger strain on medium-size companies that might threaten them. And it means more power for the Washington anti-discrimination police.

If any congressman truly believed in the worth of the bill, he wouldn't have voted to exempt Congress from it. Last year's outrage over the "imperial Congress" and politicians "out of touch" with voters didn't seem to terrify any congressmen. This bill reaffirms that they're too important to abide by the laws they impose on the rest of us.

The "gays in the military" farce is similar. I doubt that the homosexual leaders have much desire to infiltrate the military. They simply want to flex their muscles for their followers — to show how powerful and deserving of support they are. And there may also have been some satisfaction in snubbing their noses at the American people: "We're here, we're queer, and we're going to make your life miserable."

It was a cliché of conservatives last year that the radical leftist groups had agreed to keep quiet during the presidential campaign — to allow Mr Clinton to maintain his image as a "moderate." I don't buy that. The leaders of the radical groups had to rally their members to support Mr Clinton, and any journalist knew about it and could have reported it.

It was the journalists who were silent, not the radicals. Why the journalists would do so is another story — one for another time. Suffice it to say that they had a powerful desire to see Mr Clinton elected — and they let no scruples get in the way of furthering his campaign.

### The Beneficiaries

But feminists and homosexuals aren't the only groups that must be paid off. Mr Clinton has already compensated labor-union leaders with a number

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\* Perhaps the bill was passed to please the NAASP (the National Association for the Advancement of Single People).

of unpublicized executive orders that gutted the laws the union leaders have found inconvenient.

He will push for environmental legislation to satisfy the eco-freaks — but, more important, to create vast new profits for firms involved in recycling, toxic-waste cleanup, alternative fuels,

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*If we realize that these leaders aren't necessarily motivated by the goals they profess, we can see that apparent ignorance and hypocrisy are actually cunning and consistency.*

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and the like. He is setting up a new environmental "super agency" in the executive branch — with the power to veto actions of other agencies that interfere with his supporters.

But, of course, the biggest part of his political plan is the economic package he has proposed. No one really knows all the details of the package because it's still in development; the details will be filled in as it becomes apparent which groups need which benefits.

One group consists of the corporate executives who expect to profit from his "high tech" policies. These policies won't create a single net new job; they will simply move jobs and profits from some industries and companies to others and to the government. During the election campaign Mr Clinton made deals with those executives in order to gain their public support and enhance his image as a "moderate" who's on the side of private industry.

These companies are supposed to be helped as well by Mickey Kantor, the new U.S. trade representative, who rattles his sword at Japan and Europe — ready to lop off the heads of American consumers and export industries, to reward the companies that are afraid of foreign competition.

And Commerce Secretary Ron Brown will oversee the distribution of export licenses, exemptions, and subsidies to the "Wall Street financiers, entertainment moguls, tobacco concerns, and oil companies" that contributed \$30 mil-

lion in "soft money" to the Clinton campaign.\*

There's a long list of companies, industries, organizations, and groups that eagerly await the passage of the economic program. Inconvenient competitors will be crippled, prestige will be enhanced, and boondoggles will proliferate. And federal grants to cities will enhance the power of big-city mayors who, in turn, will get out the vote for Mr Clinton in 1996.

Mr Clinton's grand economic plan offers no hope for deficit reduction or economic stimulus. But it isn't aimed at either of those ends. Its purpose is to benefit the coalition that put him in the White House and that he hopes will keep him there for eight years.

### Deep in the Heart Are Taxes

Most congressmen are with him all the way, because the core of the Clinton program is a vast array of new taxes.

We know this will hurt most voters through reduced take-home pay and a shrinking economy. And so do the congressmen who leapt to their feet to applaud these taxes.

Tax increases haven't reduced the deficit before and they certainly won't do so this time. And no congressman will be shocked when the deficit is larger four years from now. Meanwhile, most of us will be worse off — having "contributed" to an ill-fated program with no chance of success.

So why would any politician support such a program? Why anger many of his constituents to jump aboard a bandwagon that's heading off a cliff? Who benefits from higher taxes?

The politicians themselves, that's who. The increased revenues will finance new spending programs with which the politicians can pay off supporters and buy new friends.

Some of the increases — such as higher tax rates for the rich — are self-defeating and congressmen know it. Revenues from the upper brackets may actually decline — as income is diverted to non-taxable shelters. But the politicians know that "soak the rich" is only a rhetorical smokescreen. The real money will come from the folks in their

beloved "middle class" — many of whose members may find the pain more tolerable if they think the rich are hurting even more.

Congressmen are hungry for the funds that the tax increases will provide. And their supporters are hungry for the spending programs those funds will finance.

### "Public Support"

Politicians love Bill Clinton because he appears to be America's super salesman. He's out there touring the hinterlands, selling the story that higher taxes are the only way out of the worst economic crisis since the Great Depression.

How many people are buying the story is difficult to say, however. What we hear isn't the voice of the people, but a tremendous press campaign to persuade us that the public is 100% behind the president — a campaign to

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*To understand government and politics, you must realize that no congressman fears the electorate. "We, the people" hold no power over him.*

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make you feel you're the only one in America who isn't willing to pay his share to slay the deficit dragon.

Pollsters load survey questions to get answers that say, "Yes, I'd be glad to pay more to reduce the deficit or stimulate the economy" — even though the average person has no idea how much the Clinton taxes will cost him, and he has no idea (and is never asked) whether the program *will* reduce the deficit or stimulate the economy.

Every day, newspapers and TV offer supportive quotes from folks in the street to corporate executives to economists to Barbra Streisand — to let you know you're an unpatriotic misanthrope if you aren't enthusiastic about Mr Clinton's final solution.

You aren't alone, however. If you get the idea you are, watch one of C-Span's call-in programs or tune in to talk radio. Most people are upset.

But the question of public support

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\* The San Francisco *Examiner*, March 4, 1993, page A-9.

(or lack of it) is merely a diversion. Public opinion is irrelevant, because the politicians know that supporting Mr Clinton won't cost them their jobs. So they focus on the dollar signs — the new funds to play with. And they're more than happy to help Bill Clinton pay off his political debts to homosexuals, feminists, labor unions, and "civil rights" leaders — in exchange for all that fresh cash he's about to confiscate on their behalf.

**Exemptions**

And the money from the new taxes is only half the attraction for congressmen.

The other half is the life-and-death power it gives them to grant exemptions from the taxes to those who offer the most in return. The new tax bills will be full of exceptions — each designed to arrange political support from some quarter.

The "broad-based" energy tax has already lost a good deal of its broad base — with exceptions for fuels such as methanol, ethanol, and so on.

But, of course, this isn't anything new. Even the "tax reform" of 1986 contained a multitude of exceptions for one group and another. (And so does the NAFTA "free trade" agreement, every environmental law, and any other bill that affects the economy in any way.)

Tax and regulatory laws give congressmen life-or-death power over specific industries and individual companies. The power is intoxicating. A congressman entering the House when a tax bill is being considered must say to himself, "Ah, this is what it's all about."

**Cynicism?**

If you think my view of politicians is cynical, ask yourself how politics could possibly be otherwise.

As P.J. O'Rourke has observed, "When buying and selling are controlled by legislation, the first things to be bought and sold are legislators."

Would you expect people who can confiscate money from those who earn it and dispense it to other people to be angels? To expect politicians to be honest, conscientious, patriotic, or benevolent is to expect the Mafia to be run by

Dominican nuns.

The politicians comprise a gang of extortionists — unrestrained by police, laws, custom, or constitution. Many times I've heard someone say the American Constitution is a perfect instrument — if only the politicians would obey it. But of what value is a Constitution that politicians can disobey?

The problem isn't the specific politicians; they're doing only what you

we shouldn't believe for a moment that the plan was ever intended for those purposes.

The President and Congress want more tax money to spend on collaborators who want subsidies. Every dime raised by the new taxes will be spent. And, just as no drunk can stop when he reaches a preset limit of drinks, the politicians will spend more money than the new taxes generate. So we should expect bigger deficits four years from now.

The higher taxes and bigger government will most likely drag the economy to a halt. The reaction of the Federal Reserve to that will be critical. If the Fed watches from the sidelines, we could see a prolonged recession. If the Fed attempts to offset the fiscal drag with monetary stimulus, we'll see inflation again — and maybe lots of it.

It's very possible that we'll see a combination of the two situations: a sluggish economy and higher inflation — something like the stagflation of the 1970s.

All in all, the Clinton program suggests that the 1990s will be a difficult time for most people trying to make a living, but a great time for tax attorneys and trial lawyers. It also should be a good time for investment advisors — especially those who feast on hard times, although I can't imagine who would be so heartless as to try to profit from monetary crises.



would expect people in their position to do. The core of the problem is the institution of government itself — that "great fictitious entity by which everyone seeks to live at the expense of everyone else," as Frédéric Bastiat put it.

So long as legislators can make life easier for some at the expense of others, legislators will be bought and sold — and ideology will be meaningless. A government designed to "do for the people what they cannot do for themselves" will inevitably turn into one that does for the politically connected whatever they're willing to pay for.

**Gracious Living in the '90s**

Because the beneficiaries of the Clinton program have no interest in deficit reduction or economic stimulus,

**Quo Vadis, Willie?**

Whether Mr Clinton will be reelected in 1996 depends on such things as how well he satisfies his coalition, how big he can make the coalition without tipping over the government entirely, how well the press covers up for him to the middle-of-the-road voter, how determined the Republicans are to oppose him and how well they explain their opposition, and whether they can find a candidate more forceful and appealing than any of those currently in the stable.

All these factors will shift many times before 1996, so it's fruitless to forecast the outcome now. The only thing we know for sure is that the next four years won't be nearly as dull as the last four. □

## Analysis

# VAT Out of Hell

by *Chester Alan Arthur*

Knowing how much we enjoy taxes, Clinton's minions celebrated income tax day by announcing plans for a new, infinitely expandable tax.

On April 14, as Americans were sweating and swearing over their 1992 income tax returns, President Bill Clinton announced that he is considering imposition of a Value Added Tax to finance his (and his wife's) proposed health care reforms.

That is strange timing indeed. One has to wonder whether the Clintons are so isolated from ordinary Americans that they do not realize citizens feel substantial hostility toward taxes while filling out tax returns, calculating just how much hard-earned money must be paid directly to the federal government.

The Clintons' tentative support for VAT to finance health care reform came as a surprise to those Americans who believe the President to be a truthful person, presuming that among the 48 million who voted for him are some who have not yet noticed his inclination to lie. On the campaign trail, Clinton had promised a tax cut for middle-class Americans and had promised further relief to America's poverty stricken. Yet the burden of the VAT falls harder on the poor and middle class, since they spend a higher portion of their income on consumer goods. And the reason the country needs health care reform, he said during the campaign, is that health care currently costs too much. So why is it that all the other tax increases the president has proposed will not suffice to pay for his not-yet-announced health care reforms? How much money can we really save with his health care plan, if it requires an entirely new kind of tax-

tion to be created, on top of the huge tax increases he has proposed on alcohol, tobacco and energy?

Of course, those who voted for Clinton under the impression he was a truthful person are not exactly paradigms of critical intelligence. After all, during his campaign he told all sorts of palpable lies. It is safe to say that most Americans who cast their votes for Clinton believed him to be a liar whose policies would likely be less obnoxious than those of the other liars seeking the presidency.

Personally, I think selling Americans on the VAT will tax Clinton's skills as a snake-oil salesman. For one thing, 57% of voters voted against him in the November election, selecting instead candidates committed (in theory at least) to lower taxes. These voters are presumably dubious about any scheme to impose a new tax. Even among those who cast their ballots for the mendacious Arkansas politician, I doubt there will be much support for the VAT.

The introduction of any new tax is more dangerous than an ordinary tax increase because it opens a door to further tax increases. The federal income tax began in 1913 with rates ranging from 1% on incomes between \$20,000

and \$50,000 all the way up to 5% on incomes over \$500,000. Remember that this was before government-induced inflation had eaten away at the value of the dollar: a daily newspaper cost 2¢, a daily wage of \$5 was considered to be very high, and a \$20,000 income was roughly equivalent to \$350,000 today. At the time, fewer than one American in a hundred had to file an income tax return at all.

Once the tax was established, politicians began to view people's incomes as a source of revenue to be tapped at will. Within four years, the maximum rate had risen to 77% and before long, some taxpayers were paying rates of 92%. At the same time, exemptions were reduced and more and more Americans were subject to the tax. Today, virtually all Americans pay income tax.

Most Americans are aware of a politician's propensity to raise any tax at any chance he gets, and are reluctant to subject themselves to new forms of taxation. I live in Washington, one of eight states with no income tax. Politicians have long promised to lower the state's outrageously high sales tax rates if voters would amend the state's constitutional

prohibition of an income tax. In neighboring Oregon, one of five states with no sales tax, political leaders have promised to cut that state's outrageously high income and property taxes if voters would stand for a sales tax.

In both states, enactment of the new form of taxation has been supported by big business, labor unions, government employees, and many politicians. But the voters of both states have repeatedly refused to allow the new form of taxation out of the well-founded fear that the new tax would grow out of control once the state got its foot in the door. I suspect that this good sense is not confined to the Pacific Northwest.

For another thing, the public is beginning to wise up to Clinton's health care plan. Sure, all Americans want to have first-rate health care to be paid for by someone else. The public sucked up Willie's and Hillary's talk about benefits — i.e. lower out-of-pocket costs for health care — as long as the cost of the program would be paid by increased taxes on relative minorities like smokers and drinkers. But most Americans dislike the notion of paying for their health care in the form of higher taxes on themselves, and dislike even more the notion of paying for other people's health care.

Why do those who favor a bigger and more powerful government support VAT? There are five reasons.

First, they tend to favor any new tax, on the grounds that you can't raise a tax until you establish it.

Second, they like VAT because it is extremely hard to evade. Because it requires businesses to report the cost of each product they sell and the value

they add to it, evasion is almost impossible. It was first imposed in France in 1954, where people traditionally believe that tax evasion is morally acceptable or even morally good. It quickly spread to other nations in southern

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*All Americans want first-rate health care to be paid for by someone else. But most Americans dislike the notion of paying for their health care in the form of higher taxes.*

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Europe where taxes are perceived in a similar fashion.

Third, they like VAT because it provides a steady flow of income, even during recessions and depressions, when other tax revenues fall. If your income falls to nothing, the government cannot charge you any income tax. But VAT is included in the price of food and other necessities of life that you must buy even if you're living off charity or savings.

Fourth, they like VAT because once enacted, most people don't notice they are paying it. VAT is included in the price of everything everyone buys, it is almost invisible to most citizens. Taxes people don't see, they don't complain about.

Fifth, and perhaps most important, they like VAT because it places most of

its burden on the poor and middle class. When the famous bank robber Willie Sutton was asked why he robbed banks, he answered, "Because that's where the money is." The United States is a middle class society, and the middle class owns most of the property and earns most of the money. Taxing the rich is a fine way to get the votes of envious poor people and middle class people, but it doesn't really raise very

much money.

The VAT puts a huge burden on business enterprises, especially small businesses. The one place where it has been tried in the United States is Michigan, where a variation of it is called the "Single Business Tax." During its first couple years it forced many small businesses into bankruptcy and left virtually all businessmen mystified by its complexity. It was enacted there 16 years ago by an alliance of big business and the labor-controlled Democratic Party. The Democrats liked it because it gave them more loot to spend on their various schemes; big businesses liked it because it reduced their taxes considerably. (Large enterprises, with their sophisticated computer systems and armies of accountants, were also more able to handle its complexity and project its costs).

Besides costing middle-class taxpayers very substantially, its enactment at the federal level would certainly do serious harm to small business, the sector of the American economy that shows the most vitality and is responsible for virtually all job creation.

Once this door is open, advocates of a bigger and more powerful government will move to open it wide and wider. Where the VAT is well-established, it has followed the course our income tax followed: in Sweden today, the VAT rate is 25%.

But I doubt it will be enacted. I suspect that voters nationally will show the same common sense as have the citizens of Washington and Oregon. Maybe a full 43% of them did vote for Bill Clinton, but I doubt they wanted to open their pockets to an entirely new kind of tax, because they understand that a new kind of tax will mean higher taxes in the long run.

Advocates of VAT often claim they are seeking a fairer, less economically destructive method of taxation. If they are sincere about this, they should offer real and permanent cuts in other taxes. If they offered VAT as part of a package including a constitutional prohibition of the income tax, maybe even I would support it.

But don't hold your breath waiting for VAT's advocates to make such a move. They are not looking for fairer taxes. What they want is higher taxes. □



"No, I don't want to know what you would do about the economy!"



## History

# The End of What?

by Sheldon Richman

There was no *laissez faire* in the '80s, and thus none for Clinton to repeal . . .

Of course it was inevitable. President Bill Clinton said as much in his two speeches introducing his economic program. But he hadn't quite used the words. Then on February 28, in the Outlook section of the *Washington Post*, James Fallows — that master at packaging fascism as benign historical necessity — gave them to us: "Farewell to *Laissez Faire!*"

Fallows' article was a paean to Clinton's deftness in accomplishing a paradigm shift of the kind described by Thomas Kuhn in *The Structure of Scientific Revolutions*. For Fallows, the greatness of Clinton's program is not in its deficit-attacking features; with its big tax increases, new spending, and largely bogus spending cuts, the program, writes Fallows, "has its limitations." (I think we can go further: the notion that fiscal discipline can be imposed on the government by giving it more revenue is something out of *Alice in Wonderland*.) No, for Fallows, Clinton's singular achievement is in changing the public debate from the terms set by Ronald Reagan in 1980: "The first [paradigm Clinton changed] is the concept of pure *laissez faire* — the idea that whatever happens in a free economy is by definition the best thing that could have happened, since if there were any better alternative, market forces would already have brought it about." How is that for a summary of the Reagan-Bush years? If that is how Fallows sees the period 1981–1992, I am tempted to believe that Haynes Johnson's title for his

book about Reagan applies literally to Fallows and his kind: sleepwalking through history.

Most university economists, Fallows lamely explains, don't believe in *laissez faire* "since so much of their research concerns the reasons markets don't work the way they should." As if no rival explanation is conceivable, he offers this example: "The 'market' that sets executive salaries consists of boards of directors, many of whom are friends of the executives in question or executives of other companies themselves; in general they have factors other than pure economic efficiency in mind." But Fallows and his ilk rarely look at the *politics* of that market. For instance, they criticize Michael Milken as an exemplar of the age of greed, never noting the legitimate function Milken performed in the heavily regulated market for corporate control, how Milken imposed discipline on complacent corporate managers by threatening to yank "their" companies from under them. By virtually shutting down the takeover movement with the attack on Milken and so-called junk bonds, the government made the world safe for the corpulent executives

Fallows enlists in his crusade against capitalism. His other enlistee is the Boeing company. Its problems at the hands of Airbus, for Fallows, are proof positive that the scoffers at industrial policy are wrong. (How come it never occurs to these over-educated pundits that before we conclude that Boeing can't compete with Airbus we might try *actually letting* it compete?)

While the economists lodged in the universities may know that markets don't work, Fallows says, "the Cliff's Notes version of economics that filters into politics — through speeches, columns, newspaper editorials — has for the last decade taken the simple view of *laissez faire* as generally and self-evidently true." It is this simple view that propelled the Reaganauts. Bush continued to build on that saggy foundation, but Fallows manages to find signs of the coming paradigm shift, particularly Bush's venture into semiconductor industrial policy. Here Fallows is obviously letting his theses drive his selection of evidence. Bush was not the first to talk *laissez faire* but walk industrial policy. Ronald Reagan did it. Three months into his administration, Reagan bullied the Japanese

into accepting "voluntary" quotas on auto exports — exactly what Bush did with computer chips. Reagan approved the Chrysler bailout during his 1980 campaign and also fathered "voluntary" restraints on foreign steel shipments. He was the most protectionist president since Hoover, signer of the infamous Smoot-Hawley.

Dressing up industrial policy with the rhetoric of capitalism didn't begin with Reagan. Has Fallows never heard of Richard Nixon? What Fallows identifies as paradigm shift is something much less impressive. It is more of a rhetoric shift, though even this is not so dramatic. Reagan used to say that government was the problem not the solution. But Bush was never accused of

saying that. His inaugural address was a sharp slap at the idea.

There was no *laissez faire* in the eighties, so there was none for Clinton to repeal. Not that any attempt to clarify the last twelve years will do any good. Fallows is merely riding the wave when he says that the age of *laissez faire* is now over. Most people really believe 1981-1992 was a time when government uncaged the robber barons. Government was slashed, the economy was deregulated, the rich had their taxes cut, and the little people were left to face the cruel winds of Social Darwinism with barely a food stamp to keep their children from harm. Who will listen to the small voice that says it ain't so?

I am reminded of 1980 when libertarians debated whether it would be better for Reagan or Jimmy Carter to win the election. Most believed Reagan was the better choice. I had serious doubts, which I put into print. My argument was that Reagan couldn't be counted on to move in a libertarian direction, but his words, eloquent at times, would have everyone thinking he was moving that way. That is precisely what happened — and I don't believe it took special acumen to foresee it. All it took was a lack of wishful thinking. For all his talk, Reagan did not assault the government. His famed 25 percent cut in marginal rates in 1981 was followed by the then-biggest tax increase in American history; it was sold to the American people as part of a deficit-cutting plan that was supposed to have large spending cuts — but didn't. The government's take of "national" wealth barely changed in the Reagan years, and its spending increased, in domestic as well as military programs. Most cutting was off future increases (just like Clinton's). The pace of new regulation slowed

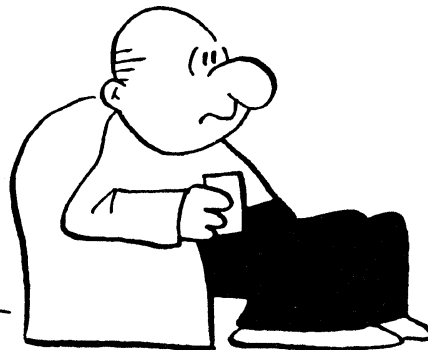
than income tax. (This is the looting of the middle class that Clinton alludes to but never names — because his party supported it.) Let us not forget Reagan's crowning achievement, which occurred before the election. He foisted George Bush on America. And it was with Bush that real domestic spending grew faster

*How come it never occurs to these over-educated pundits that before we conclude that Boeing can't compete with Airbus we might try actually letting it compete?*

than under any president since John Kennedy (and Congress did not spend all he asked for), and new regulations cascaded from the agencies. Then in 1990, he broke his no-tax pledge and conspired with the felons and purloiners in Congress in another "anti-deficit" plan that raised taxes and gave us larger deficits.

After all this, most people think that the eighties were a time of small government. Small government gave us scary deficits, greed unbound, higher taxes on the middle class, and a recession. That will not stand, says Bill Clinton. The party's over. No more something for nothing, by which he means no tax cuts without obligations. *Laissez faire* is dead. It had its last test and it flunked. The government must be trusted, because the free market cannot. That is the lesson of the eighties. The people are buying it.

Were we set up? □



"AAAAAARGH! — Details at eleven."

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## Clarification

# Happy April 15th!

by Jonathan Saville

The nation suffers from a shortage of goodwill, foresight and public spirit — in sum, the nation suffers from *libertarians*.

I don't know who these libertarians are, and I don't want to know. But they must be sick. Who else but a sick person would want to protest the day our taxes are due?

The scene at the Main Post Office in my hometown of San Diego on the evening of April 15 is the most thrilling imaginable. Faithful post office employees line Midway Drive with big postal baskets on wheels, to catch those last-minute tax returns that somehow seem to come along every year at this time. Citizens who want to obey the law about filing before midnight drive along the wide street and toss their envelopes through their open car windows into the waiting bags.

What a romp it is! Many taxpayers bring their whole family along for the outing. Children love the bumper-to-bumper traffic, lined up for blocks with the drivers patiently waiting their turn to support their government. "I hear America singing, the varied carols I hear!"

The excitement rises as the hour gets later. Finally, just before midnight, postal employees start rushing the brim-filled mailbags back into the building. Then you will see drivers stop their cars in the middle of traffic, leap out, and sprint after the disappearing baskets, waving their letters to the IRS like patriotic banners. Who will win the race, the post office workers or the taxpayers? The fellows make it into a game.

It is a game some taxpayers enjoy so much that they file at the last min-

ute just for the challenge — "because it is there," as somebody said about climbing the north face of the Eiger. And when time runs out on them, and the post office door slams in their face on the stroke of twelve, what do these Americans do? They shrug their shoulders and laugh, like the sportsmen they are. They will live to file another day, and a late penalty of five percent per month is a small price to pay for what Ross Perot has called "the most gut-gripping gamble outside of Las Vegas."

Now, what I want to know is, why do sourpuss libertarians want to throw a blanket of discontent over this ritual by marching up and down in front of the Post Office with signs reading "Less Tax Equals More Liberty," "No More Income Tax," "Abolish the IRS," "Had Enough? Vote Libertarian," and "Von Mises Saves"? Don't they realize that paying taxes can be fun?

And not just fun. I consider it an honor to divert part of my income to support public services and to allow my government to hold its head high. It's like supporting my old Dad, or my own brothers (even the one in jail) — something a decent human being just has to do. Libertarians make a lot of

what they call Tax Freedom Day: the date on which you start making money for yourself, having turned all your income from January 1 up to that point over to the federal or state government. While in 1930 (they tell us) Tax Freedom Day was as early as February 13, by 1992 — in California — it had worked its way all the way up to May 9, and it's still advancing.

What a bunch of cry-babies! The best months of our lives are the ones we give toward earning our tax liabilities. When Tax Freedom Day arrives, and I know that every penny I take in the rest of the year is mine to keep, I feel empty inside, as though I were breaking my back for no purpose. What my deepest soul yearns for is the day when Tax Freedom Day shall be no more, when finally we will be able to turn 100% of our income over to the tax-collectors. Then at last I'll feel that my life has meaning, from January 1 all the way through to December 31. But try to explain that to a cheapskate libertarian!

The problem is that our federal, state, and local governments have simply not been able to come up with ways to get absolutely all our money. It's not for want of trying — no, it's

their timidity and their lack of imagination. Why don't they listen to me? I can provide them with ideas for enough new programs to justify income taxes of 150%!

First, I would institute Misfortune Subventions (MS). The principle here is that any time anything unfortunate happens to anybody, government is responsible and has to pay. People born ugly will get Ugliness Subventions, with good-looking people paying the extra taxes to finance the program. It's only right, after all: bad luck is inherently inegalitarian and unfair, and only government can make up for nature's wrong.

I also would initiate WPBH (Welfare Payments to the Broken-Hearted), with a sliding scale of payments to the victims of unhappy love affairs depending on how many hours of sleep they lose per night. And we should expand Criminal Rehabilitation Services (CRS), with bonuses for drug and alcohol problems. I believe a country has no self-respect if it doesn't spend at least half its GNP on compensating criminals for their misfortunes.

The U.S. government should provide total financing for a minimum of two dozen foreign countries from all over the world, but especially the neediest, the greediest, the most corrupt, and

the most incompetent. We should support their economies, supply their military with weapons, and send over hordes of advisors to teach them the principles of American democracy, so that one day they can learn to exact 100% income taxes from their own people.

Finally, we Americans should renew our commitment — heart, soul, and mind — to officials of our own government. The more programs, the more officials — and what could be better than that? As Lyndon Johnson once remarked, over a Wild Turkey on the rocks, "For every new level of bureaucracy, a star is born." We should fill the sky with galaxies!

And no libertarian penny-pinching about salary scales. In a well-run Democratic-Republican government, of-

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*I would initiate WPBH (Welfare Payments to the Broken-Hearted), with a sliding scale of payments to the victims of unhappy love affairs depending on how many hours of sleep they lose per night.*

officials should not be paid what they deserve, they should be paid *far more* than they deserve. That is the most effective way to keep them from taking bribes and stealing from the public till. Outrageously high governmental salaries promote public morality, something even grousing libertarians must admit is a worthy goal.

There is only one drawback to the 100% income tax. If the government takes all our money so that not a penny passes through our hands we will lose the pleasure of filing income-tax returns at all. The whole wonderful patriotic sport of midnight sprints at the post office will be nothing but a memory, along with other outmoded American myths such as personal liberty, self-reliance, rugged individualism, and the open market.

But there's no gain without pain — something those wrong-headed tax protestors have never gotten around to learning!

## Report

# It's the Pork, Stupid

by Randal O'Toole

April is the cruelest month, breeding politicians out of the dead land, mixing memory with desire, stirring dull minds with the belief that "something for nothing" is a principle of nature. Case in point: an event in Portland, Oregon, April 2, 1993.

Most observers at the President's Conference on Northwest Forests, sensitized to the polarization between the timber industry and environmentalists, focused on whether the spotted owls or loggers were winning, or which were getting in the most "hits." Perhaps because I just got back from Washington, DC, my focus was a little different.

In downtown Washington, shabbily dressed panhandlers occupy nearly every street corner, seeking donations from the lobbyists, financiers, and diplomats on their way to work or lunch. Some of the panhandlers sing, some tell stories ("I need another quarter for busfare"), some just hold out paper cups. Many people are disgusted by the beggars, but the panhandlers apparently earn enough to keep going or there wouldn't be so many of them.

A much more respectable, yet far more destructive, form of panhandling takes place over at the Capitol. Well-dressed lobbyists line up before Congressional committees to sing their songs and tell their stories about why the taxpayer should pay for their pet projects. I was far more disgusted by them than by the beggars outside, though I suspect I am eccentric in this respect.

Nearly everyone appearing before the Interior Subcommittee hearings of the House Appropriations Committee, whose hearings I attended the week before the forest conference, asked for more money for some park, forest or range project. The testimony became very predictable: a park association

asks for money for their park, a hardwood manufacturer association asks for more money for hardwood research, an environmental group asks for more money for buying land.

A few people asked that the committee spend less on one item and more on another. I was the only one who wanted an overall reduction in spending. The committee just laughed at the idea.

So as the forest conference approached, I had pork on my mind. Just before the conference, I wrote a policy paper predicting that at least four pork programs — thinnings, ecosystem restoration, increasing payments to counties, and banning log exports — would be proposed. They would cost taxpayers hundreds of millions of dollars, I suggested, while doing little good for the environment.

All of these and more were proposed at the conference. It turns out I had underestimated the creativity which people would use to design pork barrel projects. Many people talked about "incentives." Not market incentives, but tax and subsidy incentives.

Here are a few examples:

- John Gordon, member of the

"Gang of Four,"\* wanted money for habitat restoration and more money for research. (Ask a researcher what ought to be done and the answer will always include more research.)

- Jim Sedell, hydrologist and honorary Gang of Four member, suggested we begin watershed planning. (We wasted billions on forest planning, but drawing the planning units along watershed boundaries will magically fix the problems. Sorry. Been there. Done that. Doesn't work. The Forest Service did watershed planning in the 1970s and it was as inept as anything a Soviet planner ever tried.)

- Ecologist Jerry Franklin suggested that we train and hire rural people to do forest monitoring. (What happens to the workers when we run out

\* The Scientific Panel on Late-Successional Ecosystems, four eminent scientists charged by Congress with developing plans for management of northwest old-growth forests. They developed 32 different management options, all consonant with their conclusion that all remaining old-growth forest needs to be preserved to assure a high degree of viability for old-growth species.

of money for such monitoring? I asked Jerry. "We won't ever run out," he said, "the government can just print more." Remember when they said we would never run out of old growth timber?)

• Bob Lee, a forest sociologist, wanted to do "community-based planning." (See above. One problem with planning is that we don't trust anyone to do it — not planners, not economists, not communities, not governments, not corpo-

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*Clinton listened, he asked sensible (if pre-programmed) questions, and he hardly ever appeared bored.*

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rations. If no one can be trusted to do something, why do we keep wanting to do it?)

• Meca Wawona, an ecosystem restorationist from the California Redwoods, wanted to spend billions on restoration, to do for the Northwest what the Redwood Park bill did for northern California. (But just what is restoration? I am sure that, to some, it includes road construction, clear-cutting, dams, and all kinds of other activities that Meca does not want. No matter how carefully designed, a pork barrel is a pork barrel is a pork barrel.)

• Bob Doppelt, of the Pacific Rivers Council, put some numbers on his proposal: \$750 million for fish habitat restoration. (I wonder if Bob knew that a fish biologist in Douglas County told Bruce Babbitt that "what the fish here need most is three more dams." I am sure that was music to the ears of the former Arizona governor and longtime supporter of the Central Arizona Project.)

• Roslyn Heffner, a vocational counselor, suggested tax breaks or reduced workmen's compensation for companies that hire unemployed loggers (making everyone else pay their share).

• Chad Oliver of the University of Washington, hinted at tax breaks for timber companies practicing New Forestry (old subsidies for new forestry?).

• Not to be outdone, Brian Greber, of Oregon State University, promoted tax breaks for companies engaged in "growth" industries such as compos-

ites. (If the industry is doing so well, why does it need our money?)

Not everyone wanted pork. When University of Oregon economist Ed Whitelaw was asked about log exports, he acted embarrassed that he didn't have any pork to offer; he just muttered something about leveling the playing field with Japan, which has higher tariffs on imports of processed lumber than raw logs.

If the environmentalists seemed more subdued than the rest of the presenters, it was partly because most of them weren't offering the President any juicy bits of pork that he could hand out to the Northwest. Andy Kerr briefly mentioned fixing the Forest Service's incentives, but also wanted to ban log exports. Felice Pace went so far as to urge that the market should be left alone.

To paraphrase Al Gore (who noted that "it probably isn't a coincidence that all of the senators opposing the President's pork barrel — I mean, economic recovery package — are Republicans"), it probably isn't a coincidence that most of the invited speakers advocated some sort of pork. For the first time since at least 1969, we have a president who truly believes that pork barrel is good for the economy, that government can solve problems, and that the democratic process counts for more than economic substance.

But the forest conference wasn't really about pork barrel, any more than it was about spotted owls. The conference was about process.

What other president would drag his vice president, four cabinet secretaries, and assorted other top officials all the way across the country to hold a town meeting discussing essentially a local problem? Franklin Roosevelt, maybe? Probably someone well before him.

One reason this seems so unimaginable today is that the federal government is so much bigger than it was a few decades ago. When Franklin Roosevelt took office, the entire federal budget was not much more than the Forest Service alone spends today. Roosevelt and presidents before him could take the time to deal with local or peripheral problems. Not today. The \$3.5 billion per year Forest Service budget is barely a gnat's eyelash on the brow of the federal giant.

But Clinton took the time. He lis-

tened, he asked sensible (if pre-programmed) questions, and he hardly ever appeared bored. The questions that Gore and the cabinet secretaries asked appeared to be mostly off the cuff, and dialog was minimized more by the nervousness of the presenters than the loftiness of the president and his team.

So Clinton was doing far more than just keeping a campaign promise. He was sending a signal about his style of presidency and his idea about what government can and should do.

This signal should cheer those with boundless faith in the wisdom of democracy and the ability of the people to discern good from evil. I have no such faith. "The people" are a bunch of individuals who spend most of their time dealing with their own interests and who avoid government like the plague, except when it hits them in the face. When they vote at all, they vote for a pretty face, a familiar name, or a catchy slogan, or against a check-bouncer or molester. Social, economic, and foreign policies are too much for any one person to understand, much less all of the voters.

Clinton knows this. Instead of relying on the wisdom of the people to solve Northwest forest problems, he is

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*Clinton will protect lots of acres of land to keep the environmentalists happy, provide job retraining programs to keep the workers happy, and a few tax breaks and guaranteed timber sales to keep the corporations happy.*

---

going to rely on his own instincts. He will not come up with a "compromise" that pleases no one. Instead, he will use pork barrel to please as many people as possible, knowing that the ones who will have to pay for it are too busy with their own interests to get very upset.

Clinton's plan, it is clear, will be to protect lots of acres of land to keep the environmentalists happy. He will have all kinds of employment and job re-

*continued on page 52*

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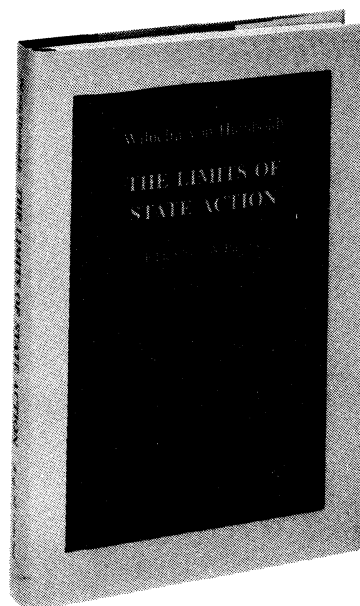
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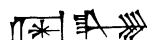
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1943

*The Watershed Year*

*In 1943, a handful of books appeared that helped nourish the revival of the individualist political movement in twentieth century America: most prominent among them were Isabel Paterson's *The God of the Machine*, Ayn Rand's *The Fountainhead*, and Albert Jay Nock's *Memoirs of a Superfluous Man*. These voices broke the silence, sounding out for personal freedom during America's most collectivist era.*

*Nock was well known to the "remnant" (as he called it), in no small part because of an earlier work, *Our Enemy, The State*, and for his valiant work as editor of *The Freeman* and *The American Mercury*. His *Memoirs* are, like Rand's 1943 novel, idiosyncratic, yet widely recognized as a classic 50 years later. What better way to celebrate its anniversary than to print, for the first time, the very words of Nock himself?*

## Lectures

# Understanding the State

by Albert Jay Nock

When one mentions Albert Jay Nock, what most likely immediately comes to mind is his hatred for the State. Consider his well-known quip:

Taking the State wherever found, striking into its history at any point, one sees no way to differentiate the activities of its founders, administrators, and beneficiaries from those of a professional-criminal class.<sup>1</sup>

Nock's first attempt to present his views on the State appeared in a six part article in *The Freeman* in 1923. Probably his best known book is *Our Enemy the State*, published in 1935. It is certainly true that Nock wrote a great deal about the State. Under his editorship, *The Freeman* (1920–24) was well-known for its anti-statist views. Publisher Benjamin W. Huebsch described Nock's series as "summing up this paper's attitude towards the State." His columns in the *New Freeman* in 1930 and 1931, and in the *American Mercury* between 1935 and 1939 (under the column-heading, "The State of the Union") were similarly strongly pre-occupied. The four lectures published below are the last known sustained comments Nock ever made on the State. The similarities and differences they have with his earlier essays make them interesting. They also give us a glimpse of a conversational style quite distinct from his well-known stylistic acumen.

Nock's vehemence about the State made it stand out above other, equally important, concerns. He sometimes seemed to have lost sight of the positive things he really valued. His readers often saw only his

negativity and his seemingly sole focus on attacking the State. There was in fact a great deal more to him. He was deeply concerned about excellence, freedom, and individualism. He had an abiding regard for the preservation of the best of civilization and the promotion of a "humane life." Individual responsibility and moral autonomy were key to a code of action summarized in the title of one of his best essays, "On Doing the Right Thing." Nock's emphasis on society, the "economic means," and "social power," hinted at a positive alternative to State power that we might describe as *Civil Society* today. In the end, though, Nock's own anti-statism has distracted friends and foes alike from his much broader, and indeed quite radical, social criticism.<sup>2</sup>

And so, there is something terribly incomplete about such a narrow focus on the State. A little over a year before Nock gave the lectures reprinted below, Harvard professor Carl J. Friedrich pointed out the cost of demonizing the State. He explicitly linked Nock with an American tradition that included Jefferson, Emerson and the I.W.W. Obliquely referring to Nock's book, Friedrich wrote:

But if the state is chided as "our enemy," this is in fact only the reverse side of the same medal, — for it amounts in fact to a devil theory of the State. Now the State as Satan is still the State as Leviathan, only looked at with disapprobation. While the disapprobation is an improvement from one viewpoint, the satanic view is nevertheless objectionable, because of its exaggeration of the modern state's place in man's life. While from our



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50 Years of the Freedom Philosophy

vantage point, it may not exaggerate the State's place, it certainly can send one down a road with no alternatives and positive proposals.<sup>3</sup>

*So there is a danger that these previously unknown lectures on the State might merely solidify a narrow and unfortunate perception of Nock's broader brilliance. One might prefer, for example, to publish Nock's nearly completed study of Alexander Hamilton; it might have been a fitting contrast and complement to his wonderful Jefferson. There were apparently several other manuscripts he destroyed just before his death in 1945. Such is life, and those were his wishes.*

*Nevertheless, these lectures are delightful little pieces quite different from the polished style for which Nock is known. Delivered just after his 70th birthday, they do round out his views of the State. They will surprise those readers familiar with Nock's writings, for here we have him speaking to us. What is printed below is taken from a transcript of his actual lectures; the four lectures are long and are often awkward, as is common with spoken presentations. Nock was a consummate stylist; his writing is justly regarded as among the finest in American letters. *Memoirs of a Superfluous Man*, for instance, is a recognized classic. While there is something quite attractive about these very colloquial, almost off-the-cuff lectures, Nock no doubt would have been acutely embarrassed to see them in print.*

*These lectures are undoubtedly affected by other factors as well. They were presented toward the end of his life, and he may not have been well. They were also presented to, for lack of a better term, a lay audience. They were meant to be introductory excursions, not in-depth discussions. In keeping with Nock's predilections, they were meant merely to get the people in his audience thinking. Any condescension was just part of Nock's personality. These factors may account for a certain lack of perspicacity and for their sometimes wandering nature. I doubt very much whether Nock had prepared comments. At most he may have had some notes.*

*These lectures were found during research for my collection of Nock's essays publishing in 1991 by Liberty Fund, *The State of the Union: Essays in Social Criticism*. They had been transcribed and filed away, undiscovered for nearly fifty years. Nock gave them at the Henry George School of Social Science in New York City. They were given on October 29, November 12, November 19, and November 26, 1940.*

*The original transcript is incomplete and nothing is known about the circumstance of its development. I have edited it only very lightly. I made some of the long and awkward statements more easily understandable by adding or changing the punctuation the transcriber used. I corrected mistakes and adjusted lacunae in the transcript. As you will see, the lectures remain the spoken presentation of Albert Jay Nock. What is presented here is virtually identical to the original transcript.*

— Charles H. Hamilton

am neither interesting nor entertaining in the first place, and in the second place, the subject is not entertaining at all. It is a very difficult one. I will tell you why presently and I will show you why. And so I can only do with you as I used to do in the old days when I was a university professor of politics and American history [Bard College, 1931–33]. I shall talk with you very informally and we will get on as best we can.

I do not presume to tell you anything. It would be rather impertinent, and I do not think anybody can ever tell anybody else anything effectively. The most that one can do is to put a person in the way of getting something for himself. What education you get is what you pick up and store away. It is not what somebody throws at you. And that is all that I am presuming to do in these lectures, all I ever would, as a matter of fact, presume to do.

**T**he subject is the State and I think we would best know what it is we are talking about. We are not talking about the State as a political unit. We are not talking about New York State, the State of Pennsylvania, or anything like that. Nor are we talking about any species of State. We are not talking about the monarchical State, the Republican State, or anything of that kind. We use the word as a genetic word under which all these are grouped. That is where the difficulty comes in, when you are asked to regard the State as an institution, because it is very difficult to get an objective view of anything that is born into you. As much as anything, because you don't try, you don't have any curiosity about it. We cannot think where we have no curiosity about it.

Now, you were born into the State. For that reason it is a very difficult thing to envisage it as an institution. When you are born, the State takes cognizance of it and gives you a certificate. The doctor who attends your mother is certified by the State. If you are born in a hospital, the State supervises that hospital. You grow up a little and set about trying to educate yourself. Well, the State supervises that. All the way through school and college the State has control all the time over the institutions that you attend. And if you meet some likely young man, or some likely young woman, and think about getting married, the State supervises that.

If you go into business of any kind, the Lord help you. The State tells you what you can do, what you can't do, and sits at your elbow to see that you do not do this and you do that. The State taxes you very severely, takes away your profits at its own will. After you have had about enough of that sort of thing and get ready to fold your hands, the State doesn't let you die without taking cognizance of that. It issues the death certificate and you can't be buried without a permit from the State.

Being in so intimate association with the State all through one's life, one takes it as a matter of use and wont, and hasn't any curiosity about it.

We might go back four hundred years to a time when the State was very weak. It hardly touched the individual at all anywhere. There was another institution that did touch him. That was the Church. The Church was exceedingly strong and every individual was documented into the Church and into his grave and presumably into the Kingdom of Heaven, or somewhere else, exactly as one is documented by the State today.

## ONE:

### LECTURE *The Nature of the State*

There are many more of you here than I expected to see. I was counting on a dozen perhaps or something like that. I am very glad that you are here, of course, but I feel a little embarrassed because it may be that you are expecting something that I may not be able to give you: something in the way of a popular lecture, something interesting or in the way of entertainment. I can't give you that because I

1943

*The Watershed Year*

As you know, with the weakening of the Church, the State began to grow in power. Men began to think in terms of secular politics and for a time there was a very superstitious holdover of vestiges: that the State derived its being from God and that the ambassadors of the State exercised their functions by what was called divine right. Sir Robert Filmer of England wrote a very eloquent treatise on that. Later on the idea began to spread that the State derived its authority from the people. The French Revolution exploded that idea all over Europe so that is the current theory in those countries that call themselves republics.

Then it was that people began to raise questions about the origin and character of the State. How did the State come into

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*What education you get is what you pick up and store away. It is not what somebody throws at you.*

---

being? If it is a divine institution, if it was something taken up in Almighty hands and planted here, that is one thing. That idea is gone and the State is presumably deriving its authority from the people. Where did this institution originate? What is its primary function? Several people had answers for that. Rousseau had one, the American economist Carey had another, as did Hobbes, and so on. Rousseau thought the State originated in some form of social contract, some agreement among persons who had formed a society.

It never occurred to anyone until the latter part of the last century to apply the historical method to those questions. The historical method being this: to go back on the trail of the institution as far as there was any record available and analyze its appearance at every possible point in its progress to see what the factors were in its composition. As you know, in studying any relation of cause and effect, if you find a single invariable antecedent, that is very probably the cause of the effect you are studying. Anyway, these are the things you turn to in the first instance and examine with the greatest care.

A professor at Graz, Austria, [Ludwig Gumplowicz, 1838–1909] was the first to employ this method, although one or two scholars had fought over adumbrations but they were mostly speculative. All these efforts to answer questions regarding the genesis and function of the State before the time I speak of were pure guesswork. Rousseau made the best guess he could, but it was a guess. It was not until the historical method was applied that any real light was shed on the State's origin.

A single invariable antecedent was found. Every association of human beings has established some sort of regime, and there are two historical regimes that were entirely unlike when subjected to analysis.

I wonder which one I had better begin by describing. Perhaps the simpler. In certain regimes — as Mr Jefferson found among the Indians — there was a very high type of social organization. But the actual regime — what we might call the political regime — contemplated only those crimes and ir-

regularities which are put down by the common conscience of men, pretty much all over the world, as being such. These regimes interfered no further with the individual, no further than that. For example, take the Indians as Mr Jefferson found them. Their institutional regime punished murder, arson, assault, fraud, theft and such crimes as the Scottish philosophers say the conscience of mankind designated as crimes. Beyond that there were no categories of crime. The institution didn't interfere with the individual at any other point.

There was one exception. They punished adultery. Now there has since been a change in the view of the status of women, a considerable change. The punishment of adultery in those communities was then on the theory that a woman was property. So in disturbing marital relations you were infringing on a right of property and that has come down curiously into our law and into some of our ceremonial practices. For instance, there is the Church of England and its American agency, the Episcopal Church, where the status of women as property is maintained from beginning to end of the marriage ceremony. She comes into the church as the property of her father and the Church asks "Who gives this woman to this man." The father says "I do," and she becomes the property of her husband. That is an interesting angle and our laws have a similar vestigial holdover in the provisions they make against adultery and against sexual relations between unmarried persons.

Elsewhere, there was something very different, a second type of regime which had a very distinct origin, very distinctly discernible, which the other had not. And it filled a primary function which the other did not fill. It originated invariably in conquest and confiscation which the other did not. Its primary purpose, everywhere it was found, was to maintain the stratification of society into an owning and exploiting class, and a propertyless and dependent class.

The first type of regime, the one prevailing among the Powhatans, the Mannahoacs, and the Monacans of Virginia, as Mr Jefferson testified, was nothing like that at all. It didn't originate in conquest; there was no confiscation of anything; and the society was not stratified in that way.

Well, to account for those differences between regimes, some people began looking back to see what the sole invariable antecedent of that fact was, just as men did in the case of certain tropical fevers, the Dengue fever, for instance. It was thought for a long time that a person got it by contagion, but there were later instances of contagion where the person exposed did not get the fever. After a while, someone thought of tracing its origin to the bite of insects or mosquitoes. That was done but a lot of people who were bitten by mosquitoes didn't get the fever. But they did find that the bite of one particular kind of mosquito was invariably followed by a case of Dengue fever. That was positive evidence. Then they took negative evidence; people who were bitten by all kinds of mosquitoes except one didn't get the fever. That was negative testimony.

So the historical method began by hunting out the sole invariable antecedent. It was found in the opportunity for exploitation, the opportunity for economic exploitation. With the one type of regime there was no such opportunity. For ex-

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ample, in the hunting tribe there isn't any way you can make a man hunt for you. He'll go off in the woods and forget to come back, so that economic exploitation was not possible. And wherever economic exploitation was impossible, this particular type of regime prevailed under which the individual was perfectly free. So long as he didn't steal, didn't kill, didn't burn somebody's place down, or didn't commit some kind of violence, the State did not interfere.

On the other hand, wherever there was opportunity for economic exploitation, you found the State exercising control — a great many measures of control — over the individual with a view of maintaining this division or stratification of society into two classes. The conclusion is obvious, that exploitation was and is the primary function of this type of regime. You all get that distinction clearly, don't you.

Now it seems to me that it might be a very good idea to give the one type of regime the name of government — the Indians had government, certainly — and call the other type the State. That may be arbitrary but at all events it will be useful. The State then is a human institution. It is not divine; we don't take any stock in that anymore. It's an institution which invariably originated in conquest and confiscation. That is the first point I would ask you to remember.

When William of Normandy came over to England in 1066, the first thing he did, you know, was to occupy the land. And of course, as you know from your studies here in this school, any person who preempts and occupies the land controls the labor of everybody who is living on that land. He divided up the land into baronies and distributed it around among those other *banditti* that he brought over with him. They constituted an aristocracy and made the other people work for them. That was economic exploitation.

Now you might say, "How does that apply in the case of the United States?" Well, it applies in this way, that the conquering and confiscating party was on the inside instead of the outside. We were a colony of Great Britain. Great Britain rather over-played its hand and we rebelled against them and took by conquest the land we were living on. General Cornwallis and his forces had to get out and so had everybody who expressed loyalty to Great Britain. They all had to get out. The holdings of land that were established under the British government were confiscated by the conquering party.

The State, then, is an institution originating invariably in conquest and confiscation. No State in all history ever came into existence in any other way. Its primary function, historically, is to maintain the stratification of society into a ruling and owning class, and a propertyless and dependent class. There is evidence of it in every newspaper you pick up; there is no enormity that any State will not commit before it will relinquish that primary function. It will fight to the death for the right to maintain the stratification of society in that way. And I say that it is something you can prove to yourself by reading the accounts of the doings of various States from day to day.

You know, Mr Jefferson said in a letter [January 30, 1787] to Madison when he was speaking about the Indians that they didn't have any government. They did have government, but they didn't have the kind of government that Jefferson knew anything about. He said in this letter to Mr Madison that he

wasn't sure but that their way was the best. I believe that we may think so too. He said that it was probably impractical with any large amount of population, but I don't know whether that is so. It is impracticable whenever the opportunity for economic exploitation steps in. That is the point.

I wish I could go over all this again with you. It is something that people aren't at all used to and it must be frightfully hard for you to follow. It is very nice of you to make the effort as I see you are making it. My time is really up. The next time we meet, which I understand will be in two weeks, we will consider some of the relations between the State and the individual. After this when I speak of the State

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*Being in so intimate association with the State all through one's life, one takes it as a matter of use and wont, and hasn't any curiosity about it.*

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you will think of a certain definite type of institution that had a certain definite invariable origin and is committed primarily to one definite ascertainable primary purpose. All right then, we will next consider the relations between the State and the individual and we will let the Indians go.

TWO:

## LECTURE *The Citizen and the State*

It is really a great pleasure, ladies and gentlemen, to be with you again. I had such an agreeable reception the last time I spoke, it made me feel very much at home. You all were aware that the subject was difficult because the idea of the State is so unusual, so much out of our common line of thinking. By your attention and consideration you made it so easy for me to speak about it. I have begun to feel perfectly at home with you.

Now you remember that the last time I spoke we ascertained that, applying the historical method to the history of government, every people had a regime, but that those regimes were sharply divided into two types. We might, for convenience, call Type A the State and Type B the government. I am aware that is arbitrary and you might do as you like about it. I do not insist on it. What interests me is calling your attention to the very sharp differentiation between the two. They are differentiated in origin: Type A originated always in conquest and confiscation; Type B apparently never did. They are differentiated in primary purpose; the primary purpose of Type A is to maintain a system of economic exploitation. Type A is an institution which is forced upon a defeated group by a conquering group, and it has for its object the keeping of that conquered group in a state of economic subjection. It is differentiated also because Type A is always a class state and Type B never is. So you can see that those are three very distinct marks of differentiation.

This country has had an experience different from that of Europe. In Europe the regime Type A passed from the very

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early times when the king was a god. You know they deified the kings. They turned next to a regime composed of the king and the nobility. And then, you can put it roughly, after the revolution of 1688, the merchant State took possession of the institution which we described as Type A. The merchants of Europe, the middle class as we call them, began to come into power and

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*Wherever there was opportunity for economic exploitation, you found the State exercising control — a great many measures of control — over the individual with a view of maintaining this stratification of society.*

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preeminence. They put feudalism in the background and, as we say, took over.

It was just at the time that transition was going on that the regime Type A was imported to this country. It was an importation. We had here the Dutch State, the British State, the French State, and the Spanish State. They were all of this Type A. We of the United States have never known practically anything but the merchant type of Type A. Our State has always been a merchant State and it came about in that way. The ruling or governing class under this regime sent over its representatives, as you know, and sent over the exploitable material with them or under them. It organized expeditions of indentured persons who came over here and for a certain length of time worked for these merchant companies. The Massachusetts Bay Colony, for example, had the whole apparatus of a State, of a regime of their own. The Bay Colony and its Governors exercised every function of a State. There was a State within a State: the distant State of Britain and the colonized or offshoot State here. But they were all of the same type so we have known nothing but that one type. We have had no god-kings; we have had no kings; we have had no nobility; we have only known the one kind of regime.

So much for the *a priori* examination of these two types. Now looking at it *a posteriori*, you see evidence of the character of both these types. Type A's anti-social character is demonstrated in various ways by various things. You notice, I presume, that the regime here in the United States always has great reluctance to move in any direction that we would call social. It acts for any social purpose only under great pressure. Now that is common with the A type of regime everywhere. That is one piece of evidence. John Bright said that he had known the British House of Commons to do some good things in his lifetime, but he never knew it to do a good thing just because it was a good thing. I doubt very much if you can recall at the moment any instances where the American Congress ever did a good thing just because it was a good thing, or the legislature in Albany, or any functioning body of the A type of regime. Furthermore, if the Type A regime were social in its character, it would take great pains to

safeguard the interests of individuals. You know that the A type of regime only safeguards individuals within limits. If the interests of individuals collide with the primary purpose of the regime, it is always the individual who has to give way. That is the second piece of evidence.

Then another piece of evidence is the immense and shocking disparity between the public and private character of the Type A regime's functionaries. We have just had an election, a campaign, and I suppose you have noticed the straits to which the candidates were reduced — moral and intellectual straits — in order to carry their point. The functionary of the A type regime will, indeed he must, as circumstances require, lie, slander, steal and commit all sorts of acts which are held to be reprehensible in private persons, and which — as Count Tolstoy pointed out — many, as private persons, would never think of doing.

Finally, the fourth piece of evidence that I would ask you to consider is that the A type of State is not particularly eager to abolish crime, but it is very eager to maintain a monopoly of crime. The regime does not take any great pains to abolish crime. From experience, you all know that it monopolizes crime very closely. So there are four *a posteriori* bits of evidence as to the character of the A type of State.

You do not detect these differentiations *a posteriori* in the B type of regime any more than we do those differences we adduced *a priori*. So we are warranted, I think, in saying that the A type of regime — which I prefer to call the State as distinct from government — is not a social institution. On the contrary, the State is an anti-social institution and the operations of its functionaries are indistinguishable from those of a professional criminal class.

There is one little matter that I did not point out when I spoke before, because I wanted to see if it occurred to you. I know it did occur to one person who was here because I heard of it. You might say with good reason, "Well, all that is very good, very interesting, but after all, this is the Henry George School of Social Science and as representatives

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*The State is an institution originating invariably in conquest and confiscation. No State in all history ever came into existence in any other way.*

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of Henry George's system of economics and ethics, what is in it for us?" "How does it concern us?" Well, you remember that the A type of regime never appears anywhere except where there is opportunity for economic exploitation. The primitive peasants never formed a regime of the A type because they were not exploitable. They did not have enough economic accumulation to be interesting to anyone, and what accumulation they did have spoiled too quickly. There was nothing permanent about it. So they never formed an organization of this A type. As I told you when I spoke the last time, the hunt-

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ing peoples never formed one because there is no way to exploit a hunter. Now, you are in a much better position than I am to know that the economic side of Henry George's teaching — if it were put into effect — would pretty well do away with economic exploitation. That is a very large part of your purpose of advocating it, I believe.

If that is so, just what effect would that have on a political organization of the A type? You see it comes pretty close to you after all, as students here. I think you should be very much interested. I think if you followed through with the exercise of the scientific imagination and supposed that George's system were put into effect right here and now in this country, and then asked yourself what effect would that have here, there, and everywhere on our government, why I think you would find — as I have when I ascertained that for myself — there would be precious little of it left. The whole public business of the United States, if Henry George's system were put into effect, could be done, I am quite sure, in the Senate Office Building.

Henry George never followed that out, so you are in very good company if you haven't. He did not do it because in his time the historical method had never been applied to government, ascertaining its origin and function. That was after his day. For the same reason, Herbert Spencer did not follow that line of thought through. But I think if you followed it through with your own brains, just using your imagination on the results, you would see that it is a pretty important reason why you should go on considering the economic and ethical system of Henry George.

For example, I have here a very fine book. It is recently out, called *The Dead End of Bureaucracy* by Mr Lawrence Sullivan. To show you just something of the aggrandizements of the A type of State in this country in the past eight years — its centralization and its administration as personal government in the matter of executive orders — consider that during his first seven years Franklin D. Roosevelt issued 2,538 executive orders or an average of thirty every month. That is personal government for you! The past eight years were a time of emergency, so it was said. Well, Lincoln lived in a time of emergency. There was a very tidy civil war going on during his presidency. How many executive orders do you think he issued during that period? Two. Since 1933, 124 new federal agencies have been established in the country. The amount of civil employment in the executive branch of the United States government in the course of that time totals 959,146. The A type of State certainly came into its heyday recently.

There are certain superstitions about the State that have come down and which have a very distinct bearing on what we are talking about. In the days when the king was a god, the obedience which was rendered him and the interest which was felt in him was something that centered on a real belief, on an actual belief. Now, the superstition — the Germans call it *Aberglaube*, which is a much better word — which has emanated from that retains the devotion and the obedience towards the State even though the belief in it has evaporated. You know that Madame de Stael said she did not

believe in ghosts, but she was afraid of them. That illustrates what I mean. The superstitions and the ensuing obediences and devotions related to the god-king remain.

The Romans sometimes deified their emperors after they were dead. The emperors themselves had no illusions. Vespasian Caesar, on his deathbed, said "I think I am become a God." As an example of the beliefs and obediences relating to royalty, in 1607, a Regents professor of Civil Law at Cambridge said, "The king is above the law by his absolute

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*I doubt very much if you can recall at the moment any instances where the American Congress ever did a good thing just because it was a good thing.*

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power," and at the time of Louis XIV, the great preacher Bossuet said, "Kings are gods and share, in a manner, the divine intelligence." That was all very well as long as people believed it. Thus it was all very well for kings and nobility to surround themselves with pomp and circumstance and all that sort of thing. That belief very much died out and I believe it is not now shared by people. But the *Aberglaube* which comes down from that earlier time still goes on.

When the President appears before us we do not regard him, as William Jennings Bryan (a very fine man) did; he said that the President was the people's hired man. We do not regard him in that way. There is a certain amount of superstitious reverence that goes out toward the President, and towards the Senate, whom you certainly would not deify if all of them died. I doubt very much if we would deify very many out of our House of Representatives. But still, if you see State occasions down there in the Capital and watch the behavior of the crowd, you see the recrudescence of that superstition, that *Aberglaube*, which has come down from the past. When it has become settled among us that the king is not a god, that the President is not a god, that they do not represent God at all, but that they derive their functions from the people, well if that is the case, it seems to me that our attitude should be more in accordance with our actual beliefs.

Now, let me pass on to what I said I would talk about tonight and have time only to introduce, the relation of the individual to the State. There is one thing that I want to leave with you particularly and that proceeds from a consideration of the rights of the individual: whether they are natural or made by the government. You remember in the words of the *Declaration of Independence*, that Mr Jefferson said it was a self-evident truth that men were "endowed by their Creator with certain inalienable rights." They were born with them, and he went on to say that "to secure these rights governments are instituted among men." Parenthetically, I may say the B type of government does just that and that is all it does.

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At the present time, the idea of the origin of human rights is, as you know, denied. That is at the bottom of all this folderol about totalitarianism, Nazism, fascism, and so on. If the doctrine of natural rights be true, the bottom drops right out of all those things. I won't go through that for you because you can see it for yourselves that if human beings have natural rights, then there can be no such thing as totalitarianism, Nazism, fascism, Communism, or socialism. It is a very large question of our time whether or not men have natural rights or whether the State gives them all the rights they have and is perfectly privileged to take away those rights or modify them at its own pleasure.

The theory that all rights are State-made comes from the German idealist philosophers in the last century. Hegel said, "The State alone possesses rights. The State is a supreme power, ultimate, and beyond appeal." You see how mystical the State is. "The State incarnates the divine idea upon earth," that is Hegel again. When you get down to Mussolini you find that the State embraces everything. Nothing outside the State has value. The State creates rights. Lenin, a man of philosophic turn with a great deal of strong common sense, puts it forcefully, saying that it is nonsense to make any pretense of reconciling the State and liberty. So there you have some testimony.

Let us look at it first in one way and then in another. Let us assume that all human rights are State-made. Then it comes to something like this. Looked at *a priori*, the people, none of whom have any rights, by hypothesis, appoint a regime made up of people like themselves. They have no rights either, no natural rights. That regime creates rights and then turns around and confers them on each individual of the lot by which it was appointed. Well, you know, ladies and gentlemen, I can't follow that logic, but there it is. I do not see how the ideas tally.

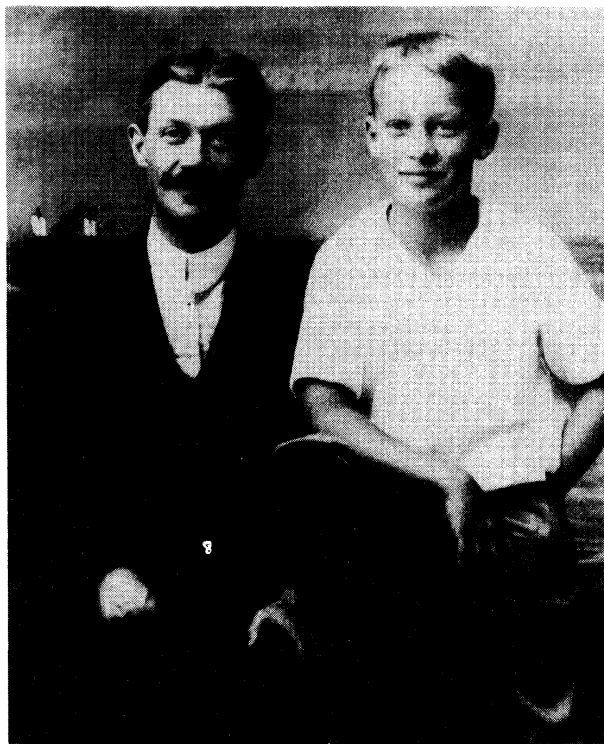
The regime in the case we have supposed is obviously only an agent. If you could say, as they used to, that the regime came right down from heaven, you would have a case. Then it would be easy. But if you dispute that and say that the regime is man-made, then, if I may use the term, you are right up against it. Because the people then appoint the regime as an agent, obviously the rights that the regime confers must come from somewhere, mustn't they? And where do they come from? The people who appointed the regime haven't them. The people who make up the regime haven't them. Yet they are somehow conferred by this regime which was appointed by those who have no rights and who have no rights in themselves.

Rights are somehow conferred upon the great mass who

didn't have any rights to start with, so, as I say, it does not look as if that theory was tenable. But, you might say, "No, the rights do exist but the people surrender those rights to the regime." Well, do they surrender them outright or do they surrender them in trust? "Well," you say, "they surrender them in trust, must be." Then somehow they must have previously possessed them. So much for that. That is all from the *a priori* point of view. I cannot follow it myself and I do not expect you to, but there it is.

Now look at it *a posteriori*. Which comes first as a matter of history, custom or law? Apparently custom did because as far back as we can get among primitive peoples, all the laws they had were simply declaratory. They were made up out of the customs of the tribes. The common law of England — upon which our common law depends to a great extent — Blackstone said, was declaratory of the customs of the English people. So customs preceded law. If rights — property rights and all forms of civil rights — are conferred upon the individual by the regime through law, how is it that we find, before there was any law, such a keen sense of the thing that the law codifies, formulates, and declares; of what it was? You can puzzle that out. In the absence of some determining cause, it would be highly unlikely that there would be any uniformity in the decisions among regimes of various peoples, various nations. Yet we find a very singular uniformity in respect to rights. We find that they all are codified and declaratory of rights, the various rights of property, and the rights of protection against violence and any intrusion or trespass upon person or property. So, in that case, uniformity seems to be evidential. It must be, because if on one side of the earth you find a codification of the same articles of conduct that you find over here on the other side of the earth, there must be some anticipatory sense which is responsible for the form that those codifications took. That seems reasonable. So as civilization advances there is simply a fuller recognition of what we call natural rights and better enforcement of them by the regime. Here, there, and everywhere, that is the case.

Well, now, let me furnish you with the main fact I have been dwelling on. The doctrine of natural rights is important because it is questioned everywhere. If the matter is not settled affirmatively, the collectivists have all the best of it. There is no denying that. I furnished you with that outline very sketchily and, perhaps, unsatisfactorily. At any rate, you can supplement it for yourself from different authorities. My aim was simply to outline a procedure to establish the fact that the Declaration of Independence was quite correct when it said that man is endowed with certain inalienable rights.



Nock and son.

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I will go on the next time I speak to you with something further in the consideration of the relations of the individual to the State and the government.

## THREE:

LECTURE *The Nature of Natural Rights*

Speaking of the relations between the State and the citizen last week, we touched upon the doctrine of natural rights. I didn't try to tell you anything about it. I mumbled a few vague words and I did it deliberately. I rather think you may have been dissatisfied, but, as I say, I did it on purpose.

As I told you earlier, I was for a time sort of a one-horse professor, a university professor. That is to say I had the title and all it amounted to. I was living in Europe then. I would come over each year for a couple of months and give two courses. I was titular professor in politics and this was what I used to do with my students. I would say to them, "Now, this matter of natural rights is pretty fundamental. If there isn't anything in it, why we have to shut up shop. If there is something in it, we might go on." I put it that way as I wouldn't quite put it to you because their primary object was getting a degree and that is not yours. What your primary object is we will try to see in a moment. I'd say to these young men, "I'm not going to see anything more of you for two weeks. I am going to give you a lot of references on the subject, not books, but men's names. You have got to root out the books yourselves." On the negative side I gave them every name from St. Augustine and Archelaus down to Jeremy Bentham and Carlyle. Even Matthew Arnold. What I owe him is beyond explanation, but when he was talking about the State and about natural rights he talked the most dreadful bilge you ever listened to. On the affirmative side I gave them similar references by name. I said "You come back here in two weeks with a *précis* of every argument indicated there. Every one. Then we will take it up, discuss it and see what we can make of it."

That plan worked very well and the young men were able to understand the doctrine of natural rights, to understand what was said against it and all that sort of thing. In a word, they were put in the way of quite a good education on that subject. So that was the reason why I didn't say very much about it last week and I am not saying much about it now.

**W**e are in a position, I think, to mark out now the next stage in our line of progress. What is the ultimate thing that you are aiming at here? Is it the Single Tax? No. No, it isn't. You all know that. Is it the Law of Equal Freedom? No. What, then, is it? Why, it is the fundamental condition of human happiness, general human happiness. Henry George was a good deal wiser than a good many of his disciples have been. When somebody told him that the Single Tax was not a panacea, he said, "Yes, I know that very well, but freedom is, and the Single Tax is the way to freedom."

In going between here and Europe I would take the Holland-American Line steamer to Rotterdam. I liked the steamer very much and like the Line, but that was not my primary interest. My primary interest was Rotterdam. While my getting on that steamer was no guarantee whatever that I was

going to get to Rotterdam, I couldn't possibly get to Rotterdam without getting on a steamer. Moreover, I had a pretty good chance of

getting to Rotterdam, not because the Holland-American Line cared so much about its passengers, but because if they lost a ship, a cry of pain would go out from the stockholders in Amsterdam that you could hear all the way down to Marseilles.

So the Single Tax is no guarantee of bringing in the Law of Equal Freedom which is the elemental condition of human happiness, as you know. But you can't get the Law of Equal Freedom without it, just as I couldn't get to Rotterdam without going on the steamer. The Single Tax is no panacea but freedom is, as Mr George says. If you want to establish the Law of Equal Freedom, your only chance, and it is an exceedingly good chance, is the way of the Single Tax.

Now you see what the steps in your line of progress are and you can think that out. If there is no such thing as natural rights, well, that is the end of it. We are through. Then the rela-

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*The State is not particularly eager to abolish crime, but it is very eager to maintain a monopoly of crime.*

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tion between the individual and the State is the relation of simply master and servant without any modification whatever. That is the importance of knowing just where you are heading, what you are heading for, what the steps are, and what is the basic thing that you are after.

**H**uman happiness depends on the free exercise of all one's faculties. There are some happy people presumably, but freedom of all is the thing that will induce the general happiness that we are all in search of. I do not think with things as they are, there are quite as many happy people as we think there are. When Mr Edison was eighty years old he was interviewed on his birthday by reporters and one of the reporters asked him what he thought were the conditions of human happiness. He replied simply, "I am not acquainted with anyone who is really happy." That is a very serious indictment to bring against a very large number of acquaintances and presumably against the civilization which bred them.

There can't be general happiness unless all are enjoying a free exercise of all their faculties. That is what is meant by the Law of Equal Freedom. That law, stated in other terms, is that every individual can do what he wishes to do as long as the doing of it doesn't impinge upon the equal right of somebody else. That is the Law of Equal Freedom.

**A**ssuming that we are correct in believing that natural rights exist, we might mention a few of the many subordinate rights that follow out of that, particularized a little bit. The first is the right to life and personal liberty. If you are not alive, if you are dead, you can't exercise your faculties.

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If you are under any form of personal restraint you can't exercise all your faculties in harmony and balance. You can't be happy and that condition represents an infringement upon the law that I have been speaking of. Nothing will correct it except the general establishment of that law, which is the secondary thing which you are driving at.

Then there is the right to property. Is that a natural right or is it not? I think that you will find that it is. It has been disputed. You know Proudhon, the Socialist, said that all property is theft. The collectivists apparently believe in making a pretty clean sweep of the individual right to property. I suggest the idea for your own consideration to decide.

In the third place, there is the right of exchange. Mr Jenkins has something that I would like to have and I have something that takes his fancy. I put a price on my article and he puts one on his. We agree on whatever the difference amounts to. It is paid, one to the other, and that is the end of it. That is a free transaction, and I think you would find that it is a natural right.

In the fourth place, there comes up our old friend, the right of free speech. Now speech is a form of action, obviously. It represents the exercise of one of our faculties. Under the Law of Equal Freedom, so long as your exercising that right doesn't interfere with anybody else's right, it seems to me that the right of free speech is natural and inherent in our human quality. You might look into that. Discuss it.

**T**he State, as you know, is always aggrandizing itself at the expense of individuals. I suppose you see without trouble how that comes to pass, and it interferes with all these rights. It interferes with them regularly and seriously. Take the right of property for example. The State makes an interference with the right to grow cotton and sell it, thereby impinging on the right of property and the right of exchange. It was done with a view to the general good. It didn't work out that way because the other cotton growing countries immediately stepped in and took the cotton market pretty well away from us. The point I am asking you to notice in referring to these interferences is that the Law of Equal Freedom is the only one that can be relied on to adjust situations like that without serious and very probably irremediable difficulties, insoluble difficulties.

We were forbidden for a time, you know, to grow potatoes in our yards by Mr Wallace. Now, Mr Wallace may be a very able man, no need of venturing any opinion about that. But no person has the ability to make a general arrangement like that

under statute law, with reference to potatoes, without somewhere and to some extent making a mess of it. You remember the potato ordinance didn't last a great while. Nothing will do what is needed to be done except the Law of Equal Freedom. In its application it will work, and it will work to the very best advantage of everybody. Statute law will never work.

For instance, the State violates the natural right of exchange when it puts tariffs on merchandise, that is, puts up an artificial obstacle to the normal, natural flow of goods, the flow being directed towards the best market. The government said no, that is bad, so it puts up a barrier to divert that natural flow in some other direction or else to check it, make it less.

You see what happens. The thing simply can't be done. There is no man or any body of men wise enough or good enough to legislate in general terms for an economic matter like the flow of the volume of goods in exchange. But the Law of Equal Freedom does it automatically. It regulates that flow, checks it here, increases it there, without any direction or effort of any lawmaker and always to



*Nock the team player (second from right).*

the best possible *general advantage*.

Take the distribution of land again. I never could make out how collectivists intend to manage that. It is much clearer to you than it is to me; you have been studying the subject so much of late. You can see for yourself that anything like the distribution and division of land which would be just all around and workable all round is simply impossible. But, as you know from your study of *Progress and Poverty*, the Law of Equal Freedom will do it pretty well, and without anybody's bother. It is natural, automatic, and there is never any trouble about it.

It is the same way with the great final aim of the collectivists to establish a regime which would demand from each according to his ability and give to each according to his need. Well now, ladies and gentlemen, who is going to determine what that is. I do not see how it can be done. To each according to his needs. Well, suppose on the general scale a dentist's needs are rated at 10. What would a dressmaker's needs be, at what figure would that stand? What would be a schoolteacher's needs? How are you going to find out? How are you going to adjust it so that it would be perfectly fair and workable all round? I doubt very much if you could suggest any way or if you could suggest any man or body of men who are capable of even making the beginning of doing it. The Law of Equal Freedom will do it, do it without fail, and do it without making any trouble for anybody. There wouldn't be a headache in a carload.



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So, when you are attempting to get at the relations of the individual to the State and are considering the individual's rights, and the requirements which those rights suggest that he should make upon the State, you can see quite clearly how to get at it — through the Law of Equal Freedom.

**T**here is one other little collateral matter that I will give you a hint about here. That is the morality of State action. Has the State any moral right to do certain things which are by way of interference with the Law of Equal Freedom? Has the State the moral right to erect a tariff, for example, and hamper freedom of exchange? Where does morality come in? You will be told that it doesn't come in at all, that obviously the moral quality of an action would depend on the existence of a moral sense and there is no such thing as moral sense.

That was very well in the early days. The god-king of course was a god and whatever God said was right, was right and whatever he said was wrong, was wrong. So the god-king not only created rights for his subjects but he also created the criteria for absolute right and absolute wrong. Well, that is fine. Then there was an over-hang in that period which took us into the belief in the divine right of rulers, the right that Sir Robert Filmer worked out that the king was the representative of heaven and so ruling by divine right. The king also established the criteria of right and wrong and there was just one little trouble about that I might mention. Every country, I think practically every country anyway, had revolutions and they would heave out the chosen of heaven and put in somebody else. The question was whether the divine afflatus followed the fellow who was put out — he had it before — or whether it was somehow transferred to the new man. The fact was that there was an extraordinary correspondence between the strength of the incomer and the divine favor. The divine favor always seemed to go to the toughest fellow who could get himself on to the job. So that is something to be thought of because you see the question would be whether the divine ordinance followed the man or followed the throne. As in the case of Charles I of England, they not only heaved out the king, but they heaved out the throne too. That being the case, did the divine gift pass on to Cromwell? It is very hard, you see, to make that out in logic somehow.

Under Washington, you know, there was a king thrown out and his throne with him as far as this country was concerned. Was the divine favor supposed to have sort of volplaned down to our Congress? Sometimes I have doubts whether that could be, but it is worth thinking about. In further illustration, I might just say a word or two because it might assist you toward the apprehension of the way a general law works and makes itself felt.

Suppose our Congress got scared about the growth of population and made the law that for the next ten years all the girl babies should be strangled at birth. There would seem to be a law called into question which is above statute law. We would all feel it. In this case there would be evidence of some law which was being appealed to above that congressional proceeding, wouldn't there? And what law would that be if not a moral law. Where would a moral law come in without a moral sense?

It is said in defense of the negative position that what we

feel under such conditions is not natural and inherent in us but it is a secondary sense which has grown up through long experience of this contemplated course. Whatever it may be, it is good and proper to be followed, for it works out well for the general good of society. That is about the same thing as saying that hunger is the result of a long experience, and that eating a little once in a

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*The whole public business of the United States, if Henry George's system were put into effect, could be done, I am quite sure, in the Senate Office Building.*

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while is beneficial. Or it is equivalent to saying that the love one feels for one's children is the result of long human experience which decides that the race ought to be propagated. It is quite the same thing, quite as wise.

So when you have a case like that which I spoke of, in this apotheosis, this Congressional action, you note the existence of some higher standard to which we instinctively turn. Suppose that the Congress was made up chiefly of Presbyterians and that they would say to us, "You have all got to acknowledge the Westminster Confession, you all have to contribute to the Presbyterian Church, and you must all go to it." We would, I think, receive that with an instinctive appeal to our higher law by which we would judge that action. That law is the law of morality which makes us say, "That is bad. We won't do it. It is immoral. That legislation is not moral." And so in the more extreme case.

Suppose the Congress should make a law that all persons six feet high or over should reduce those who are not six feet high to slavery. There again would come up instantly the popular appeal to a higher criterion. You notice here another thing; the people who say that we have no moral sense exhibit evidence on occasion of something that indicates a very close approximation to it. Those persons have the same idea of law and equity that we have, of the difference between law and equity that we have. If they are abused in any way, if they are mishandled or treated improperly at all, they seem to see a moral quality in those actions. They seem to have a moral consciousness, even ones who say there is no such thing. They get hot about it just as we do and so on.

**T**he divine right idea passed on as we have seen from the god-king to the monarch divested of his divinity. Then it seems to have come down to government, the divine right of government. Governmental action certainly is not questioned as much as it might be. We run into another thing, sort of an offshoot of that, which is the notion of the divine right of majorities. That came in with what we choose to call, for some reason, democracy. Now Mr Jones is elected to public office, probably a great rascal. Mr Smith is not elected, though he comes pretty near to him. Instantly it is said, "Well the people must all now get together. We have got to get together behind Mr Jones and his associates, forget our losses,

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*The Watershed Year*

forget everything behind us, and push ahead." That seems remarkably like the attribution of the divine right of majorities. I do not know how else to explain it, because it treats the affair as though it were a baseball game or a horse race. Somebody has lost and somebody has won, and that is all there is to it. There is no trace in that view of your believing anything, your having any principle at stake, you see. So I think we would have to say that at least some of the divine right which it is said to have descended on Congresses and parliaments, has also descended on majorities.

I think I have given you suggestions enough to go on with for the evening. You understand that I began by saying that I quite disavow any idea of telling you anything or making you believe anything or changing your beliefs. Of course it would interest me very much to see a detachment from the School meet somewhere all framed up with everything that is possible to be got at in these particulars and have a rousing debate. I would like to see that very much. Perhaps some day we will see it.

## FOUR:

LECTURE *Beyond Patriotism*

I think that the obligation is quite on my side for the very great privilege of making your acquaintance in this quite intimate and most pleasurable way. I assure you of that.

You remember that we found last week that our attitude towards the State is determined by our answer to the question whether or not natural rights exist. We considered a few of our rights, admitting that the doctrine of natural rights is sound. We considered some few, not many, of those rights such as the right to life and liberty, and the right to hold property, and so on. We found that our attitude towards our relation to the State is determined by our attitude towards those rights and towards the State's continuous incursions upon them.

The State is always trying to limit and as far as possible to confiscate those rights. The contrary doctrine of State-created rights is set up in order to justify it. You will remember that we found that there was a sort of hold-over from the divine right of kings to the divine right of governments. The State not only is supposed to create rights but is supposed to set up the ultimate system of morality for us to follow. We are to believe that what the State says is right is right and what it says is wrong is wrong.

**T**his evening we have one or two larger matters opening up before us that are worth consideration as marking the end of our little dispositions on the subject. One of them is patriotism. You can see how directly what we have been saying leads up to that point. It brings us face to face with the question, "What is patriotism?" Our attitude toward the State would, in some way, be a practical expression of patriotism, but behind that there is a sentiment, what we call a patriotic sentiment. It seems worthwhile that we should ask ourselves a few questions about that and I propose that we do so. Towards what, then, is the sentiment of patriotism directed? "We love thy rocks and rills, thy woods and purple hills." Is it towards the soil, is it towards the geographical area of our

country? There are some difficulties about that. If you live, for example, in the top of the State of Vermont — I was up that way last summer and I couldn't tell whether I was in the United States or Canada unless I happened to see some customs people — you couldn't tell when you were on American soil and when you were on Canadian soil.

There is something in the love for familiar scenes, that is true. But patriotism is a pretty big word to cover that because you can get up an equivalent amount of steam over scenes and localities in other countries. No difficulty about doing that. So I imagine that a sentiment for the actual soil and geographical areas of our country is hardly satisfactory in the way of accounting for the sentiment which we feel. Well then, take our business. Is the sentiment of patriotism prompted by the fact of our doing business in one place rather than in another? I am not sure that would quite hold. You know Mr Jefferson said "Merchants have no country." The spot on which they stand is not as dear to them as that from which they draw their gains. There seems to be a good deal in that.

For instance, I was hearing today something; I didn't pay much attention to it at the time and it just came into my mind now. It seems that three great oil companies, one American, one British, and one Dutch got together and in the present international embroilment, agreed to sell considerable oil to the Japanese government. Inasmuch as Japan is an official enemy of Britain and of Holland and not on particularly good terms with us, it would seem that action might be put down on all the participators except ourselves as unpatriotic.

Then there is the sentiment which grows out of our social relations, our family and friends. If we have been brought up in a certain social circle formed around our families, we get fond of it. Perhaps that is the very soundest account that we can give ourselves of any sentiment of patriotism, unless we go out of the ordinary run of ideas taught in our schools, for example.

The schools hoist a flag and tell the children to go through certain motions and exercises. They are brought up that way and probably do not ask themselves, even in all their lives, many questions about what they did it for and why they should do it. Why should we, for example, we here, love the United States? We have got to find some less flimsy reason for doing so than on account of the soil, our business, or on account of our family and friends' being here. I don't want to influence you at all, but I will be very frank and tell you how this patriotism business works out for me. I would not say that it will or should work out that way for you.

I would just like to raise the previous question, "what is our country?" Answer that question as individuals. What is your country? Each one of you. Well, I think the answer to that would depend very largely upon the sort of person each of you individuals is and what your interests are. I think that is reasonable. For a long time I have not regarded the United States as my country although I was born here, got all my education here, and my family is one of very long standing in this country. But for thirty years I have not regarded this country as mine. I will tell you why.

If I were Mr Ford and manufactured motor cars, or if I were Mr Rockefeller and produced oil in great quantities, this would be preeminently my country because almost everybody in the country is interested in automobiles and oil and has

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great respect for automobiles and oil. We respect the manufacturer of automobiles. And we have a very high respect for the people that make them. So, if I felt that way, if I entertained that respect, I would regard the United States as my country. It would be the place where the things that I love are respected. But I do not care two pins for oil, and I hate motor cars.

You go through the whole category of things that command the respect of this nation, and I do not click on any of them. Americans at large have an enormous respect for money and for people who have money. I haven't. I do not care about money any further than enough to go on with. As for those who have it, well, perhaps the less said about that the better. But there are certain things for which I have great respect. I love them. And there are certain countries where they are respected much more than they are here. Very much more. Those things which I respect most command no respect in this country at all. No, I think it would be perfectly reasonable for an individual to say, "Where the things that I love are respected, there is my country." That is the reason why I shifted about thirty years ago. I went over and dug in in a little country in Europe where the people like the things that I like. I could tell you a great many interesting stories about that, but I haven't got time to do it now.

I leave it to you simply for what it is worth. What if a man were to be had up on the carpet and asked, "How do you justify your sentiment of patriotism?" For my part, I would justify it on the ground of respect for the things that I love. I have a good authority for that too. The greatest statesman that England ever produced — and England didn't produce him because he was an Irishman — was Edmund Burke. When Edmund Burke spoke of a system of manners, what he meant was a way of life. He said, "There ought to be in every nation a system of manners which a well-formed mind would be disposed to relish." "For us to love our country, our country ought to be lovely."

For us to love our country, our country ought to be lovely. If that view of the matter strikes you as at all interesting, I will leave it with you to think over.

**W**e are brought face to face at this point in our discussion with another matter, and that is loyalty: loyalty to your country. You are hearing a great deal about that now, and I think it would be competent for you to ask yourselves a few questions about it. Loyalty to your country

would imply the disposition to promote your country's welfare, wouldn't it? Loyalty to your country appears to be one thing, and loyalty to

a set of jobholders is another thing. There is a great tendency to confuse the two. You see it in every issue of every paper that you pick up. So it would be competent for you to ask yourselves what you really mean by loyalty. Is it loyalty to your country's best interests and the disposition to promote them? Well now, suppose that you have a crew of jobholders in office who act in a way which you conscientiously believe to be contrary to those interests and detrimental to your country. Where does loyalty come in? Are you supposed to be loyal to those jobholders or are you supposed to be loyal to your own conviction about what the best interests of your country are, and about the way in which those interests are to be best promoted?

Remembering what we have said in our earlier meetings about the nature of the State and all that, there can be some extremely interesting reflections started in your minds by canvassing those questions for yourselves. I leave them with you.



**T**here is just one final thing to which all these questions run up, and I broach it with some hesitation. I will simply broach it; I won't go very far with it. What we make up our minds to on all these matters comes back finally — this is the very last thing, the ultimate thing — to the nature and qualities of man. We know that the average man has not stirred a peg psychically to all appearances for six thousand years of recorded

history. There are pretty distinct intimations that he didn't get very far ahead of the anthropoids before that time. Is man in the mass indefinitely improving? Don't you see at once how all our activities for the general welfare hang on that question? Has man in the mass, the average man, the intellectual and psychical capacity to get anywhere ahead of where he is?

Mr George believed — and Mr Spencer, John Stuart Mill, and all of them believed — that man is indefinitely improvable. That is one side of the thing. You can see how if Mr George had any doubt whatever in his mind of that matter he would never have taken the trouble to produce *Progress and Poverty*. It would be of no use. These authorities all agree that the average of mankind, by virtue of certain potentialities within him, is capable of postulating a great deal of time to indefinite improvement.

Now, on the other hand, my friend, Ralph Adams Cram,

the great architect, has broached the theory directly contrary to that and this is particularly interesting: the zoological definition of man will not pass for a psychological definition of man. The fact of our always permitting it so to pass is a very great confusion. You know we believe that any being which answers to the zoological definition of *Homo sapiens* is a human being. Thus the Akkas, the Bushmen, the tropical pygmies, the Australian aborigines, they all answer to the zoological definition, the structural definition *Homo sapiens*. Therefore they are all human beings. Well now, Mr Cram's theory is that the human being is and can be proven to be throughout the whole length of human history as we are acquainted with it, what is known as a sport; the masses of mankind are not human beings. The great majority of mankind are not human at all in the sense that those men who distinctly exhibit what we allow to be distinctively human qualities in a distinct way, were human.

Of course you know all the arguments on the other side from your study of George, Spencer, Stuart Mill and also the Christian doctrine which holds to the same side of the argument. But there is this to be said for it. Not only is it true that the great aggregate of mankind has exhibited no tendency towards psychical improvement or development in the six thousand years that we know of him, but there is also the distance, the psychical spread between the highest form of *Homo sapiens* and the lowest, that is, between Socrates, Marcus Aurelius, St. Francis on the one end of the line and the Akkas and the bushmen on the other. The psychical spread between those two is indefinitely greater than the spread between the lowest form of *Homo sapiens* and the anthropoids.

I will close now and just leave that matter with you as I have done right along. All these issues you must make up your own mind about, you know. But just keep it straight in your mind that the way to human happiness is through the Law of Equal Freedom; the way to the Law of Equal Freedom is through the Single Tax. All of it depends on the doctrine of natural rights. This, then, brings up your relations to the State, which does not believe in your having natural rights and is trying to confiscate such rights as you have asserted. You get down to the matters that we talked about

this evening: patriotism, loyalty and the final question on which everything depends — whether the average of mankind, the great uncountable majority of mankind, is truly human.

You know, you can't do much. All I suggest is that you take what I say as merely an intimation of something, a series of things pretty well connected, running into one another, that you can take up for yourself and work out and debate and get very thorough about it.

Actually there is one thing that you can do, all of you, and it is the very best thing possible in the long run: to clear your own intelligence and know just exactly what you are talking about and know all that is possible to know about the fundamental ideas that belong to your subject.

Thank you very much finally for your attention, interest and your very great consideration. I do not like to leave you. □

## Notes

1. Albert Jay Nock, "The New Leisured Class," *The Freeman*, April 5, 1922. In *The Freeman Book* (New York, B. W. Heusch, Inc. 1924), p. 80.
2. Albert Jay Nock, *Our Enemy, the State*, edited by Walter G. Gringer (New York: Free Life Editions, 1973), p. 22.
3. See, for instance, the wide ranging collection of Nock's essays, *The State of the Union: Essays in Social Criticism*, edited by Charles H. Hamilton (Indianapolis: Liberty Fund, Inc. 1991).
4. Carl J. Friedrich, "The Deification of The State," *The Review of Politics*, Vol. 1, No. 1, January, 1939, p. 19.
5. cf. *The State*, by Franz Oppenheimer (New York: Free Life Editions, 1975).
6. "Isaiah's Job," in *The State of the Union*, p. 129.
7. "Our Pastors and Masters," in *The State of the Union*, p. 156.
8. For the complete version, see "Pantagruelism," in *The State of the Union*, pp. 200–211.
9. *Letters from Albert Jay Nock, 1924–945, to Edmund C. Evans, Mrs. Edmund C. Evans, and Ellen Windsor*, edited by Frank C. Garrison (Caldwell, ID: The Caxton Printers, 1949), pp. 197–198.

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O'Toole, "It's the Pork, Stupid," *continued from page 38*

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training programs to keep the workers happy. And he will throw in a few tax breaks for industry, and possibly some guaranteed timber sale levels, to keep the corporations happy.

All of these things will cost taxpayers and consumers money. The final bill will be in the billions of dollars. But the proposals will quiet most of the debate, except for a few extremists. And who really counts the costs?

When it became clear, sometime in the 1960s, that the national forests weren't big enough to give everyone everything that they wanted from them, the Forest Service responded by trying to make the pie bigger with federal dollars. Clinton continues this approach, but on a much grander scale. But neither the Forest Service nor Clinton can really make the pie any bigger. All they can do is make our grandchildren pay for our consumption today.

Will Clinton's proposal fly? It depends partly on its content

but mostly on his personal prestige. Normally, Oregon Natural Resources Council director Andy Kerr and industry association president Jim Geisinger have no incentive to support a compromise plan, no matter what its character, because they know that by being extreme they can get something better. But the industry executives who fund Geisinger and the environmental deep pockets who fund Kerr are tired of the battle and might back Clinton's proposal just to end the conflict. This is far more likely if Clinton remains popular, since he will appear more formidable, than if he botches it in Bosnia or screws up somewhere at home.

If there were winners and losers at the conference, they weren't the industry or environmentalists, the loggers or spotted owls. The winners were Clinton and his administration. The losers were the taxpayers. □

A somewhat different version of this report appeared in *Forest Watch* magazine.

# Paying for Crime

by David Friedman

There is no such thing as a free crime.

Our present institutions for financing criminal investigations are odd and inconsistent. If a policeman needs a tank of gas, he buys it. If he needs the use of my office for a week or my body for three months, he takes it. When the government seizes land by eminent domain it pays, in theory at least, its market value. But when the government imprisons a suspect, there is no reimbursement for his lost time. When the government closes down a firm in order to search its office or its books, the firm is expected to swallow its lost profits.

One might argue that a criminal is responsible not only for the damage done by his crime but for the cost of catching him as well. If so, perhaps it is just, when one of the costs of catching a guilty criminal is imprisoning him while collecting enough evidence to prove his guilt, that the guilty criminal should bear that cost. Or perhaps it is just, when one of the costs of proving that a firm has been doing something illegal is closing down the firm while the investigation proceeds, that the guilty firm should bear that cost. Under present law, however, the innocent suspect or the innocent firm receives no more reimbursement than the guilty for the costs imposed during investigation. Indeed, the situation is worse than that. If a suspect is convicted, time served before trial is likely to count towards his sentence, so the guilty suspect is reimbursed, in time, for the time he was held. The innocent suspect is not.

So far I have referred to "suspects," but a firm may be required to bear such costs even when there is no reason to believe it has done anything ille-

gal. In the notorious case of the Secret Service's 1990 raid on Steve Jackson Games, the stated basis for the search was not evidence that Steve Jackson had done something illegal but that one of his employees, acting as a private individual on his own time, had. The Secret Service's theory, insofar as it had a coherent theory, was that the firm's computers might contain evidence of illegality by that employee or others.<sup>1</sup> The fact that seizing all of the firm's computers, disks, and papers and holding them for several months resulted in nearly putting the firm out of business was merely a side effect, possibly regrettable, but with no implications for the legal liability of the agents responsible.

In this particular case, the agents responsible for the raid made some serious legal mistakes, and Steve Jackson sued and won. He won the case not because he was innocent but because he is a publisher; publishers, under existing federal statutes, have special protection against the seizure of works in progress. The mere fact that he was an innocent party forced to bear large costs as part of a federal investigation of someone else's purported crimes<sup>2</sup> gave him no claim for reimbursement. The obvious response of most libertarians, myself included, to such situations

is that government agents should be fully liable for costs imposed, at least on innocent parties.<sup>3</sup> While that may be the right answer, the case for it is not so clear as it at first seems.

The acquittal of the defendant in a criminal case does not imply that he is innocent in any save a legal sense — only that the prosecution has failed to prove guilt beyond a reasonable doubt. Suppose we interpret "beyond a reasonable doubt" as meaning "at least 90% probability of guilt," and suppose a particular defendant is acquitted because the court believes his probability of guilt is only 80%. If we require the police to reimburse him for the cost of his pre-trial imprisonment,<sup>4</sup> we are punishing them for an offense — imprisoning an innocent man — of which there is only one chance in five that they are guilty.

This argument suggests two alternatives for altering the present legal system. One is to imitate the Scottish system, in which there are three possible verdicts — guilty, innocent, and not proven. A defendant found innocent would be reimbursed for his costs. A defendant against whom the verdict was "not proven," corresponding, let us say, to a probability over 50% but insufficient for conviction, would not be.

A second alternative would be to provide compensation through civil law. After a defendant is acquitted, he can sue the agency that arrested him for the (newly created) tort of imprisoning an innocent suspect.<sup>5</sup> Under civil law, he must prove the tort "by a preponderance of the evidence" in order to prevail — commonly interpreted to mean that he must show it is more likely than not that the accused tortfeasor is guilty. Since one element of the new tort is that the suspect was actually innocent, that means that he must show that the probability of his guilt was less than 50% in order to prevail.<sup>6</sup>

So far, I have treated the probability of guilt as a fact, determined through some objective legal process. The real situation is not so simple — which brings me to a second problem with making government agents responsible for the costs they impose.

The outcome of a criminal case depends, among other things, on decisions made by police and prosecutors. Consider a situation where, at some point in the proceedings, the police begin to suspect that they may have the wrong man. Suspicion is not certainty; they can choose to ignore the evidence that their suspect is innocent or someone else is guilty. They can also choose to keep such evidence out of sight of the defense. How likely they are to do so depends in part on the cost to them of being proven wrong. Under a legal system in which acquitting the defendant, or dropping charges after he has been imprisoned for some time, results in siz-

able cash penalties against the police department or its individual officers, the police have a strong incentive to repress their doubts and push for a conviction.

How serious this problem is depends on a variety of factors. If there is

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*One might argue that a criminal is responsible not only for the damage done by his crime but for the cost of catching him as well.*

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a substantial chance that the conviction of an innocent will eventually be discovered and reversed, a police department that suppresses such evidence risks having to pay for years in jail instead of months. If, on the other hand, such a reversal is unlikely, suppressing evidence may be an attractive gamble.

Another factor, of course, is how honest the police are. Few people like to believe that they are responsible for putting an innocent man in jail. Unfortunately most of us, including most police officers, are fairly good at bending our beliefs to fit our interests.

Should we change our legal institutions and if so how? Should we tolerate the absolute authority of a justice system that will sack and plunder the innocent in its efforts to enforce laws on

others? Where are the fine distinctions that should be made in fairness to the law-abiding among us? □

## notes

1. On my reading of the case, the Secret Service also suspected the firm of promoting computer crime, on roughly the same basis on which they might have suspected Agatha Christie of promoting murder. That particular lunacy was not, however, offered as a justification of the raid — nor did it have to be.
2. Three years later, the employee in question has not yet been charged with anything.
3. An alternative response, of course, is that there should be no government agents enforcing crime. One attractive feature of a system of private law enforcement is that the enforcers are private citizens, subject to the same legal restrictions as everyone else. For a discussion of this point, see *The Machinery of Freedom*, chapter 29. For the purposes of this essay, however, I assume that we retain the present legal framework, complete with government enforcement and the distinction between criminal and civil law.
4. In practice, this means charging the taxpayers, since taxpayers will have to either indemnify policemen against such risks or raise police salaries enough to make potential policemen willing to bear the risk themselves.
5. Or some equivalent tort in the case of costs imposed on a firm.
6. If there are other doubtful elements — if, for example, there is some question as to whether a firm actually suffered damages — he must show that the joint probability of all the elements being met is more than 50%, which may require a greater than 50% probability of innocence.

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## Bradford, "Mass Murder, American-Style," continued from page 23

perhaps while he visited his favorite hangout, the local Pizza Hut, but it chose a military assault instead. Although ATF maintained from the start that the response to their assault came as a complete surprise to them, an ATF agent filed an affidavit saying that those inside the compound were aware of it in advance, which is hardly surprising, since the ATF had leaked the story to local television stations, who the ATF invited to videotape its original assault.

Of course, the ATF did not intend to lose the pitched battle they started, or to kill some of its own agents in the cross-fire. Presumably, ATF's plan was to kill a large number of Davidians, thereby

providing the "deterrence" against people joining the Davidians or similar groups that President Clinton had hoped for. ("I hope very much that others who will be tempted to join cults and to become involved with people like David Koresh will be deterred by the horrible scenes they have seen.")

Although it is impossible to know for sure, the hypothesis that the Branch Davidians violated no laws at all is entirely consistent with what is known.

Given the extent of the conflagration, and the fact that press sources are being kept away from the scene before, during and after the assault, we may never know how the fire was set. But even if Koresh or a disciple lit the fire,

the FBI and the Attorney General cannot escape blame for the deaths — especially the deaths of the children — any more than the Nazis could escape blame for the deaths of the poor souls they brutalized and tortured in concentration camps until they took their own lives, or the Communists could escape culpability for the brutalized prisoners in their POW camps who died by their own hand.

"The State is the coldest of all cold monsters," Nietzsche told us. Whether Bill Clinton, Janet Reno, the FBI, and the ATF murdered the Branch Davidians directly or by driving them to suicide, the case illustrates just how right Nietzsche was. □

# Reviews

*Nazis, Communists, Klansmen, and Others on the Fringe*,  
by John George and Laird Wilcox. Prometheus Books, 1992, 523pp., \$27.95.

## Some of My Best Friends Are Extremists!

R. W. Bradford

With the possible exceptions of extraterrestrial adventures and Marxist history, fringe politics is the most buncombe-filled genre in American publishing. Virtually everything written on the field is hewn with a well-ground axe.

That is why I was pleased in 1969 to come across *The Farther Shores of Politics*, by George Thayer, who explained in his "Foreword" that he approached the subject "in a spirit of neutrality and pure inquiry," though he apparently felt obliged to advise that his own political beliefs "fall entirely within the mainstream of American political thought." I dug into the meat of the book, amused by the strange antics and goofy beliefs of Klansmen, Nazis, Black Muslims, Birchers, and Communists.

In the final chapter, I came across a brief discussion of a very peculiar political organization:

The National Hamiltonian Party was founded in December 1965 by what appears to be a group of bluebloods. Its candidate for President in 1968 is Eric Sebastian, a descendant of Alexander Hamilton and graduate of Harvard and Oxford. At one time he worked in the Dewey, Eisenhower, Rockefeller and Nixon campaigns, but gave up in disgust in 1960. He noted with sadness "the degradation of blintz-eating politics that was

forced on a truly aristocratic man" such as Rockefeller.

Other leaders in the Party are Adrian Tilt, like Sebastian a stockbroker by trade; Lindsay Williams and Maxwell Byrnes, both bankers; J. Thomas Aldrich . . . and Mannings Claiborne Case . . . who is described as a writer, a political and philosophical commentator, a philanthropist and a plantation owner. . . .

Hamiltonians have a five-plank platform: the return to the election of senators by state legislatures; the return to the election of the President by independent electors, not by popular vote; a reorganization of the tax system in order to "encourage success"; the abolition of Constitutional Amendments Thirteen through Twenty-two; and the restriction of voting rights "to educated land-owning leaders."

Thayer continued his exposition on the history and beliefs of the Hamiltonians across three pages, wedged between his account of the Theocratic Party (which fielded a presidential ticket in 1960 and 1964 but had agreed to step aside to make room for the Hamiltonians in 1968) and Henry Krajewski, who had run for President in 1952 and 1960 on a platform of annexing Canada, cutting taxes, and admitting Red China to the U.N.

The only problem with all this is that every word of it is false. In actual fact, the National Hamiltonian Party was founded by Seth McEvoy and Mike

Kelly, two college freshmen from Flint, Michigan. According to McEvoy, whom I had met in 1967, he and Kelly had gotten a taste of politics several years earlier while campaigning for Don Riegle — who was then an idealistic Republican Congressman, and is now a Democratic Senator and member of the Keating Five — and founded the Hamiltonian Party as a prank shortly thereafter.

They concocted a list of officers for the Hamiltonian Party's letterhead, xeroxed off a few brochures which they had pasted together, and sent out some press releases. For a picture of their fictitious presidential candidate, they clipped a drawing of Henry Cabot Lodge from *National Review*. For other candidates, they clipped photographs of various candidates for public office in Michigan. In 1966, Kelly ran for the Senate using his own name and a photo-

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*Most books about political extremism are hatchet-jobs, denouncing those on the political periphery for the thought-crime of rejecting consensus.*

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graph of Zoltan Ferency, the Democratic candidate for Governor. McEvoy ran for the State Board of Education under the name of Dr Dominic Powers, Professor of Philosophy at Michigan State University, where McEvoy received mail addressed to Powers at his dorm room. A boarding school pal of McEvoy's ran for the Senate in Louisiana under the name of Mannings Claiborne Case. These three write-in campaigns were the entire extent of the Hamiltonian electoral efforts.

Their jape press releases and campaign brochures were taken seriously by the Theocratic Party, a well-established fringe party whose leader

believed himself anointed by God to be king of every country on earth. Before long, news of Powers' and Kelly's campaigns dominated the Theocrats' tabloid, and soon McEvoy and Kelly convinced the Theocrats to join them for the 1968 election.

Early in 1967, a couple of blue-haired elderly female Theocrats showed up at Kelly's parents' house (whose address they had used to receive party mail). Happily, Kelly's parents weren't home, and Kelly managed to make up a story to get the old women to leave. But

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*The only problem with the history of the National Hamiltonian Party is that every word of it is false.*

---

this close call shook up McEvoy and Kelly: who knows what form the Theocrats' wrath might take when they eventually learned they had been conned? The pranksters concocted a series of final press releases for the Theocrats, involving Dr Powers getting lost in Tibet, and some similarly outlandish disappearance of Mike Kelly, "Mighty Man of God."

That was the end of the matter. Until their appearance in George Thayer's scholarly tome. It remains a mystery how Thayer failed to suspect that something might be amiss with a political party that proposed both to repeal Prohibition and the *repeal* of Prohibition, or whose leadership roster sounded as sophomorically-concocted as, in fact, it was.

Thayer's bizarre lack of critical intelligence is amusing, of course, and raises questions about the credibility of the rest of his book. But naive credulity is not the major problem with books on fringe politics, especially books published in the 1950s and 1960s, when "extremism" was a favorite buzzword in public discourse.

### Fightin' Words

"Political extremism" is invariably a term of opprobrium. It is employed to dismiss certain beliefs merely because they are different from the center of the political spectrum, and therefore some-

how evil, not worthy of consideration. It is virtually always used as a pejorative, to castigate political beliefs disparate from the consensus. The implication of its pejorative use is that truth or virtue is determined by agreement, compromise and consensus. Merely to disagree with the consensus is to be wrong or evil. By avoiding the whole question of the truth or falsity of the views they characterize as extremist, those who denounce others as extremists curiously reflect the peculiar epistemologies of their targets.

The concept "political extremism" is not a tool of cognition. Its function is not to enhance discussion, but to suppress it; not to explain a phenomenon but to denounce one. It was used by the center-liberal for the same function that the Klansmen used the words "nigger" and "kike."

Extremism was a buzzword of the center-leftist consensus in the late 1950s and especially the 1960s, at a time when pressures toward conformity in America were much more powerful than they are now. The term was a major weapon in the war against resurgent political conservatism. It enabled the political establishment, for a while anyway, to dismiss the rising hostility to its agenda. It was invariably applied to the goofier elements of the far right (e.g. the John Birch Society, the Ku Klux Klan, the Nazis) with a token extension to certain far left groups (e.g. the American Communist Party), though a much loftier word, "radical," was generally used to describe leftist extremists. Alas, "extremism" was also used to paint relatively modest conservatives (e.g. Buckley, Goldwater) and even libertarians (e.g. Rand, Mises) with the same brush.

It is, of course, a fallacy to equate falseness or evil to "extremist" beliefs. Advocates of democracy were "extremists" in Nazi Germany, advocates of fair trials were "extremists" in the context of Stalin's USSR, and advocates of an income tax were "extremists" in the context of early 19th century America.

This rather obvious point was brilliantly made in 1964 by Barry Goldwater. In his speech accepting the Republican presidential nomination, Goldwater told a cheering crowd, "Extremism in the defense of Liberty is no vice, moderation in the pursuit of justice is no virtue." The climate of the time was such that centrist politicians of both

political parties jumped all over Goldwater for his defense of the evil "force" that threatened democracy. But today, this is the most famous and widely remembered use of the term, the only usage included in *Bartlett's Familiar Quotations*. Perhaps in recognition of the fallaciousness of the concept and the conformism that it implied, "extremism" has fallen from use in political discussion in recent years.\*

Not surprisingly, most books about political extremism are hatchet jobs, denouncing those on the political periphery for the thought-crime of rejecting the consensus. It is in this context that *Nazis, Communists, Klansmen, and Others on the Fringe: Political Extremism in America*, John George and Laird Wilcox's new survey of political extremism, is a welcome addition to the corpus of writing on the subject. It provides a wealth of information on fringe groups both left and right, while avoiding much of the silliness of their predecessors.

Wilcox and George begin with four chapters introducing their subject. First up is a quick survey of American ex-

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tremism up to 1960. It is excellent and concise, running only 39 pages.

Next is an essay in which Wilcox attempts to redefine extremism. He is well aware that so long as extremism is defined only as a function of the distance from the political center of an ever-changing landscape, its utility as a cognitive concept is negligible. A fringe political view is one far from the social

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\* The actual author of Goldwater's famous "extremism" epigram is Karl Hess, then a Goldwater speechwriter, now a senior editor of this magazine.



consensus, but is not necessarily sinister. "Mere advocacy of 'fringe' positions gives our society the variety and vitality it needs to function as an open democracy, to discuss and debate all aspects of an issue, and to deal with problems that otherwise have been ignored." So he draws a distinction between "fringe" politics and "extremist" politics, redefining "extremism" as a "style" characterized by certain behaviors, a list of 22 of which he thoughtfully provides, ranging from "inadequate proof for assertions" to "name-calling" to "doomsday thinking" to "use of slogans, buzzwords, and thought-stopping clichés." Wilcox cautions us that "we are all fallible human beings, and anyone, without bad intentions, may resort to some of these behaviors from time to time," and notes that "the extremist style is . . . sometimes found in the 'middle' as well [as on the fringes]," thereby granting that there is a problem with his "behavioral tendency" definition of extremism.

But the problem with his definition goes far deeper than he suggests. Can any serious-minded person actually believe that Bill Clinton's rejection of "trickle-down economics" was adequately proven? That Al Gore's views on the environment do not constitute a "doomsday" scenario? That George Bush wasn't name-calling when he called Al Gore "Ozone Gore"? That any successful American politician does not believe that "it's okay to do bad things in the service of a 'good' cause"? I went through the entire list and could not find a single behavior listed that is not routinely resorted to by virtually all American politicians, and by most other Americans as well. Are we to dismiss *all* of them as "extremists"? Plainly, his attempt to resurrect "extremism" to the status of a useful concept while retaining its pejorative content fails.

Wilcox's essay is followed by a short essay by John George, entitled "Extremists and the Constitution," a pathetic screed that ought never have been included here. After very briefly discussing the problem of defining extremism, George "turns to" how extremists view three provisions of the U.S. Constitution: the first and second amendments and article six. He correctly notes that many Christian right-

wing extremists are unaware of and would oppose Article Six (which prohibits professions of religious faith as a condition of public office) if they had ever heard of it, and that many extremists of both the right and left favor censorship. Where he gets in over his head is his discussion of the "extremist view" of the second amendment, to wit, the view that it is a guarantee of the right to gun ownership. This view, he writes, is "probably" not correct. As proof, George cites a 1939 Supreme Court decision, ignoring the fact that both the framers of the Constitution and

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the courts through the first 150 years of constitutional jurisprudence took precisely the same view that George denounces. Coming from an avowed civil libertarian, his reliance on the authority of a Supreme Court decision is remarkable. One could as easily cite various Supreme Court decisions of similar vintage that restrain free speech. This is no doubt the weakest chapter in the book.

But the meat of the book consists of a lengthy survey of fringe activity in the United States between 1960 and 1990, and it is very meaty indeed, including all sorts of information that was news to me. I learned, for example, that the Anti-Defamation League, ostensibly set up to oppose political extremism, has attempted to deny first amendment rights to those with whom it disagrees (e.g. critics of Israel), very often with considerable success. I learned that a remarkably high proportion of violence engaged in by racist groups was instigated by members of those organiza-

tions who were paid agents of the U.S. government. I learned that, although federal law prohibits the financing of domestic political activity by foreign governments, the individual who collected \$2 million from a Soviet agent and delivered it to the U.S. Communist Party was an FBI agent. Plus lots of fascinating information about fringe groups ranging from Lyndon LaRouche's various organizations to the Minutemen to the Jewish Defense League to the American Nazi Party.

As commendable as their efforts are, Wilcox and George are hampered by their apparently uncritical acceptance of the conventional left-right political morphology. Their view of the political landscape between left-right blinders gives their book a curiously nostalgic flavor. This commitment to convention probably accounts for their virtual ignorance of some of the most vital and active fringe political groups today: the radical environmentalists, animal rights advocates, tax protesters, anti-abortionists, "New Age" groups. These groups simply don't fit into the conventional left-right paradigm. Hence they are mostly ignored.

As a consequence, *Nazis, Communists, Klansmen* is neither a survey of contemporary fringe politics, as its title suggests, nor a survey of fringe politics from 1960 to 1990, as its authors suggest in the text. It might be better characterized as a survey of fringe politics of the 1960s and early 1970s. Virtually the only groups surveyed who might be said to flourish today are the Christian Right, the crypto-anti Semitic Liberty Lobby, and the Nation of Islam. Virtually all the others have been in sharp decline for at least a decade. Many no longer exist.

*Nazis, Communists, Klansmen, and Others on the Fringe* also suffers from slovenly editing. For example, the House Committee on Un-American Activities is sometimes referred to as the House Un-American Activities Committee, a formulation favored by the radical left. The right has long insisted that the committee be called by the name with which it was christened when it was created by Congress, charging that the left favors the HUAC version because its acronym suggests "House Un-American Committee." George and Wilcox can't seem to make

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up their minds. In their index and on pages 9, 40, 103, 235, 285 and 429 they use the HUAC variety; on pp. 238, 275, 351, 352, 397 and 398 they use the HCUA variant. A good editor would have at least made their usage consistent.

That editor would also have noticed the obvious factual errors that somehow crept into the manuscript. For example, they write that the first European settlement in the New World was at Jamestown, Virginia, thereby ignoring more than 100 years of Spanish settlement; that President Woodrow Wilson pardoned Eugene V. Debs, who had been imprisoned for sedition, when in fact it was President Warren Harding who pardoned Debs after Wilson's administration had prosecuted him; that John Birch Society founder and leader Robert Welch had run for Lieutenant Governor of Mississippi, when in fact Welch had sought that office in his home state of Massachusetts; or reference to Emma Goldman's deportation "in December 1919 . . . to the newly formed Soviet Union," when in fact the Soviet Union was not formed until 1922. These factual blunders are especially embarrassing in a book that criticizes *others* for making factual errors, condemning the Christian Right for making statements that are "not factual . . . and therefore misleading," citing as an example a member of the Moral Majority saying that "Australia and Brazil are larger than the United States."\*

Other problems that ought to have been taken care of in the editorial process:

- Grammatical errors, clumsy writing: "They forget that segments of the 'religious left' does this as well. For example, the backbone of the leadership of the civil rights movement has been black ministers, and the sermons of Reverend Martin Luther King, Jr, among others, readily demonstrate how they have tended to reframe legal, political, and social issues surrounding desegregation and equal opportunity into religious ones, and perhaps rightly so" (247).
- The strange lack of parallelism in the list of 22 "traits or behaviors" that characterize "extremists" (56-60).
- Their peculiar claim that Robert De-

\* Prior to the admission of Alaska and Hawaii in 1959, Brazil was larger than the U.S. and Australia virtually the same size. Perhaps the Moral Majoritarian was guilty of nothing more than consulting old reference books.

Pugh, leader of the right-wing paramilitary Minutemen, "attempted to deny" that he had published a certain document (293). Probably George and Wilcox had intended to say that DePugh's denial lacked credibility, but instead they leave us with the strange image of DePugh trying to say something but unable to get the words out of his mouth.

• Their faulty logic, especially when criticizing the logic of others: "In his discussion of abortion, LaHaye writes that because so many have been performed in the United States, 'we will soon have to apologize to Adolf Hitler.' In the manner of so many others who feel as he does on

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*A remarkably high proportion of violence engaged in by racist groups was instigated by members of those organizations who were paid agents of the U.S. government.*

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this issue, LaHaye seems unaware that Hitler was avidly anti-abortion" (244-5). LaHaye was obviously comparing the number of victims of Hitler's genocide to the number of "victims" of abortion. For those like LaHaye who believe that abortion is murder, this is a perfectly reasonable parallelism. The fact that Hitler himself opposed abortion is not relevant at all.

At one point they arrive at a conclusion that is contra-indicated by the evidence they cite: as evidence that radio commentator Melvin Munn was an extremist, they report that Wilcox had heard Munn give a talk in Lawrence, Kansas, which Wilcox believed had a "general moralizing tone" and "implied intolerance of opposing views," although the policies Munn had advocated were mainstream and when "two radical student activists" challenged Munn at his Lawrence talk, Munn invited them onto the stage to "make their point," to which he responded (229).

• Lack of perspective: "Despite [H.L. Hunt's] great personal wealth he used a tax-exempt organization in his efforts to promote his values" (230). This same criticism applies to the Rockefellers, the MacArthurs, the Carnegies, as well as every

wealthy person who has ever made a gift to his church or to any charity.

• Repetition: they quote the same passage from the same source material on pp 43 and 289, again on pp 65 and 169, and again on pp 289 and 319.

Well, I've spent most of this review criticizing the rather annoying problems with this book, and I fear that you might conclude that it is neither valuable nor interesting. This would be unfortunate. It stands head and shoulders above its competition, both in terms of the breadth and particularity of information presented. It teems with interesting detail and information about the political fringe.

In the preface, the authors explain Wilcox's approach to investigating the political extremes:

[Wilcox] read John Howard Griffin's *Black Like Me*, an account of a white man who moved freely in the black community, having had his skin cosmetically treated so that he could pass for black. It was by reading Griffin that Laird Wilcox developed his modus operandi: get to know and mingle freely with extremists of all kinds. That's the way to get to understand the ideas and feelings that motivate them. (8)

Wilcox's willingness to become acquainted with extremists and even to empathize with them helps him avoid the usual trap into which writers about extremism fall. Mostly as a result of this willingness and Wilcox's lifelong fascination with the political fringe, *Nazis, Communists, Klansmen and Others on the Fringe* presents a far more accurate account of its subject than any other book I have encountered.

With the collapse of socialism and with it the left-right political spectrum, the political fringe has taken on a very different character. Wilcox and George have written what will likely be the best account of the American political fringe during the final three decades of the left-right paradigm. It's not a very good survey of the political fringe of today, but it is the best history of the fringe of the 1960s and 1970s. □

#### Errata

In Jesse Walker's review, "The Workers Take Over" (April 1993), the phrase "Employee Stock Option Plan" should have read "Employee Stock Ownership Plan."

*From Marx to Mises: Post-Capitalist Society and the Challenge of Economics Calculation*, by David Ramsay Steele. Open Court, 1993, xvii+450pp., \$39.95 hc, \$17.95 sc.

## Socialism: Dead or Alive?

Leland B. Yeager

Earlier in this century, many socialists expected that money and prices would disappear under their system and that production and resource allocation would be planned *in natura*. Ludwig von Mises challenged this view in his 1920 article, "Economic Calculation in the Socialist Commonwealth," arguing that socialism would make economic calculation "impossible."

Lenin tried to eliminate money and prices when he seized power in Russia. Neither that attempt nor its failure nor the New Economic Policy of temporary retreat toward capitalism can properly be attributed, despite legends, to the country's civil war. Later academic proposals for socialism featuring either genuine or imitation markets, including Oskar Lange's much-overrated article of 1936, represented retreats in the face of Mises' criticism; yet they still did not describe workable systems.

In *From Marx to Mises*, David Ramsay Steele reviews the debate between Mises and the academic socialists. Karl Marx and his followers were and "are usually averse to depicting and discussing the way post-capitalist society would operate" (p. 352). Steele argues that, contrary to common opinion, this aversion did not flow from belief in historical inevitability; Marx was not a fatalist (353-354, 336). Perhaps Marx could not reach a coherent conception of socialism and so preferred to concentrate on capitalism. Anyway, Steele reviews what little Marx did say about socialism, especially in his 1875 *Critique of the Gotha Program*.

Steele also reviews Marxian economics, providing many quotations, para-

phrases, and examples. This material reinforces a judgment I had reached for myself many years ago after reading much of Marx: that the task had been boring and unproductive. Although Marx was a tireless worker, his economics was outmoded even in his own day. He simply did not understand the logic of markets. Marx would long since have been justly forgotten if his doctrines had not become linked to a movement with earthshaking repercussions. As Lord Peter Bauer has correctly insisted, in a more general context, basing an economist's reputation more on his supposed practical influence in the world of affairs than on the correctness and scope of his scientific contributions has baleful consequences.

Steele attributes to Mises' opponents in the economic-calculation debate a slide along the following chain of fallacious arguments: (1) Mises has not proved that non-factor-market (NFM) socialism cannot work; (2) there is no proof that NFM socialism cannot work; (3) NFM socialism can work; (4) there is a proof that NFM socialism can work.

Several followers of Mises have recently launched an emphatic distinction between the "calculation" and "knowledge" aspects of the socialist problem. (These include Joseph Salerno, Jeffrey Herbener and Murray Rothbard, writing respectively in a postscript to a new reprint of Mises' 1920 article and in the *Review of Austrian Economics*, 1990 and 1991.) These Misesians suggest that F.A. Hayek's elaboration of the "knowledge" aspect of the issue perverted Mises' correct analysis. Steele mentions this controversy only briefly, calling the supposed distinction "elusive" (121). His detailed review of academic contro-

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versy over the calculation problem does strongly support the judgment that Hayek was illuminating and extending Mises' points, not digressing from them.

Steele insightfully discusses many economic topics besides socialism, including the logic of property rights, the division of knowledge, the allocative role of interest rates, the incentive structure of worker-owned enterprises, and the wastefulness of coercively imposed recycling of materials. According to his book's cover blurb, Steele was trained in sociology, not economics, and is an editor, not a professor. Nevertheless, to judge both from his knowledgeable citations of many works and from his own discussions, Steele's self-education in economics has succeeded brilliantly. On the evidence of this book, Steele is a much better economist than most of those practicing today. Although displaying an unusual familiarity with and grasp of Austrian economics, Steele does not come across as an actual member of the Austrian school. He appears to be a mainstream neoclassical economist (appreciating, for example, the contributions of Léon Walras).

Steele strives to put subtle points of economic theory across to the untrained reader — for example, the concept of opportunity cost and how the price system takes resource availabilities, technology, and subjective attitudes all into account in arranging that whatever is produced tends to be produced at minimal sacrifice of alternative value for consumers. His detailed and lengthy explanations might have bored a reader who already understands the points at issue, but I, for one, took pleasure in his skillful exposition and in imagining a novice reader's thrill of enlightenment.

Steele's mastery of language is truly impressive. He employs many helpful figures of speech. Facing the anticapitalist criticism that price fluctuations unrelated to changes in fundamentals are meaningless noise and that moving directly to the equilibrium price would be more efficient, Steele likens that remark to "saying that if we have lost a ball in a field, the best search technique is to walk to where the ball lies" (132). He is terse, even epigramatic: "The attempt to abstain from utopianism merely leads to unexamined utopias" (375).

Steele's remark about proposals for the "democratic" planning of consumption patterns applies much more widely: "Democracy is no substitute for freedom" (256).

My enthusiasm for Steele's book leaves me straining to find the few criticisms expected in any review. The organization might stand improvement, as by pulling together the scattered remarks about how Marx imagined a socialist or communist society. A reviewer is scarcely entitled to press such complaints, however, without having himself worked out a reorganization.

In the text and endnotes, Steele cites books and articles by each author's last name plus the date of publication, leaving full names, titles, and further publication data to a multipage bibliography. This is an efficient practice. Unfortunately, the bibliography omits further data on some of the works cited, including Bajt 1968, Hutt 1977, Salerno 1991, Stein (no date given), Steele 1988, and Carens 1981. Yet Steele devotes several pages to Carens' proposals for a radically egalitarian society nevertheless retaining markets.

Steele's devices for avoiding supposedly sexist language struck me as obtru-

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*Marx would long since have been justly forgotten if his doctrines had not become linked to a movement with earthshaking repercussions.*

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sive and distracting — but these days, of course, the blame might better be laid to crusaders who latch onto other people's writings as vehicles for their own political messages or emotions.

But these are minor quibbles. *From Marx to Mises* is a provocative and well-written book on a complex and important subject. But I did not particularly enjoy reading it. The fault is not Steele's. I find Marxism inherently boring — the debates over socialist calculation are, for me, anything but fresh. Still, this is a very good book, thanks to Steele's mastery of the economics and his effective exposition. □

*How To Make People Just*, by James Sterba. Rowan and Littlefield, 1989, 208pp., \$51.25 hc, \$21.00 sc.

## Just Nonsense

John Hospers

Every year, numerous books appear describing the concept of the free market, the advantages of capitalism over socialism, and the lives and achievements of major entrepreneurs. But very few of these books are discussed or even mentioned in most university and college courses in political science or philosophy. Students seldom come to know that these books exist. Instead, they are regularly treated to a diet of very different books, espousing various brands of socialism and welfare statism. In the 1960s two books by Nicholas Rescher, *Distributive Justice* and *Welfare*, became staples in political philosophy courses until the appearance in 1971 of the most famous of all books in this field, *A Theory of Justice* by John Rawls.

A recent book by James Sterba, *How To Make People Just*, though not an instant classic like Rawls' book, has inspired enough interest for the journal *Social Philosophy* to devote an entire issue (Fall 1991) to it. Not surprisingly, the book is not really about how to make people just — nobody except one's parents could possibly do that. It is about how "society's goods" ought to be distributed.

According to Sterba, because of technology the production of goods is no longer a problem; the "problem of production" has been solved. The truth of this statement is assumed without being argued. It is also assumed that these goods "belong to society" — that they have been collectively produced and should be collectively distributed. Sterba's book shares this assumption with its predecessors. He is most interested in how much of their income should be extracted from one group, which he calls "the rich," in order to benefit another group, "the poor." That one group

should be coerced by government to benefit the other group is taken for granted as obvious, and is not debated; the only question is how much and why. Sometimes the first group is called "the fortunate" and the second, "the disadvantaged."

The producers of the wealth that the author wants to distribute are treated throughout as society's enemies who prey on consumers and regularly exploit their workers. "Capitalist exploitation" (p. 57) differs from criminal activity only in that it is "supported by conventional standards" (whatever that may be taken to mean). "Capitalists who engage in such exploitation cannot escape blame for acting unjustly." Indeed, in a just society "drastic measures, even violent revolution" would be justified in order to "prevent capitalists from lapsing back into exploitative ways." If members of the "capitalist class" do not willingly part with their wealth, then "the deprived" are justified in taking up arms against them to force them to do so. "What is at stake is the liberty of the poor not to be interfered with when taking what is necessary to satisfy their basic needs from the surplus possessions of the rich" (86). Such a procedure is required to achieve a just distribution of "society's goods."

Sterba does not join the ranks of egalitarians — not quite — for egalitarians allege that nobody, regardless of effort or ability, should have any more money (or any other of the world's goods) than anyone else. He believes, rather, that everyone is entitled to what might be described as a tidy income, including the "necessities of life" (food and shelter — but the question always remains, how much?) as well as many other things that help to make life enjoyable such as a car and telephone (depending on the milieu in which one

lives).

The text is besprinkled with references to equality, rights, and justice. But these terms are all vague until the author gives them precise meaning, and they remain largely emotive terms throughout the book: for example, it is not clear to me how a society in general, rather than an individual, can be just, or how people can be said to be equal. But on one thing the author is insistent and repetitive; that the achievement of equality and justice requires full-fledged affirmative action programs in the workplace and in education.

### Caveat Lector

Whatever may be said of other readers, libertarians can hardly read such a description as the above without thinking of many objections too obvious to dwell on, such as:

1. How can "the problem of production" ever be "solved"? This depends on the conditions under which production occurs. The Soviet Union is surely an example of its not having been solved — an example that none of these writers ever mention. If there is no motivation to produce, production falters and there is less to consume for the author's favorite group, "the disadvantaged." Indeed, all the authors adopt the point of view of consumers, and never mention the conditions that make production possible.

2. Sterba refers to "society's goods" as if they had been produced by everybody and belonged to everybody. But of course it is individuals who produce and the relevance of the fact that some do and some don't is never considered.

3. Sterba divides society into two groups, "the rich" and "the poor" — sometimes called "the fortunate" and the "the disadvantaged" — as if people were in one group or the other as the result of some decree of fate, their own past actions being irrelevant to their present condition. That people may have engaged in actions, or failures to act, as a result of which they might deserve to be in one group or the other, is not considered. All persons below a certain level of income should receive more income from the state, he says; doesn't it matter at all how they got that way?

Every individual has different

deserts: one person is perennially lazy; another is industrious but can't find a job. Another will accept only a job that is to his taste, preferring not to work at all rather than accept a job he finds demeaning or not in accord with his talents. Still another is so handicapped or mentally ill that she cannot work at all. But they are all "disadvantaged" in that they don't have much money. They only have to belong to the "disadvantaged" group for them to receive their bounty from the state. In our personal and voluntary dealings with other people, however, we never treat people in this collectivistic way. If we give a person some money and he spends it on drink or drugs, we are not likely to repeat the favor; and if we offer him a job and he quits in a day or two, we are less likely to offer him another. One trouble with state-subsidized charity is that it lacks the subtlety to treat individuals, rather than groups, in accordance with their deserts.

Sterba does make occasional reference to the need for would-be welfare recipients to attempt to obtain work in order to receive welfare. Thus he seems to recognize that some effort on their part seems ought to be required, but how this is to work needs to be spelled out, not mentioned in passing and then forgotten. What if a worker feigns an illness that is difficult to disprove? What if he does things to make sure that he will be discharged, such as constantly annoying his fellow workers or becoming highly irritable at the slightest assault on his dignity? Still, without the job he is in dire need; is he then to be paid for doing nothing? There are a thousand ways, none of them very dif-

ficult, to continue being subsidized for doing nothing. Would Sterba have the state pay all these people a living wage, and wouldn't this greatly swell the ranks of the non-working poor?

Those of us who work for a living tend to assume that everyone else would

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*If I were the recipient of preferential treatment, I think I would feel shame. Not only that, I would feel embarrassment at the thought that people would now think I had not gotten the job on my own merits.*

---

do the same if only given the chance; "it never occurs to them that some people attempt to live by their wits day by day, never planning, never striving toward any goal, utilizing falsehood and their ability to inspire pity to eke out a meager living free from all personal responsibility" (Robert Sheaffer, *Resentment Against Achievement*, p. 50).

4. "Treating everyone equally" is a tricky notion, which tends to evaporate when one considers specifics. Suppose a teacher goes into an elementary class armed only with the conviction that every student should be treated equally. Does this mean that she should give every student an equal amount of time? Could she consistently give better students more time because they have a greater potential and "they've all had an equal chance"? Or does it mean that

she should spend more time with the inferior students in order to bring them up to the average? A vast array of diverse behavior could be brought under the vague heading of "treating everyone equally."

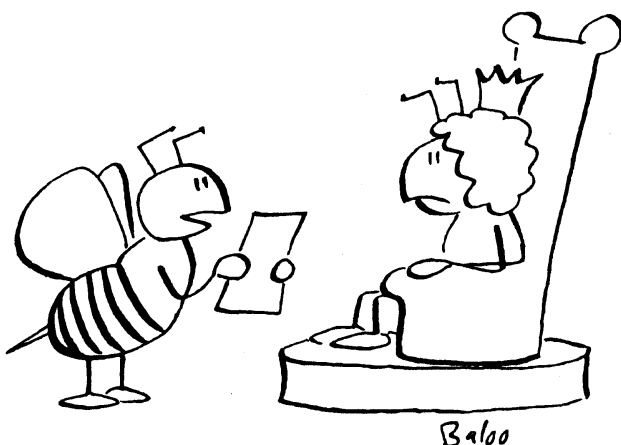
It seems clear, at any rate, that affirmative action programs do not "treat everyone equally," since some people are treated preferentially because of features such as skin color over which

they have no control. "Race-norming" on test results causes a black applicant to receive a higher grade on an aptitude test than her actual test score — the test scores are doctored in the light of the applicant's race, unknown to the employer. Sterba approves such procedures in the interests of "equal treatment."

If I were the recipient of such preferential treatment, I think I would feel shame at the thought that someone better qualified than I had been denied a job because of me. Not only that, I would feel embarrassment at the thought that people would now think I had not gotten the job on my own merits, but that it had been a charity appointment. And if I obtained a teaching position in that way, what would it do to me in all the subsequent years of my labor?

It may be that Sterba and I do not live in the same world. What a depressing world his would be to live in. It would be a world characterized by original sin — social, not theological; a world in which every new individual born adds to the burdens I must bear. I am not responsible for that new person being, yet I am obliged to help take care of that person's "basic needs," and do without my own until his are taken care of. "Do you care to imagine what it would be like, if you had to live and work, when you're tied to all the disasters and all the malingering of the globe? To work — and whenever any men failed anywhere, it's you who has to make up for it. To work — with no chance to rise, with your meals and your clothes and your home and your pleasure depending on any swindle, any famine, any pestilence anywhere on earth. To work — with no chance for an extra ration, till the Cambodians have been sent through college. To work — on a blank check held by every creature born, by men who you'll never see, whose needs you'll never know, whose ability or laziness or sloppiness or fraud you have no way to learn and no right to question" (Ayn Rand, *Atlas Shrugged*, p. 1048).

One tragedy of welfare-society planners is that they seem to remain unaware of the kind of society to which, if their plans were fulfilled, they would be condemning the very groups of people whom they take such pains to protect. □



"It's a petition from the drones, Your Majesty — they want health insurance and food stamps."

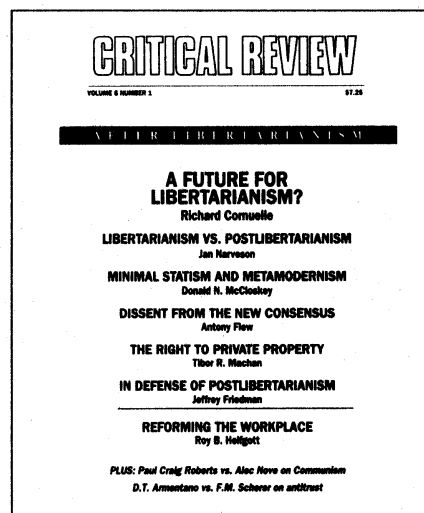
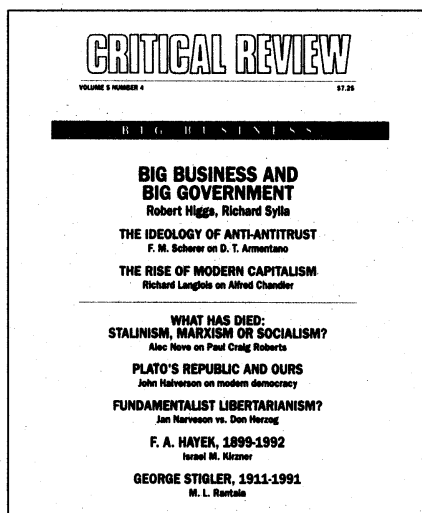
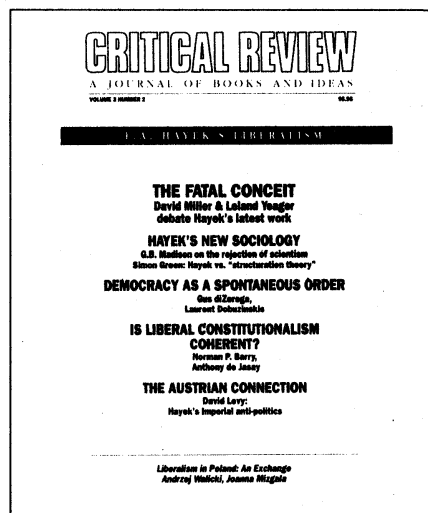
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*Loose Canons: Notes on the Culture Wars*, by Henry Louis Gates, Jr.  
 Oxford University Press, 199 pages, \$19.95.

## Scattershot

David A. Lips

One of the most strongly marked features of the multiculturalist movement is the demand that the literary canon be broadened to include works by minority writers. Leading this charge is Henry Louis Gates, Jr., who holds a joint appointment at Harvard University in the departments of English Literature and Afro-American Studies.

Gates' book *Loose Canons* sets forth his position on this controversial topic. Unfortunately, like so many books today, *Loose Canons* is a conglomeration of disparate parts. The book consists of articles that Gates has written and texts of speeches that he has delivered since 1985. The chapters neither flow nor present a cohesive argument. The writing is uneven, and, as Gates concedes in the introduction, occasionally yields to hyperbole. Two of the chapters are particularly jarring because they are not essays like the rest of the book, but fictional accounts of Gates' vain attempt to pin down the literary canon we often speak of so loosely. It is this thought, that canons are loose and somewhat arbitrary, that gives the book its whimsical title and its driving force.

Yet because *Loose Canons* is not an argument but a set of discrete observations, its unifying theme is hard to discern. It is not surprising that people may interpret this book in contrary ways. Thus when *The Economist* reviewed it last year, it criticized Gates' supposed "attempt to make a case for black studies" at the undergraduate level. Yet I am at a loss to find where his book makes such a case.

*Loose Canons* seems to be more modest in its ambitions. Gates primarily wants to broaden the literary canon to

make it represent the ethnic diversity not only in the United States but in the world. "[T]he only way," Gates says, "to transcend [the] divisions" of "nationality, ethnicity, race, class, and gender . . . is through education that seeks to comprehend the diversity of human culture." Gates is convinced that tolerance of different cultures and ethnicities requires an informed appreciation of their character, which is well revealed in their literary output. "There is no tolerance without respect — and no respect without knowledge." Or, as he says in the final essay: "The society we have made simply won't survive without the values of tolerance. And cultural tolerance comes to nothing without understanding."

Several time Gates remarks that he is searching "for a middle way." Though this is not wholly inaccurate, it is hard not to conclude that he is merely straining to sound reasonable.

He often states that he disagrees with the left as well as the right. He contends that he does not want to destroy cultural institutions as those on the leftward fringe are said to do. "The choice isn't between institutions and no institutions. The choice is always: What kind of institutions shall there be?" He therefore has no sympathy with those who want to abandon the idea of a literary canon. He merely wishes to make the existing canon more inclusive.

Gates also bristles at the notion that only members of a racial or ethnic group can teach works that are the product of individuals in that ethnic group. "Any human being sufficiently curious and motivated can fully possess another culture, no matter how 'alien' it may appear to be."

Finally, to establish his centrist credentials, he urges tolerance in the field of Afro-American Studies itself. "We



are scholars. For our field to grow, we need to encourage a true proliferation of ideologies and methodologies, rather than to seek uniformity or conformity."

But Gates reserves his harshest comments for "the new cultural right" as represented by such figures as William Bennett and the late Allan Bloom: "These two men symbolize for us the nostalgic return to what I think of as the 'antebellum aesthetic position,' when men were men, and men were white, and when women and persons of color were voiceless, faceless servants and laborers, pouring tea and filling brandy snifters in the boardrooms of old boys' clubs." None of Gates' quotations from Bloom comes close to justifying that startling summary, and Bennett is not quoted at all.

We should therefore not be shocked when Gates falsely describes the Western, and specifically American, literary canon as "white" and "a more-or-less closed set of works" and suggests that those who support it are racist.

I well remember from my high school days that my American literature anthology contained selections from several black authors, from Phyllis Wheatley of the eighteenth century, and Charles Chesnutt of the nineteenth, to Langston Hughes, Richard Wright, Ralph Ellison, and James Baldwin of this one. This was long before multiculturalism became a fad.

Gates, however, is at his best in the essays in which he details the slowly-evolving scholarly interest in Afro-American literature. He is well-informed and argues persuasively that this literature should be read both for its own merits and for the psychological effect that it is likely to have on students. Nor does Gates confine his analysis to Afro-American literature (although that is the thrust of much of his writing): "We need to reform our entire notion of core curriculum to account for the comparable eloquence of the African, the Asian, the Latin American, and the Middle Eastern traditions..."

Up to a certain point, one is hard-pressed to deny merit in this proposal. It would be beneficial for everyone to know more about other cultures and ethnic groups than is commonly taught in school. If, to this end, Gates requests that colleges increasingly encourage or require the study of nonwestern cul-

tures along with Western culture itself, few people would object.

But if the traditional courses are shaped as Gates implies they should be, and black writers who have remained obscure until now are substituted for figures whose capacity to speak beyond their era has enabled them to endure the test of time, then a host of problems presents itself. What is to be added, what is to be dropped, who is to decide, and on what basis?

If, as Gates admits, "politics" intrudes into "canon formation," then how can such selections be immune from politicization? And if Gates is right in believing that "the [racial] climate on campus has been worsening," isn't it at least possible that these curric-

ular changes — based, as they would have to be, on the ethnic or racial origin of the authors — will exacerbate rather than lessen racial tension?

Gates correctly notes that "facts and values don't exist in neatly disjunct regimes of knowledge," but he sees higher education too much as a power struggle in which people learn, not merely to broaden their minds, but to help those above them achieve a social objective.

I am left with only mild enthusiasm for what Gates is attempting. Education at the collegiate level should be broad-based. But making literary instruction conform to the pressures of political correctness may backfire, as Gates' play on the word "cannons" should suggest. □

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*Every Man a King*, by Bill Kauffman. Soho Press, 1989, 227 pps., \$17.95.

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## *America Lost and Found*

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Jesse Walker

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Bill Kauffman's semiautobiographical novel *Every Man a King* relates the adventures and misadventures of John Huey Ketchum, a small-town boy gone to Washington D.C. then home again. Fresh from school and desperate to escape his parochial hometown, Ketchum lands a job on the staff of Senator Sean O'Rourke, drunken Democrat and master of misquotation; from there he progresses to the American Foundation, an unpleasant amalgamation of all the District of Columbia's right-wing think tanks, a sprawling temple to the neocon faith. "In vain might the curious visitor search for evidence of the Mugwump conservatism of Henry Adams, the gallant localist conservatism of Jefferson Davis, the rumbustious anarchist conservatism of John dos Passos, or any of a thousand brilliant and singular mutations. The American Foundation . . . held to a pe-

culiar and astringent doctrine admixing unstinting loyalty to big business with a perfidid enthusiasm for all things military." For that beast Ketchum toils, until his modest talents earn him a regular newspaper column. Things are on the up and up for our hero, whose newsprint essays quickly find their signature schtick: John Huey's late "Grandpappy" Fred, in real life a cantankerous populist lover of Huey Long, in Ketchum's column the source of much fabricated folk wisdom.

All seems in relative good order until, on national television, Ketchum utters the dread *n*-word, racist sobriquet and unforgivable sin. His column is dropped and his job at the American Institute jeopardized. He quits, and leaves Washington for his native Batavia, New York, once a land of fierce local culture, but now — well, who can be sure? Its downtown erased by urban renewal and replaced by a sterile mall its citizenry pacified by Lotto and tele-

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vision, Batavia is a shadow of the city  
that gave birth to the Anti-Masonic Par-  
ty and a hundred other expressions of  
uniqueness and life. Yet it remains a  
community of honest-to-god *people* —  
not as erudite as their Washington coun-  
sins; capable of narrowness, bigotry, and  
cruelty; but not power whores, either,  
out for number one and fame and con-  
trol, like the sheep Ketchum worked  
with in D.C.

Ketchum meets and falls in love  
with Wanda Morczyk Fay, noble  
white-trash lady surviving the abuse of  
a husband who beats and rapes her  
mercilessly. With her and her daughter,  
he finds the human-scale landscape of  
one corner of small-town America, in  
danger of being smothered by homo-  
geneity and hierarchy and hate but car-  
rying on nonetheless: "an invisible world  
... in which Fred exhausts his meager  
savings buying groceries for the widow  
next door; a world in which young boys  
are taught that honesty and kindness  
ought always to outrank greed, ambi-  
tion, and power lust; a world in which  
four men, friendship forged in the daily  
crucibles of a lifetime's quotidian hap-  
penings, grouse around the kitchen ta-  
ble about the injustices inflicted upon  
them, always remembering that struggle  
against remote, centralized tyranny is  
futile and self-defeating."

Kauffman's love-hate relationship  
with his Genesee County home, symbol  
of both regional character and the loss  
of that character to the forces of unifor-  
mity and the lowest common denomina-  
tor, shines through this novel like  
nothing else — save, perhaps, his hatred  
for the centralizing, homogenizing, me-  
diocritizing party of Albany and Wash-  
ington. Whoever wrote the jacket blurb  
for this book put it best: this a novel  
about "not being able to go home again,  
but having to." As such, it is both sad  
and inspiring; Batavia is dead, but Bata-  
via lives on. It is also, I should not for-  
get to mention, very, very, funny,  
especially the parts about Washington. I  
had occasion to brush up against some  
of the Organization Conservative types  
Kauffman lampoons so well while I was  
in college, and he has them down cold.  
And I laughed for nearly a minute at  
the introduction of "the European mon-  
archist Emil de la Mortain," author of  
*Leftism: Genghis Khan, the Gnostic Heresy,*

*and the New Left.*

The high satire of Ketchum's ex-  
ploits in Washington rubs shoulders  
uneasily with the more low-key and  
personal events in upstate New York.  
(This is, of course, part of Kauffman's  
point — to compare those two very dif-  
ferent worlds and clearly favor the lat-  
ter.) The character development is  
believable, though sometimes mysteri-  
ous: Ketchum's rise from neocon hack  
to populist Batavian is easy to follow,  
but his initial fall from reflexive anti-  
authoritarian to craven would-be insid-  
er is more difficult to understand.  
Kauffman makes the occasional effort  
to explain it, but doesn't go very far.  
Take this one, for example: "He dis-  
liked retracing the thought process that  
had led him to embrace much of the

---

*The city establishment pre-  
ferred a town history that was  
sanitized — or, better still, en-  
tirely ahistorical.*

---

American Foundation creed, but it  
seemed to him, then, as inevitable evo-  
lution. . . . He'd simply grown up." That  
sounds like an evasion to me. I'd like to  
know what that thought process was —  
or if, as I suspect, that "thought pro-  
cess" was invented *ex post facto* as a jus-  
tification for opportunism.

My life has been different from Mr  
Ketchum's; since I was four I have lived  
almost exclusively in college towns, a  
landscape qualitatively different from  
both Washington and Batavia. But my  
parents moved to Galveston not long be-  
fore I began to attend the University of  
Michigan, and my spates of time in that  
Texas town have been an education for  
me. My first summer home from school,  
I got a job as a research assistant for a  
history book, and lost myself in the sto-  
ry of a place that, were it not for one ter-  
rible hurricane, might have become the  
metropolis that Houston became in-  
stead. I learned of waves of immigrants  
from around the world; of Indian tribes  
and a pirate commune; of fierce political  
battles and glory and sleaze; of gam-  
bling and officially sanctioned sin; alto-

gether, of what French traveller Martin Maris called "the most heterogeneous city I have ever encountered." But the Galveston establishment preferred a town history that was sanitized — or, better still, entirely ahistorical. Galveston's glory days were deemed those of the nineteenth century (before the Storm of 1900, before the Sin City years), so "traditional" Victorian-style festivals were invented out of whole cloth to give the town enough of a historical feel to serve as a typical tourist trap. Real history was still there for those interested enough to look, but plastic history was to be the city's schtick.

My own research had to do with the founders of a particular charitable foundation: a hard-drinking womanizer who hung with the oystermen and his insane sister. But the foundation in question was funding the book I was helping to write, so the final product reported the doings of a quiet, studious, hard-working businessman and a woman who dedicated her life to philanthropy. It wasn't a lie, just a half-truth. Just the dull parts.

But Galveston is not my home, and Batavia is most certainly Ketchum's. I am a guiltless cosmopolitan who can easily leave Galveston behind, while

*Kauffman's love-hate relationship with his hometown, symbol of both regional character and the loss of that character to the forces of uniformity and the lowest common denominator, shines through this novel like nothing else.*

Ketchum has to face a terrifying inner struggle. As he comments in the book: "I know how prodigiously Batavia sucks. I know that its hierarchy of values, when it comes to the mind, is an inversion of mine. I was born in the wrong place. Tough luck, uh huh." But, still, "no reward is more satisfying than lying down to sleep at night in my bed in my hometown." There's your conflict: the worldly intellectual and the homebody, wishing for the days when

society did not conspire to make the two mutually exclusive.

To judge from this fine novel, they aren't mutually exclusive, not really. It

took time and pain, but with *Every Man a King*, one of Batavia's sons has scored a point for regional culture. Good for him. And good for us. □

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**Directory of Libertarian Periodicals**, updated latest edition, lists around 150 titles, with addresses, other information. All believed to be presently publishing. \$3.00 postpaid, \$4.00 overseas. Jim Stumm, Box 29-LB, Hiler Branch, Buffalo, NY 14223.

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**"Twisted Image"** — get your monthly fix of Ace Backwards' cartoons, reviews, oddball fun. How? Send \$20 for 12 issues to 1630 University Ave, #26, Berkeley, CA 94703.

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ally high energy levels), people develop symptoms such as faulty judgment and severe paranoia. In fact, the aftermath of intense cocaine or amphetamine use is considered a fairly good model of paranoid schizophrenia. Both drugs work by temporarily increasing noradrenaline and dopamine activity, eventually depleting the supplies. However, you don't have to be a drug abuser to get these effects; a run of mania can produce similar results.

Ever since we found out that, following the inauguration, Hillary and Bill have been "micro-managing" all Executive Branch decisions themselves, even including picking people to fill lower level Executive Branch posts, we have been waiting for the inevitable nervous breakdown(s). Noradrenaline is used in the brain every time you have to make a quick decision; the more decisions you have to make and the faster you have to make them, the more noradrenaline your brain uses. Dopamine is required for "effortful" memory (memory that isn't automatic, like remembering your address). You can't keep this sort of thing up, folks.

One thing about this isn't funny, though. When Bill has his nervous breakdown, he is going to continue to be President. (The Constitutional Amendment governing succession provides no guidance as to when a President is sufficiently mentally or emotionally impaired to allow impeachment.) Hillary is going to ask herself "What would Eleanor Roosevelt do?" and she's going to go do it.

Perhaps the expectation that a situation like this would happen is why there was a copy of a book called *How To Impeach the President* on Hillary Rodham Clinton's desk in Arkansas when her things were moved to Washington D.C.

—Sandy Shaw & Durk Pearson

**Defending the undefendable** — Ever since I vigorously criticized the cops who beat up Rodney King and the California jury that exonerated the cops, people have been asking me about the new Rodney King trial, expecting that I would hope for a conviction of the officers.

Well, I didn't celebrate the conviction of the two worst offenders. In fact, I had hoped they'd *all* get off. Not because they are innocent, but because they had *already* been found innocent. The fifth amendment to the Constitution specifies that "no person shall be . . . subject for the same offense to be twice put in jeopardy of life or limb," and this has always seemed like a pretty good idea. The theory behind the prohibition of double jeopardy is that if government can keep trying you over and over until it gets you convicted, then your right to a fair trial is

meaningless. Worse still, the prosecution might use the first trial to scout for better strategies, as happened in the case at hand.

I am aware that the government has retried the cops in a federal court, and they were exonerated in a state court, and that by a convoluted legal theory ("dual sovereignty") this doesn't constitute double jeopardy, despite the plain meaning of the fifth amendment. Over the years, the courts have restricted or eliminated other rights guaranteed in the constitution with a similar flurry of words. During the first six decades of this century, freedom of speech was pretty much a dead letter, and currently the right to keep and bear arms is routinely ignored.

So, as much as I loathe the cops who beat up Rodney King and believe the original California jury committed a great injustice when it let them go, it is an even greater injustice to try them twice for the same offense.

—RWB

**Libertarians and feminists** — In the February *Liberty*, Jane Shaw asked whether libertarians need be feminists. In the April *Liberty*, reader Andrew Lohr inadvertently provided a pretty good reason for us to at least look into the idea.

Lohr criticized Wendy McElroy for suggesting that rape is possible within wedlock. "I speak as a bachelor," he wrote, "but surely marriage constitutes consent to sex with one's spouse." This is a truly amazing statement, rendered even more amazing by the fact that it is presumably a libertarian who is making it. Would Lohr assert that a labor contract gives an employer the right to force an employee to work for him at any time of the day or night? Is marriage supposed to be some sort of sexual indentured servitude? No wonder he's a bachelor.

It's comments like Lohr's — comments from people who supposedly love liberty — that make me think that libertarians as much as anyone else could stand a little feminism. Yes, there are some pretty odd birds out there in feministland, some of whom are advocating statism or worse. I have met Catherine MacKinnon, to name but one, and found her friendly, engaging, and absolutely frightening. But the MacKinnons, Dworkins, and Brownmillers do not constitute the whole of the women's movement, and neither do the more moderate statist of Ms. and NOW. The individualist feminism of Mary Wollstonecraft, John Stuart Mill, Voltairine de Cleyre, Suzanne LaFollette, and now Wendy McElroy and Joan Kennedy Taylor is a proud and honorable tradition. To judge from Lohr's letter, it is a tradition that contemporary libertarians as well as feminists could stand to learn from.

—JW

**Final thoughts** — At his news conference on April 23, President Clinton explained, "I just have always had an almost libertarian view that we should try to protect the rights of American individual citizens to live up to the fullest of their capacities and I'm gonna stick right with that." In related developments, Saddam Hussein explained, "I have always had an almost pacifist view of war" and Madonna confessed, "I have always had an almost prudish view of sex."

—RWB

If you agree with Robert Hutchins...

"... knowledge without wisdom has brought us to the edge of destruction and may at any time push us over the brink."

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Letters, continued from page 6

they sell and call Monopoly was invented by a Charles Darrow, an unemployed heating equipment salesman in the Depression, is not true.

The game, originally called, The Landlord's Game, was created and patented about 1904 by Elizabeth Magie Philips, (Parker Brothers published four of her games), probably somewhere near Arden, Maryland, in order to illustrate the theory of land speculation by followers of the writer, Henry George, whose *Progress and Poverty* proposed a "single" tax to be collected on the value of real property.

I believe that this was established in an unsuccessful suit by Parker Brothers to prevent a Dr Ralph Anspach, here in Marin County, California, in 1973, from marketing a game called Anti-Monopoly. See *The Monopoly Game* by Philip Orbane, 1988.

Robert J. O'Donnell  
San Rafael, Calif.

**Inquiring Minds Want to Know**

I'm not going to cancel my subscription, but your bashing of the Libertarian Party this past year has been terrible.

I like positive criticism, which both finds fault and proposes an alternative. The pieces you have run recently have offered the former but not the later, and given the "alternative" we've got now, I'd have to inquire: Whose side are you on, anyway?

Yes, the LP had pluses and minuses this past year. To continually feature writing that concentrates on the down side severely detracts from your otherwise excellent magazine.

Robert L. Henrickson  
East Nassau, N.Y.

**Asleep at the Wheel**

As one who supported Andre Marou at our convention and in the election, I have some concerns about the article in the February issue by C.A. Arthur.

My basic objection to the article was the dirt that was dug up for no good purpose. If there were pertinent facts that were concealed at the convention, who was responsible? Did the news media (*Liberty*) go to sleep? Didn't those in the campaign of 1988 or the 51-92 committee notice anything that delegates should know? Or did everyone just ignore the imperfections as being Andre's business and his responsibilities?

Robert S. Loomis  
East Granby, Conn.

# Notes on Contributors

Chester Alan Arthur is *Liberty's* political correspondent.

"Baloo" is Rex F. May in disguise, the perpetrator of numerous cartoons appearing in *The Wall Street Journal* and elsewhere.

John Bergstrom, the cartoonist, is the same person as Gunnar Bergstrom, the cartoonist.

David Boaz is executive vice president of the Cato Institute.

R.W. Bradford is editor of *Liberty*.

Harry Browne is the author of *How I Found Freedom in an Unfree World*, eight investment books (including *You Can Profit from a Monetary Crisis*), and the investment newsletter *Harry Browne's Special Reports*.

Stephen Cox is Professor of Literature at the University of California, San Diego. His most recent book is *Love and Logic: The Evolution of Blake's Thought*.

Brian Doherty is a journalist and editor in Washington, D.C.

David Friedman is the author of *The Machinery of Freedom* and *Price Theory: An Intermediate Text*.

James Gill, the cartoonist, is an American living in Europe.

Charles H. Hamilton edited a recent collection of Nock's writings, *The State of the Union: Essays in Social Criticism*. He is currently doing work for The Philanthropy Roundtable and for the Indiana University Center on Philanthropy.

Robert Higgs is the author of *Crisis and Leviathan* and other writings on economics and history.

John Hospers is the author of numerous philosophical writings, including *Human Conduct*, *An Introduction to Philosophical Analysis* and *Understanding the Arts*.

Bart Kosko, Assistant Professor of Engineering at the University of Southern California, specializes in neural network research.

Richard Kostelanetz is an artist, writer, critic and anthologist living in New York.

David A. Lips is a program officer at Liberty Fund, Inc., in Indianapolis.

Loren Lomasky is co-author (with Geoffrey Brennan) of the recent book *Democracy and Decision: The Pure Theory of Electoral Preference*.

William P. Moulton used to be an Aristotelian, but is now merely peripatetic.

Albert Jay Nock authored *A Journey Into Rabelais's France* and other works.

Randal O'Toole is a forest economist with Cascade Holistic Economic Consultants in Portland, Oregon.

Durk Pearson is a research scientist and co-author (with Sandy Shaw) of a recent book on the FDA.

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Jonathan Saville is Associate Professor of Drama at the University of California, San Diego.

Jane S. Shaw is a writer living in Bozeman, Montana.

Sandy Shaw is a research scientist and co-author (with Durk Pearson) of a recent book on the FDA.

Timothy Virkkala is assistant editor of *Liberty*.

Jesse Walker lives and works surrounded by books in Ann Arbor, Michigan.

Leland B. Yeager is Ludwig von Mises Distinguished Professor of Economics at Auburn University.

# Terra Incognita

## Tokyo

Civilization advances in the land of the rising sun, as reported by the London *Economist*:

The Japan Toilet Association, which describes itself as "a voluntary network of researchers, architects, government officials, toilet manufacturers, sanitation and transportation enterprises, and citizens dedicated entirely to the toilet," has established a National Toilet Day in Japan.

## Washington, D.C.

The subtle thinking of President Bill Clinton, as reported by the *Seattle Times*:

"There is a profound difference between spending and investment. It's the difference between the status quo and change."

## Liberty, Ind.

The thin blue line that separates civilization from anarchy, as reported in the *Lafayette (Ind.) Journal and Courier*:

Twenty state law enforcement officers staged a late-night raid of American Legion Post 122 and arrested seven men for placing bets on the NCAA basketball tournament.

## Detroit

Honesty rears its head in the most unlikely of places, as reported by the *Detroit Free Press*:

A "taxpayer assistant representative" returned from lunch to find an envelope containing \$15,000 in cash on her chair. But she didn't take it home. She reported it, saying that she'd do anything to see the deficit "reduced or chipped away."

## Kansas City

Unfortunate consequence of the stress on America's overworked, under-appreciated teachers, as reported in the *Kansas City Star*:

"Disgust with the teaching profession and school administration," landed Janet Hensley, fifth-grade teacher, in jail on two counts of arson. In an enraged state she set fire to her classroom.

## Troy, New York

An ominous precedent for the "near beer" market, as suggested by a report in the *Albany NY Times Union*:

Two young men were arrested and jailed along with other routine drug arrests recently by the Troy "Crash" unit, for selling fake drugs packaged in the same way an illicit drug would be. The offenders were brought to justice under a section of the state public health law that makes possession of fake drugs just as illegal as the real thing.

## Moscow

Progress of free market ideas in the Soviet Union, as reported in the *Detroit Free Press*:

Pledging to forge ahead with market reforms and insisting "we don't have a way back," Russian Prime Minister Viktor Chernomyrdin also expressed his disdain for small private shops, adding that large industry is a precondition for the success of small private business.

## Brooklyn Center, Minn.

Book-banning advances to the frozen north, as reported in the *Virginia Episcopalian*:

Gene Kasmer, age 55, has filed a petition with the Brooklyn Center school district to have the Bible removed from the district's school libraries because it is "lewd, indecent, and violent."

## Elmira, New York

Fashion innovation from the Empire State, as revealed by the *Detroit News*:

16-year old Thursa Hargrove said, "It was a fashion statement at first, but there are a lot of teenagers out there that are embarrassed about them," regarding the prophylactics that decorated her clothing and hair one day at school.

## Washington, D.C.

A fresh insight from Carl Rowan, the outspoken opponent of the right to bear arms subsequently convicted of shooting an intruder, from his column in the *Detroit Free Press*:

Americans have no right to sanctimoniously upbraid Germany for the recent outbreaks of skinhead violence there, until we gun down all the racists in America.

## Detroit

Proof that Anita Hill had nothing to gain by making her spectacular charges that Supreme Court nominee Clarence Thomas had sexually harassed her, as reported in the *Detroit News*:

Anita Hill still had a message of healing to spread to the women of America. Five hundred people paid \$50 each to hear her deliver a speech here.

## Mexico City

Culinary advances in the world's largest city, as reported by *Knights-Ridder Newspapers*:

Americans, with their barbarian passion for beef, are passé in the *District Federal*. The cutting edge palette prefers *chapulines tostados* (toasted crickets), *gusanos de maguey* (plant worms), and *escamoles a la mantequilla* (sautéed ant eggs).

## U.S.A.

Sage observation of Arthur Schlesinger Jr., America's leading historian, writing in the *New York Times*:

In Albert Gore Jr. the nation has (for a change) a serious and thoughtful vice president.

## Washington, D.C.

Politics plays no role in the social life of our nation's capital, as reported by the *Washington Post*:

"I've never been a member of either party," said Dwayne Andreas, CEO of Archer Daniels Midland, the huge agribusiness conglomerate that depends heavily on government subsidies. "I'm [at the inaugural dinner] because I was invited," he said. "It has nothing to do with business. My business isn't affected."

(Readers are invited to forward newsclippings or other items for publication in *Terra Incognita*.)

# Ayn Rand:

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- AJW-4: Objectivists cont'd; The Palace Guard; Personal Engineering
- AJW-5: Personal Engineering cont'd; Nathaniel Brandon; Leonard Peikoff — Non-Communication Between Objectivists and Non-Objectivists
- AJW-6: Non-Communication between Objectivists and Non-Objectivists, cont'd; Ayn Rand's Theory of Concepts; Ayn Rand and Music; Ayn Rand and the Bankruptcy of American Culture; Rand and Nietzsche
- AJW-7: Ayn Rand as Fiction Writer; Ayn Rand as Teacher of Writing
- AJW-8: The Philosophy of Objectivism
- AJW-9: Objectivism, cont'd; Rand's Intellectual Unsophistication; Ayn Rand's Jewishness; Rand and Feminism; Rand and the Right
- AJW-10: Ayn Rand and the Founding Fathers; Rand's Moral Basis for Capitalism; Alan Greenspan; Rand and Libertarianism
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*A Search for Enemies: America's Alliances after the Cold War* by Ted Galen Carpenter. The passing of the Cold War is the most important development of the late 20th century. Yet Washington clings tenaciously to a host of obsolete, expensive military alliances, including NATO, that have the potential to embroil the United States in conflicts unrelated to its vital interests. Carpenter proposes withdrawal from those entangling alliances and a policy of nonintervention. 1992/212 pp./\$22.95 cloth/\$12.95 paper

*Liberating Schools: Education in the Inner City* edited by David Boaz. America's most innovative education analysts take a good look at American schools—especially those in the inner city—and offer proposals for major structural reform. The book, which includes the editor's thorough critique of the public school system, presents a compelling case for choice in education. 1991/220 pp./\$25.95 cloth/\$13.95 paper

*Quagmire: America in the Middle East* by Leon T. Hadar. The author challenges the Washington foreign policy consensus, which demands that the United States remain the dominant power in the Middle East. After examining American policy through the Persian Gulf War and arguing that the United States cannot impose order in the region, Hadar concludes that it is time for America to disengage from the Middle East and adopt a policy of benign neglect. 1992/240 pp./\$23.95 cloth/\$13.95 paper

*Patient Power: Solving America's Health Care Crisis* by John C. Goodman and Gerald L. Musgrave. The price of health care and insurance is skyrocketing because few people spend their own money on medical services. The authors' innovative solution is to restore power and responsibility to consumers by allowing them to buy their own tax-free medical insurance and to set up tax-free medical savings accounts. The result would be a consumer-directed system of competition and innovation. 1992/550 pp./\$29.95 cloth/\$19.95 paper

*Sound and Fury: The Science and Politics of Global Warming* by Patrick J. Michaels. The author, an environmental scientist, writes that despite the current hype and science-by-press-release, the greenhouse effect poses no serious threat to the world we know. The most disturbing finding of his study, however, is the willingness of some to distort science to expand the government's control over our lives. 1992/208 pp./\$21.95 cloth/\$11.95 paper

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