

Liberty

May 1994

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Ayn
Rand,
Plagiarist?

Countdown to Resignation: Clinton's Final Days?

by C. A. Arthur

Buckle Up for Danger: How Seat Belt Laws Kill

by Gwynne Nettler

Creation Myths of the Right

by R. W. Bradford

The Individualism of Louis L'Amour

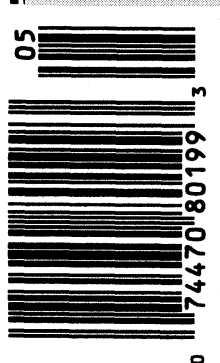
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Creeping Aristocracy

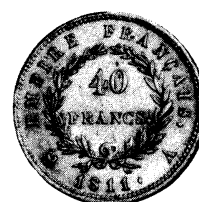
by David Brin

Also: *Robert Higgs* on how the FDA battles free speech, *Frank Fox* on the betrayal of Georgia, *Clark Stooksbury* on Ollie North, *Jane Shaw* on Douglass North . . . plus other articles, reviews, and humor.

"O sweet name of Liberty!" — Cicero



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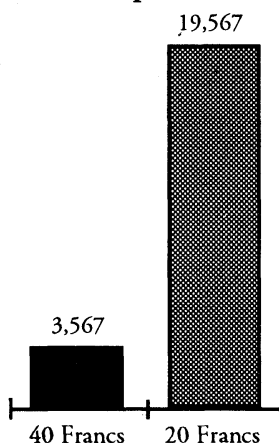
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Letters

The Quirky Libertarian

I am surprised at R.W. Bradford's assertion that I am hostile to Rose Wilder Lane's libertarian ideals ("Freedom's Rose," March 1994). Really, my problem throughout *The Ghost in the Little House* was to conceal my admiration in the interests of producing a more or less balanced and "objective" account — a life, not merely a progress toward a sainthood from which everything previous looks like an error. The intent of the passage he quoted was to rescue her from the easy dismissal of her ideas by knee-jerk liberals, and I was using the "Quondam Complex" term from Lipset and Raab, "The Politics of Unreason: Right Wing Politics in America" as an example of the facile way she might well be dismissed as a mere reactionary.

I am on the side of the angels here, but as a scholar I cannot be a drummer. Bradford is probably right: her later years of political writing were a happier time for her. But my point overall is that this "happiness" came at the price of giving up much that was very attractive in the younger woman — including a talent as a fiction writer that never fully blossomed. I see Bradford's point, of course: she was exactly what she wanted to be in those years in a way she had not been earlier. But in the eyes of the larger world, including her old friends, she had become absolutely quirky.

William Holtz
Columbia, Mo.

Discordian Science

Contrary to J. Orlin Grabbe ("In Praise of Chaos," March 1994), even a cursory familiarity with Mary Baker Eddy's writings would reveal that she never advocated the denial of facts, only the demonstrable falsities of human belief-systems (in which she includes medical "science" and Newtonian physics). She does however take her principles to the extreme of denying the fundamental

existence of matter. In that regard she is in very good company, including such twentieth-century physicists as Einstein, Boehm, and Wheeler. (Einstein was a frequent visitor at the Christian Science Reading Room here in Princeton.)

As a religious thinker, however, she would be in complete agreement with everything else in Grabbe's paragraph. It is good to keep in mind, though, that "chaos," "randomness," and "uncertainty" are still just names for what our current models of reality can't accommodate. If Grabbe's point is that we should be open to the infinite possibilities of being, he would find Mary Baker Eddy a fellow traveler.

This is not the first cheap shot at Mary Baker Eddy in this magazine. Are the Randians jealous? They shouldn't be. Libertarianism gets a very sympathetic hearing among Christian Scientists, who, though they "render unto Caesar what is Caesar's," would rather not have to.

Jeff Presslaff
Princeton, N.J.

Chaotic Dispute

Pierre Lemieux's article ("Chaos, Complexity, and Anarchy," March 1994) is interesting and informative. However, in simplifying this subject, one needs to be careful not to add any unnecessary confusion. On page 22, the equation that is said to be the logistic model is related to a population growing at a certain rate influenced by the population itself and by some ultimate limit to the population, all of which sounds reasonable and may be reasonable in some contexts, but may not be in others.

In Calculus 100, we were all given definitions for derivatives that applied to *continuous* functions, and most of us have encountered nothing but continuous functions all of our lives. It would appear reasonable also that a population is a continuous variable, having discrete, knowable values at every instant of time. The *logistic model* equation, however, is not such a continuous function — it cannot give a value for a population after five days or three months or two and a half years.

Perhaps there are uses for discontinuous equations. But the wording of the particular problem in this article certainly seems to suggest the writing of a continuous function, first in the form of a

simple differential equation: the derivative of the population ratio with reference to some ultimate limiting population and with respect to time is proportional to the difference between the ultimate population and the instantaneous population, the proportionality constant being given as r .

Such an equation is complicated neither to write nor to integrate. It satisfies the word definition of the problem and yields values for the population of any instant of time whatsoever. However, using the same value for the growth constant r , 1.9 per year at a relative population of 0.1, the continuous equation yields a much more rapid increase of population than does the discontinuous logistical model, a value of 0.865 after one year rather than a value of 0.271. In addition, the continuous equation does not cycle at all; it simply approaches the attractive value of 1.0, asymptotically, ever closer and closer.

Perhaps Professor Lemieux had in mind a wild population whose members all mate at the same time each year and whose young are all born the same time each year and whose proportion of live births depend on the food supply of the previous year. If so, Figures 1 and 2 on pages 22 and 23 should have been drawn as bar graphs, with each year's population shown as a horizontal line rather than as a line graph, with a straight line connecting each year's population.

Robert J. O'Donnell
San Rafael, Calif.

Lemieux responds: I used a (discrete) difference equation in order to provide the simplest possible illustration of chaos, and to show how it can arise even in very simple dynamic systems. With (continuous) differential equations, a system of at least three equations (like Lorenz's or Rössler's) is required. Moreover, had I illustrated my point with a continuous system — where the length of the time period tends toward zero — Calculus 100 would have led our reader to believe that humans mate continuously and come without interruption. They do it only once a month, don't they?

A (Clockwork) Orange for (Naked) Lunch

Bryan Case's brief memorial to Anthony Burgess (March 1994) strengthened the sense of strange coincidence I've long felt concerning Burgess and his American (North and South) cousins William Burroughs and Jorge Luis Borges. I was

continued on page 67

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

Catch-666 — The government of the District of Columbia, in which I reside, recently judged that a church that customarily gave free breakfasts to local unfortunates could no longer continue the practice because it wasn't a legally-zoned function of that church. Now I understand why our society's demands for charity could simply *never* be met without government welfare. —BD

A nation of informers — Canadian Minister of Revenue David Anderson has declared a war on tax evaders, and is asking ordinary Canadians nothing less than to stool on their fellow citizens. Says Anderson: "People who are currently in the underground economy . . . will suddenly start realizing that any day of the week, any hour of the day, Revenue Canada may get a phone call and someone may rat on them."

I have two ideas for Mr Anderson. First, he should change the name of his department to "Police Canada." Second, he should set up neighborhood committees to spy on citizens, and to bring suspects to publicly confess their crimes in order to be forgiven by the large masses of humble and obedient subjects.

It is probably true that Canadian tax laws and bureaucrats have traditionally been less inquisitorial than, say, their American or French counterparts. So it is not surprising that as taxes have become more and more confiscatory, the growth of the underground economy has accelerated. Yet stool pigeonry is not new to Canada: a high-level government bureaucrat told me a few years back that tax "authorities" regularly get tips from envious informants (especially, he added, after Christmas parties). But what we are now witnessing is a government that officially organizes this repression with the cherished method of totalitarian governments.

Should Anderson's tactics succeed, whatever remains of trust in Canadians' social relations will have been destroyed. They will become a nation of government informers. Any day of the week, any hour of the day, Police Canada may receive a denunciation, and the grinding wheels of government persecution will start. (I say "they" because, although my ancestors happened to arrive in Canada 350 years ago, it is my moral duty to make sure that I am not identified with such vicious and obscene mores.)

In a recent *Globe and Mail* article that endorsed tax evasion, I quoted Adam Smith to show how far we have drifted toward (or should I now say into?) tyranny. Referring to England, Smith wrote in *The Wealth of Nations*: "The tax upon shops, it was intended, should be the same on all shops. It could not be otherwise. It would have been impossible to proportion with tolerable exactness the tax upon a shop to the extent of the trade carried on in it, without such an inquisition as would have been altogether insupportable in a free

country." About the possibility of taxing income, he also wrote: "An inquisition into every man's private circumstances, and an inquisition which, in order to accommodate the tax to them, watched over all the fluctuations of his fortune, would be a source of such continual and endless vexation as no people could support."

In his *Lectures on Jurisprudence*, he added: "No doubt the raising of a very exorbitant tax, as the raising as much in peace as in war, of the half or even the fifth of the wealth of the nation, would, as well as any gross abuse of power, justify resistance in the people." —PL

My long hair just can't cover up my red neck —

Slick Willie recently regaled auto workers in Louisiana with stories of an El Camino he allegedly owned during his youth, and admitted a longing for a new pick-up truck. This little episode, like his recent "hunting" trip, is an attempt to show the rubes and rednecks that, in spite of his elitist positions on issues like gun control and gays in the military, he is one of them. But Billy Jeff Clinton (Yale '73) is even less convincing in this charade than his predecessor, George Herbert Walker Bush (Yale '48).

The act is a continuation of the Democrats' '92 campaign plan to portray Clinton and Gore as a couple of "Bubbas" from Arkansas and Tennessee. The Bubbaization of Gore is even more absurd than the Clinton efforts; Al Gore's relationship to the Volunteer State is every bit as strong as François Mitterand's. Don't get me wrong — it's okay to be from someplace other than Tennessee, I guess — but I have a hard time recognizing the redneck credentials of a Harvard man reared in a luxury hotel in Washington, D.C.

The Bubba act is no mystery. To get elected to the White House, Democrats have to unload the cultural baggage that they have carried around since 1972. Otherwise, they can get killed by the kind of campaign that Bush conducted in 1988, based on ACLU cards and visits to flag factories.

In 1992, Clinton was able to diffuse this problem just by having a Southern accent. But he'd better watch out: the accent doesn't work for Democratic *incumbents*, as Jimmy Carter can tell him. Out of regional solidarity, I've got some advice for El Slicko. If he wants to make the Southern angle work again in 1996, he needs to dump Al Gore and replace him with a *real* Southerner. I suggest that he hire on Hank Williams, Jr as veep. Then he could throw out the awful "Don't Stop Thinking About Tomorrow" and instead have Williams go around singing "A Country Boy Can Survive" and "Family Tradition."

Hell, I might even vote for him.

—CS

South of the border — Advocates of a government takeover of medical care repeatedly remind Americans

that the U.S. is the only industrialized nation on earth without "universal" (that is, government-owned and -operated) medical care, and bombard the American people with stories of the healthy paradise that has been achieved in Canada, whose government has taken over health care even more completely than the Clintons propose for the U.S.

There is little doubt that most Canadians like their system of socialized medical care. But most Canadians are healthy. How do sick Canadians feel about their system?

One indication comes from Whatcom County, Washington, just across the border from Vancouver, the third largest city in Canada. A recent series of articles in the *Bellingham Herald* reports that local hospitals are being overrun by Canadians whose treatment is denied or delayed at home. Canadian cancer patients constitute over 60% of the patients at the county's only radiation therapy center, and "hundreds of sick and injured" Canadians have crossed the border to get X-rays at St Joseph Hospital, paying for the service out of their own pockets.

In Canada, medical care is rationed. Those who need medical care most get it first, and many don't get it at all. Very often, this means that older or less healthy patients must suffer and die, even though medical procedures exist to cure them. In the United States, when an elderly person's arthritis gets so bad that he can no longer stand the pain, he generally receives orthopedic surgery and an artificial hip within a few weeks. In Canada, the wait is typically between seven and 13 months. In Quebec, the patient will never receive the hip replacement. As one Canadian explained to the *Herald*, "It's not an efficient use of money to put a new hip in someone who may be dead in five years." A local surgeon explained the American response to the same situation: "Hip replacements have become so much a standard of care. It's like getting your teeth cleaned."

Canadians also flood across the border to take advantage of more advanced medical technology — in Canada, the government saves money by not purchasing new technology. The province of British Columbia, about twice the size of California, has only two radiation treatment centers for cancer, though it plans to build two more within the next few years. Medical professionals have known for more than 20 years that a shortage of radiation therapy facilities would become acute as Canada's population ages and cancers become more frequent. The head of the Ontario Cancer Foundation explained the delay: "A lot of health-care bureaucracies only respond to crises. Centrally managed systems are slow to respond. And radiation therapy centers take time." So Canadians who can afford to, go to the U.S. for treatment; those who cannot, die of cancer while their bureaucrats try to catch up.

Happily, the *Herald* added, the same problems won't necessarily afflict a government takeover of medicine in the United States. "We're evolving from a different base," it quoted a local hospital official. "We have the hardware and technology here." This optimistic conclusion seems unwarranted: when Canada adopted its socialized medicine program 23 years ago, its "hardware and technology" were comparable to what was standard

in the U.S.

The article didn't mention it, but the Canadian health care system faces a grave threat. If the U.S. adopts a similar system — as the Clintons propose — Canadians will not be able to relieve their pain or save their lives by getting medical care here. Neither will Americans.

My 81-year-old father had open-heart surgery the day after Christmas, and is recovering nicely. If he were a Canadian, he would be dead. Why waste surgery on someone who may be dead in five years?

—RWB

Dodge City organs — The Food and Drug Administration is moving to regulate the brokering of body parts such as bones, tendons, joints, and skin. (Organs with intricate systems of blood vessels, such as the heart and kidneys, are already regulated.) FDA Commissioner David A. Kessler emphasized that "we are taking action to head off future problems." In other words, there are no problems with the "unregulated brokering" of body parts; a spontaneous order is emerging, and the FDA is worried that people might realize they don't need government regulation.

Rep. Ron Wyden (D-OR), sponsor of a tissue-regulation bill, said, "What's so ominous about this is that there's no structure out there at all. It's kind of like Dodge City before the marshals showed up." An interesting analogy, since Terry Anderson and P.J. Hill have demonstrated that, contrary to conventional wisdom, Dodge City and its neighbors were not especially violent places (see "An American Experiment in Anarcho-Capitalism: The Not So Wild, Wild West," *Journal of Libertarian Studies* 3:1). There were, for instance, no killings at all in Abilene until David Kessler's predecessors arrived. Indeed, as W. Eugene Hollon wrote in *Frontier Violence: Another Look*, "the Western frontier was a far more civilized, more peaceful, and safer place than American society is today."

The old saw that government undertakes those tasks that people can't do for themselves is flipped on its head these days; government is most eager to step in when it fears that people are doing perfectly well without it.

—DB

No time for compromise — In early March, for the first time, polls showed the public opposed to the Clinton health care plan. This is good news, I suppose. But now is no time to celebrate. For Americans widely perceive that burgeoning medical care costs are a very real problem, and Congress is almost certain to take some action on the issue.

With a single exception, the alternatives offered by Congress are almost identical to the Clintons' proposal. From the Left, Rep. Jim McDermott and about a hundred Democrats suggest a complete government takeover of medical care (the "single payer" system). From the moderate center, Republican Senator John Chafee proposes universal health care paid for by individuals or the government, rather than employers. Also from the moderate center, Democrat Jim Cooper and Republican Fred Grandy propose a measure mandating employers to offer, but not pay for, health care to workers and to "control prices

Liberty's Editors Reflect

CAA	Chester Alan Arthur
DB	David Boaz
RWB	R.W. Bradford
BD	Brian Doherty
RH	Robert Higgs
PL	Pierre Lemieux
RP	Robert W. Pogue
JSS	Jane S. Shaw
CS	Clark Stooksbury
TWV	Timothy Virkkala
JW	Jesse Walker

through market competition." The differences between these schemes and the Clintons' are inconsequential; all mandate a much greater role for government.

Even the other Congressional proposal, Sen. Phil Gramm's proposal to allow individuals to set up tax-exempt savings accounts for future medical care, would leave the fundamental problem — state-created market distortions — untouched. The problem is government subsidy of medical care: all care for the poor and elderly; catastrophic care for everyone else. This has created a situation where demand for medical care is virtually infinite. For many individuals, medical care is absolutely "free" (i.e., paid for by someone else), so they have no incentive to economize. When any good or service is in infinite demand, its price is going to rise. And rise. And rise.

What is needed is to recognize that medical care is like any other service, no more deserving of government subsidy than are baseball games, mail delivery, or cigarette-smoking. The best way to address the problem of burgeoning medical costs is to stop government subsidy of health care. The effect of tax incentives (i.e., allowing tax-exempt savings or deductions for medical care) is similar, though less dramatic. So even the Gramm proposal will make matters worse. It only looks good in comparison to the alternatives proposed by the center and Left.

—RWB

Legal abuse — Recently, a junior-high-school teacher was shot in the back and killed upon his arrival for work in Seattle. Shortly afterward, the police took into custody a young man and charged him with the murder. Despite a great deal of evidence that he had pulled the trigger, the accused pleaded not guilty. It seems that the young man had been a victim of sexual abuse for a ten-year period stretching back to his time as a student in the dead man's class. His attorneys may use the Bobbitt-Menendez defense and argue for a verdict of "not guilty by reason of abuse."

The killer, a 24-year-old who was a star athlete in high school and college, says he acted to "end the abuse" by the overweight, middle-aged schoolteacher. I have no doubt that a well-placed shot from a high-powered rifle can put a stop to sexual abuse. But couldn't the athletic young man find another way to accomplish this — say, by punching his old teacher in the mouth? Or simply by avoiding associating with him? Why should anyone suppose, as many seem to, that alleged "abuse" might justify a killing or render one less heinous?

I have a suspicion. For some years now, the word "abuse" has been gaining ground as an all-purpose term for nearly any thing or action of which one disapproves. Hence the ubiquitous references to "drug abuse" and "sexual abuse," the former having no genuine victim at all and the latter commonly existing exclusively in the minds of the self-declared victims, some of whom have suffered little more than an unwelcome word or look. "Abuse" has always been a vague term. In contemporary usage, any precision it might once have had has been flogged out of it by the politically correct. It has become an *ideological flag word*.

Today, merely to assert that one has been "abused" is to offer an excuse for one's actions, no

matter how indefensible those actions may be in themselves. When abused persons act violently, they are, as it were, merely fighting in self-defense. And who would deny them that right?

Let me make myself quite clear. I do not argue that no one is ever abused. On the contrary, abuse is all-too-common: some husbands do beat up their wives and some parents do mistreat their children.

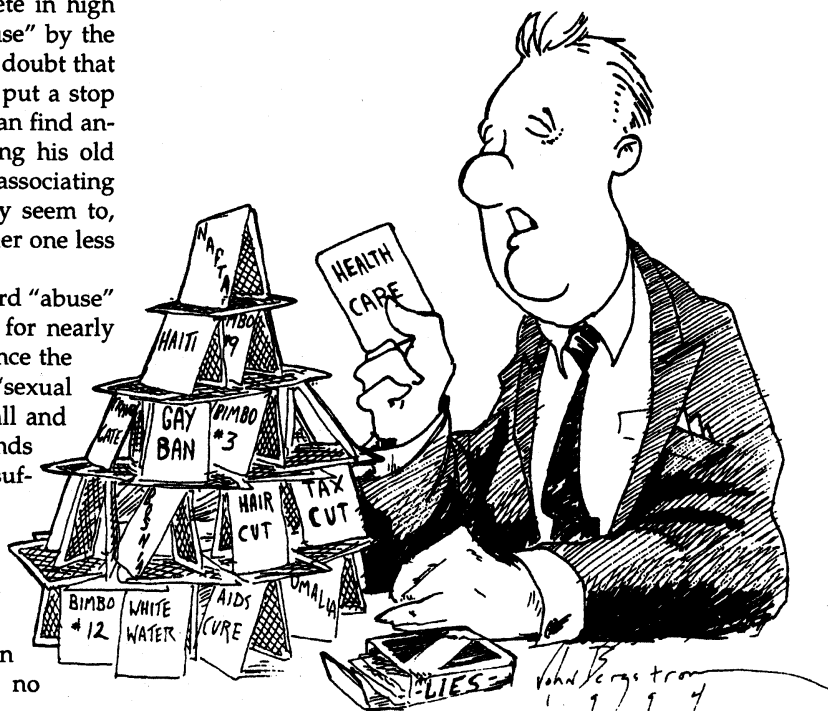
But once we filter the hazy left-liberal rhetoric out of our cultural atmosphere, the absurdities become clear. Even if one really has been abused, not every reaction is defensible. Cold-blooded murder by an able-bodied adult in no immediate danger simply cannot be excused by the recitation of a history of "abuse."

Perhaps the historical facts should be considered in deciding how to sentence such a person for his crime. But to permit the accused to offer "abuse" as a defense against a criminal charge can only shove our already sullied criminal law further into the slough of futility and disgrace. —RH

Gun crazy — Those alarmists who claimed that if the Brady Bill were passed, its advocates would push for still more intrusive invasions of the second amendment were right. (You do remember the second amendment, don't you? It's the part of the Bill of Rights that the American Civil Liberties Union ignores, the one that guarantees the right to keep and bear arms.)

In a letter sent to "specially chosen members of Handgun Control, Inc.," that organization promises to push hard for "A Comprehensive National Gun Policy." According to the "executive summary" of HCI's proposal, the U.S. government should:

- require a license to buy virtually any ammunition for any gun, including .22 caliber rifles of the sort kids use for hunting varmints;
- restrict licenses to people at least 21 years old who have



successfully completed a mandatory safety training course and who possess liability insurance coverage for injuries to another person that their gun causes;

- ban the sale of semi-automatic long guns and inexpensive handguns;
- require that anyone seeking to acquire a rifle or shotgun be investigated by police and wait seven days before being allowed to complete a purchase;
- triple the tax on handguns;
- increase the tax on virtually all ammunition by 354%;
- require that all sales of guns take place in gun stores; and
- require that anyone working in a store that sells guns or ammunition undergo a police investigation, thereby eliminating the sale of guns from department or general merchandise stores.

"The gun laws we propose and will fight for are *essential* and *reasonable*. . . . We are determined to do whatever it takes to enact these vital laws. And enact them as quickly as humanly possible — before more people are killed or wounded by gunfire."

Just how "essential and reasonable" would these reforms be for Marine Lance Corporal Rayna Ross? Last June 12, according to *The Wall Street Journal*, Ross broke up with her boyfriend, Corporal Anthony Goree. He was upset and began to harass her. After he threatened her at knifepoint and at gunpoint, she filed charges against him. He was jailed for a short time, then released on the condition he avoid all contact with her. He went AWOL, stole a car, and renewed his harassment. On June 26, Ms Ross purchased a handgun; there was no waiting period. Three days later, Mr Goree broke into her apartment, clad in a black jumpsuit, and attacked her with his Marine-issue bayonet. Ms Ross shot him dead with her handgun. The local district attorney ruled the death "justifiable homicide."

Handgun Control says its new, much more onerous laws must be passed quickly, "before more people are killed or wounded by gunfire." If the Brady Bill had been in effect last June, Anthony Goree would not have been "killed by gunfire." But Rayna Ross and her infant daughter may very well have been killed by bayonet. —RWB

Where's Preston Brooks when you need him? — How Virginia has declined! The commonwealth

TWISTED IMAGE by Ace Backwords



that gave us Washington, Jefferson, and the Lees has elected as its senators Chuck Robb, a man so soiled that the *best* thing anyone can say about him is that he's Lyndon Johnson's son-in-law, and John Warner, who got his position because he managed to be Mr Elizabeth Taylor for about 15 minutes. Now Oliver North is challenging Robb, apparently in hopes of dragging Virginia's name even lower.

The only reason Ollie isn't serving time today is because he was saved by one of the constitutional "technicalities" he otherwise has no use for — *not* because he was "exonerated," as he now claims. Don't misunderstand me. I *enjoyed* watching him make asses out of those blowhards on the Iran-Contra investigative committee back in 1987. But that about exhausts his virtues. His real crimes are much more serious than telling a couple of lies to congressmen.

Let's examine the record. In the early '80s, Reagan's National Security Council began an effort to curry favor with elements in the Iranian regime of the Ayatollah Khomeini, which had blessed the invasion of the U.S. embassy in 1979, an act of war. The Khomeini regime was also at least indirectly responsible for the brutal murder of 241 of Ollie's fellow Marines in Beirut in 1983. The administration that took office pledging to get tough with the likes of Khomeini ended up bribing them with weapons of war. And Ollie was deeply involved in this effort.

Why would Ollie sell out to the killers of his brother leathernicks? Part of the reason was that he was at the center of the Reagan administration's drive to stop Communism in Central America by funding a group of "freedom fighters" in Nicaragua known as the *contras*. There were only two problems: Congress was wary, and almost no one outside the Beltway supported this crusade. So Ollie and company simply ignored the law, Congress, public opinion, and common sense. The Reagan administration was filled with people who vulgarly worshipped executive power. In their mind, anything the president wanted was fine. And one of the prophets in this pagan religion was Ollie.

But the main reason Ollie went along in this disgrace was his essential nature. He is, in the words of P.J. O'Rourke, "the brown-nosing little doofus we all hated so much in high school." Ollie's prototype in the executive branch of our single-party oligarchy is none other than Slick Willie Clinton. About the only things that separate the two is that Ollie had enough raw physical courage to go into combat, while

Clinton is an even better ass-kisser.

A prime example of Ollie's ability to spot those in authority and pucker is his hyperventilating post-Waco mash note to the murderous ATF, contained in his *Freedom Alliance Newsletter*:

The key point is that the Koresh followers shot first, killing those four federal agents. Yes, it's a tragedy that many children died in the fire that engulfed the compound. But it's also a tragedy — in fact it's a crime — that four ATF agents, executing a lawful [?!?] search warrant when they had reason to believe that they would find illegal weapons, were murdered in cold blood by the cult members.

The ATF officers on the scene were aware of what happened eight years ago, when ATF tried to execute a search warrant on a cult in Arkansas and were met with gunfire. In that case, the group gave up after four days of a standoff, and a search of their compound turned up 35 machine guns and three anti-aircraft rockets. In the aftermath of the tragedy in Waco, conclusive proof was found that Mr Koresh also accumulated a vast arsenal.

In cold blood? IN FUCKING COLD BLOOD?? Dozens of federal agents storm a building with submachine guns and this brown-nosing Brownshirt says that they were killed "in cold blood"?

Ollie then concludes, without evidence, that the Branch Davidians fired first. (And so what if they did? They may have been familiar with the stories of Randy Weaver and others who have been assaulted by rogue agencies like the FBI, ATF, and DEA.) He also concludes that the raid was justified because the Davidians possessed a "vast arsenal." Yet the search warrant the ATF agents were attempting to serve makes no mention of such a stockpile — and with good reason. Even the enforcers from ATF know that the possession of large numbers of guns — a "vast arsenal," in Ollie's loaded phrase — is not a crime.

Ollie blames the "pontificating potentates in the press," the "media luminaries," and the "arm-chair critics . . . second-guessing law enforcement officers on the scene" for raising a fuss over Waco. If only this were true. The media's main contribution to public discussion of the incident has been the canonization of Janet Reno. It was the media *unluminaries* that questioned the feds' behavior at Waco. *Liberty*, the *Washington Times*, and *Soldier of Fortune* led the way in challenging the FBI and ATF's behavior, with eventual assists from *The American Spectator*, *Guns and Ammo*, and others. These are not easily confused with the *New York Times* or *Newsweek*.

With all his lust for an ATF free to kick in any door upon a rumor that someone inside might have a few guns, is it any wonder that Ollie is weak on the second amendment? On Larry King's radio program last year, right after announcing his life membership in the NRA (a standard line for Republican politicians about to bayonet gun owners in the back), Ollie announced his support for an "assault weapons" ban, declaring that anyone who wants to possess such a weapon should join the Marine Corps.

Ollie may or may not have guts, but he sure has *chutzpah*. After selling weapons to thugs in Tehran to buy weapons for thugs in Nicaragua, he wants to deprive Americans of their own weapons, *and* be elected to the U.S. Senate by the votes

of members of the National Rifle Association!

Ollie hasn't won my support, but he has won Murray Rothbard's, thanks to Ollie's opposition to the North American Free Trade Agreement and the support his chief opponent has gathered from establishment conservatives like Cap Weinberger. This is the same Murray Rothbard who once denounced "Ollie and Secord and Singlaub and Abrams and all the rest of the war crowd." These days he figures Ollie's '80s war-mongering is of mere "antiquarian interest," since it occurred before the Cold War ended.

But Ollie is the epitome of the warmongering gang that Rothbard so rightly despises. Need I recite the record of the last five years? Bush's murderous invasion of Panama; a half-

A prime example of Ollie North's ability to spot those in authority and pucker is his hyperventilating post-Waco mash note to the murderous ATF.

million soldiers sent to reestablish the sovereignty of a tiny sheikdom in the Middle East; U.S. troops under U.N. control searching haplessly for some nobody "warlord" in Somalia. Does Rothbard really believe that, once ensconced in the Senate, Ollie will speak out against the global crusade against whoever it is we're crusading against this week?

Rothbard took a lot of heat among libertarians for supporting Pat Buchanan in 1992, but for all of his faults, Buchanan is aces compared to Ollie. Buchanan at least wants to see armed Americans at home instead of abroad. Ollie has nothing to redeem himself.

—CS

Wading out of Old Muddy — Even Bill Clinton occasionally does the right thing; recently, he managed it twice in one week. First he allowed Sinn Fein leader Gerry Adams to visit the U.S., despite the loud opposition of the CIA, John Major, and other soulless, faceless institutions. Then he lifted the archaic trade embargo against the Socialist Republic of Vietnam.

The great irony of U.S.-Vietnamese relations is that, in the name of free enterprise, the American government spent half a century sabotaging the prospects for a free, market-oriented Vietnam. The best and brightest American planners imposed the dictatorship of Ngo Dien Diem, whose economic and military policies eroded markets, intermediary institutions, private property, and free action; who virtually created the Communist threat by wiping out anticommunist nationalist militias; whose whole approach to governing seemed to be devised half a globe away, in the halls of Harvard, Michigan State, and Washington, D.C. The U.S. government eventually killed off Diem, then helped throw out his successors, but never brought anything lasting to Vietnam but displacement and death.

But for the last few years — even before the Soviet aid dried up — the Vietnamese Communists have allowed more and more freedom of enterprise. Markets have expanded and controls have decayed, spreading prosperity and destroying old patterns of autocratic privilege. Vietnam went Communist

when American interventionists gave up the fruitless task called the Vietnam War; today, Vietnam is embracing restrained but real freedom of enterprise because their home-grown interventionists are giving up the fruitless task called Vietnamese socialism.

And now the embargo has been lifted and Vietnamese trade is expanding further, while the Communist dictatorship continues to contract. Anti-Americanism has been replaced with a lust for North American consumer goods. Where bombs failed, the market triumphed. Gerry Adams and John Major, are you listening? —JW

With friends like these — On March 11, I made a wager with another *Liberty* editor that Bill Clinton will resign from his office. This is, of course, a sucker bet. There have been a lot of presidents who were personally corrupt, perhaps as corrupt as Clinton. But only one was forced to resign, and he was victimized by both uniform hatred from the press and a Congress totally controlled by the opposition party.

Clinton suffers from neither. His party controls both houses of Congress. And the press showed an unprecedented adulation of Clinton during the presidential campaign, and continued to act as his apologist until his corruption became so obviously sordid that reporters began to smell Pulitzer Prizes.

Still, when I watch Diamond Jim McDougal defend the Clintons on television, I am not so sure I will kiss my \$50 goodbye. The Clintons' critics may not be able to bring them down, but their friends may prove to be a different matter. —RWB

How low can our rulers sink? — It's hard to outdo Hitler and his minions. After all, among other unsavory things, they systematically murdered millions of innocent people. But the U.S. government has now taken a step beyond even the Nazis.

When the federal agents at Waco assaulted, besieged, and finally systematically murdered scores of citizens who, prior to the initial ATF raid attack, had harmed nobody, one might have said, "Oh well, the Nazis systematically killed innocent people; our own fascist leaders do the same." But did the Nazis ever place on public trial for murder those Jews who, while defending themselves, killed members of the Nazi police or military?

I am old enough to have been apprised of a good deal of injustice in my own time and country. And I have studied enough history to have learned of a great deal more. But I can think of nothing that equals the trial of the surviving Branch Davidians in its sheer moral travesty. —RH

David Koresh died for your sins — I doubt the verdict in the case of the Waco Eleven surprised very many people. On February 28, 1993, in the guise of serving a search warrant, heavily armed agents of the Bureau of Alcohol, Tobacco, and Firearms mounted an armed assault on the Branch Davidian religious community. The assault ended in a standoff, with six members of the religious community and four of the more heavily armed government agents dead. The FBI took over the military operation against the Davidians; barred reporters from the area; planted listening

devices within the residence; cut off food, water, and sewage connections; and engaged in more than a month of psychological warfare, before attacking the residence with tanks on the morning of April 19. This attack killed off all but a small number of the remaining 92 Davidians, including 17 children, and incinerated entirely the buildings, property, and virtually all physical evidence at the scene of the assault.

The surviving eleven Davidians — some of whom were not even present when the first assault occurred — were arrested and put on trial for the murder of the four ATF agents who died in the first attack. All they could offer as evidence was the testimony of several of the federal agents involved in the assault and one Davidian. The government had one other witness, against whom they had dropped charges in exchange for her agreement to testify on behalf of the government. But in court she testified that the first shots she heard came from outside the building.

The jury also heard testimony from three television and newspaper reporters invited to the scene by ATF. But they had

Two days after the innocent verdicts, the Los Angeles Times reported that the verdicts were a "time of renewal for ATF."

been kept several hundred feet away from the actual assault, and could not identify who had fired first.

During the standoff, ATF — and, later, the FBI — had told the press that they had in their possession a videotape that would prove beyond a doubt that the Davidians had fired upon them during the original assault. But when it came time to prove their case in court, no such videotape was offered.

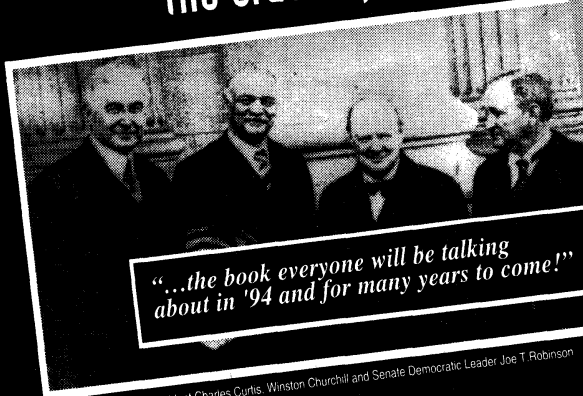
Because the fire which engulfed the buildings had destroyed any physical evidence that might exonerate them, the accused had little to offer in their own defense, except for a tape recording of a Davidian call to the local sheriff's office reporting, "There's 75 men around our building and they're shooting at us!"

Not surprisingly, the jury could not determine whether the government had fired first and the Davidians had acted in self defense, and found all eleven not guilty of conspiring to murder federal officers and aiding/abetting in the murder of federal officers. Jurors found two Davidians guilty of violating gun regulations and five guilty of aiding/abetting the voluntary manslaughter of federal officers, based on Judge Walter S. Smith's instructions that they could convict them of this lesser charge if they were convinced the accused had acted "in the sudden heat of passion caused by adequate provocation."

Attorney General Janet Reno, who had ordered the final assault that resulted in the huge death count, tried gamely to find justification for her actions in the verdict. "It is clear that the jury recognized in its verdict that the killings of the four ATF agents was not justified," she told reporters, making no comment about the failure of her department to prove the horrendous charges they had made against the survivors of the attack or its inability to produce the videotape they claimed to possess which would have proved their case. Aside from Reno and a few officials of the federal bureaus involved, virtu-

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ally everyone saw the verdict as a devastating defeat.

You might think that the verdicts would be the final straw. Long regarded by other law enforcement agencies as second-rate and incompetent, and reportedly facing cutbacks in its appropriations at the time of the assault, ATF's very survival was in question. Indeed, there was considerable testimony that the initial raid had been planned as part of a public relations campaign to increase the Bureau's appropriations. In the wake of the assault, an internal investigation by the Department of Justice concluded that ATF agents had tried to cover up mistakes, failed to consider responses to the Davidians other than armed assault, and relied on obviously flawed intelligence.

But government agencies are remarkably resilient. Two days after the verdict, Karen Tumulty reported in the *Los Angeles Times* that the verdicts have ushered in a "time of renewal for ATF." The Waco incident is behind it, and Congress has given the agency vast new powers under the Brady Bill, which further restricts gun ownership by people who are not government agents. Despite cutting other agencies' budgets, the Clinton administration granted ATF a budget increase. "In a lot of ways, you see a certain pride developing in ATF. They don't have to be embarrassed about what they are doing," one anonymous administration official told the *Times*.

It's good to know ATF agents aren't having any problems with their self-esteem. I'm okay; you're okay; 86 are dead.

—RWB

Deconstructing Miss Hillary — Corrupt politicians say the darnedest things. Here are a couple of the more amusing public statements of the first lady, offered in an attempt to diffuse public criticism. First, there's Ms Rodham Clinton refusing to make public records about her role in the Whitewater-Madison Guaranty fraud:

You're just going to have to wait along with everybody else as we work this through with the special counsel and try to find out *what we are obligated to give to him* and what kinds of questions *we have to answer* in that process. (emphasis added)

Isn't it intriguing that after telling the press that she and her husband are being totally open because they have nothing to hide, Ms Rodham Clinton now says that they will reveal only what they are "obligated" to reveal and answer only those questions they "have" to answer?

Then, there's Ms Rodham Clinton's explanation of why she and her husband had delayed for so long making their records public:

I really have been pulled kicking and screaming to the conclusion that if you choose to run for public office you give up any zone of privacy at all. I get my back up every so often about even having to answer questions that I don't think are in any way connected with the fact that my husband is in public life.

For those of you who don't speak Rodhamese, I offer this translation:

Although I have proposed that each American should welcome my health care plan that requires everyone to reveal his medical history in intimate detail to the federal government and carry a card that enables legal and medical authorities to gain access to those records, I believe I ought to be able to keep private the details about how I stole money from the public. That just isn't any of their damn business. My ability to earn

exorbitant fees representing crooked savings and loans with regulators appointed by my husband has no connection at all to my husband's power. I would have been hired by the Rose Law Firm even if he hadn't just been elected attorney general, and made a partner even if he hadn't just been elected governor. And Diamond Jim McDougal would have given us half interest in Whitewater Development even if Bill had never entered politics.

—CAA

The culinary president — During his presidency, George Bush brought a lot of attention to two excellent Washington-area restaurants, Peking Gourmet and Rio Grande. On a recent trip to Houston, I had a chance to try Bush's favorite Mexican (Ninfa's) and barbecue (Otto's) restaurants there. I'm telling you, when George Bush made the wrong career choice, the country gained a lousy president and lost a great restaurant critic.

—DB

Question authority — Years ago at a political convention, a friend approached me and pointed to my political button, which was adorned with the slogan "Question Authority." "Who are you," he demanded, "to tell me to question authority?" Well, I can play egoistic one-upmanship as well as the next guy, so I responded: "This is not a command but a statement. I am the Question Authority!"

I was reminded of this exchange when Bill Clinton responded to pressure to come clean on the Whitewater scandal by saying, "People should not be able to raise questions and erode people's moral authority in this country." In other words, he wants to strip Americans of their rights as citizens — and me, the Question Authority, of my livelihood.

I call the question.

—TWV

Shoes for industry — Kinney Shoe Corp. has agreed to pay more than \$100,000 to Washington-area "youth groups" to settle a lawsuit alleging that the company's Foot Locker chain discriminated against two black women by refusing to let them pay for their purchases with personal checks. The total amount of the checks refused was around \$300.

Now in the first place, does anybody believe that a major national company would allow black women to shop in its stores, assist them in finding shoes, and then refuse to accept their checks out of sheer racism? The clerks in suburban stores said they did not accept checks drawn on District of Columbia banks; since it's hardly in the company's interest to turn down business, we can only assume that they have had bad experiences with D.C. checks, or with out-of-town checks in general. There was no indication that the stores would have refused to accept cash or even credit cards from the women; indeed, one of the advantages of credit cards is that they allow people away from home to do business with strangers.

But even more offensive than the complaint against Kinney was the company's response. The bulk of its tribute payment — \$75,000 — went to Parents United for D.C. Schools, an advocacy group that works for "adequate funding" for city schools. (The schools currently spend \$9,000 per student per year, putting them among the most expensive public schools in the history of the world, and just a shade behind the \$10,000 annual tuition at Chelsea Clinton's school,

Sidwell Friends. I wonder what Parents United would consider "adequate.")

In other words, if I buy shoes at Foot Locker, they'll use part of my money to raise my taxes? —DB

Festival of nationalism — The Winter Olympics have come and gone, and, as usual, I avoided them as much as possible. I watched not a millisecond of television coverage, though I did inadvertently hear reports about how Tonya Harding had tried to smash the legs of Nancy Kerrigan to facilitate capturing a gold medal in figure skating and how some guy (from Wisconsin, I think) finally won a gold medal after years of trying and how there was no miracle victory for the U.S. ice hockey team.

My personal boycott of *materia olympica* surprised some of my friends who are aware that I am a devout sports fan. My reason is that the Olympiad is not really a sports meet; it is really a celebration of nationalism.

Four kinds of events comprise the Olympic "Games": judged competitions, staged spectacles, contests, and games. Games, the single element that are assuredly sporting events, are the smallest and least important of the elements. The Winter Olympics only include, so far as I can recall, a single game: hockey. The Summer Olympics include more games — basketball, tennis, baseball, wrestling — but, as with the Winter Olympics, games comprise only a tiny portion of the competitions.

Both the Winter and Summer Olympics include quite a large number of contests, i.e., competitions between individuals or teams in which the winner is determined by objective measurement of speed, distance, or weight. In the winter version of the Olympics, there are races on skis, ice skates and sleds; in the summer version, swimming and running races, as well as competition in jumping and throwing. A case can be made, I suppose, for classifying contests as sports, though they lack certain elements that make games far more interesting, to me at least. Since they are against the clock, the tape measure, or the scale, there is little or no role for strategy. Indeed, the identity of one's opponent is almost irrelevant. In many Olympic races, athletes perform by themselves, and only learn later whether they won and who their closest competitors were.

If the Olympics consisted only of games and contests, I suppose they would qualify as sports. But unfortunately, the Olympics are dominated increasingly by two elements that are so remote from sports that they cannot be so identified by any stretch of the imagination. The winners are determined by processes that are inherently subjective and very often dishonest. Prior to the Olympics, I heard an interview on a news program in which several former Olympic participants agreed that there was no possibility that Tonya Harding would beat Nancy Kerrigan. The naive interviewer asked how they could predict this with so much certainty. Well, the athletes explained, after what had (allegedly) happened, there was no way judges would give her better scores than Nancy, no matter how well she skated.

Judged competitions, like figure skating, gymnastics, ice dancing, high diving, freestyle aerobics, synchronized swimming, etc., are silly contrivances that can be constructed for any human activity. Why, for example, is ice dancing in the

Olympics when ballet is not? Or, for that matter, poetry-writing? The various national Olympic committees could very easily organize contests in which native poets compete before poetry judges to select representatives to send to Lillehammer, where the dreary competitive process could be repeated.

I suppose some would object that poetry is cerebral and that judged contests in the Olympics should involve physical activity. Okay. Why not include bricklaying? Lord knows, some bricklayers are faster and do a nicer job than others. I am sure judges could be found who could rate bricklayers on

It is time to reform the Olympics radically, so that the best athletes participate, and they represent themselves, not their governments.

the uniformity of the thickness of the mortar between bricks, the flair with which the mortar is spread, the evenness of the bricks, and a dozen other minute characteristics of the construction of a brick wall. Anyone inclined to reject this as silly should explain the metaphysical importance of a triple sow-cow or a double axel.

And anyone who wants to limit judged competitions to those few in the Olympics at present had better explain why they exclude fashion design, painting (portraiture and house), and a million other human activities. Why not, for example, incorporate the Miss Universe contest into the Olympics? It is already an international judged competition, with participants from more than 100 countries.

The Olympics are a television event designed to maximize television revenue. The event with the largest viewership and therefore the most importance in the winter Olympics is figure skating, which is not a sport at all. Not far behind figure skating in viewership are the opening and closing ceremonies, grandiose spectacles staged to stupefy the sort of people impressed by spectacles. The sight of thousands of uniformed people marching behind flags, passing in review under the boxes of kings or presidents does not make my heart skip a beat. It makes me want to change the channel.

The Olympics are touted as being international in character and a promoter of world peace and international understanding. None of this is true. The Olympics is not international, it is intergovernmental. It has always consisted of contests among teams representing individual governments, not nations. They wear the colors and walk under the flags of their governments, not their nations. People from many nations are not allowed in the Olympics at all, or must compete under the flag of a government that rules them. Despite its myriad languages and nationalities, India fields a single team. The Soviet Union always fielded a single team, and members of its conquered nations competed as Soviets or not at all. The same is true of Mayans and Comanches.

One result of this intergovernmental competition is that once an activity is adopted by the Olympics, it takes on a vast new importance. Hockey was introduced in the Soviet Union because Stalin wanted to prove the superiority of Stalinism

over democratic capitalism in as many venues as possible. How many Jamaicans would participate in bobsledding were it not a ticket to the Olympics? Or Americans, for that matter?

The competition has never been among the best athletes in the world, but only among the best athletes from certain countries. Consider the case of basketball. Without a shadow of a doubt, the world's 25 best basketball teams are all members of the National Basketball Association. There are thirty-plus teams invited to compete in the Olympics, but only one from the NBA. As a consequence, Olympic basketball games

frequently end with scores like 120–30.

The same is true in other sports and competitions. For an American sprinter to make it to the Olympics, he had better be able to run 100m in ten seconds or less. What is the qualifying speed for a sprinter from the Kingdom of Tonga? The result is the same in sprinting as in basketball: bums representing non-competitive governments are invited while top quality athletes from more competitive governments are home watching on television.

continued on page 67

Medianotes

Vicious circle — The February 16th op-ed page of the *Washington Post* unintentionally offered a charming roundup of everything that's wrong in Washington. Leaving aside the foreign policy article in the middle of the page — in keeping with the longstanding libertarian habit of ignoring issues of war and peace, militarism and leviathan — there were four articles arranged around the outside of the page that, beginning at any point on the page, led logically from one problem of the welfare state to another.

Across the top, William Raspberry examined the problem of crime and concluded that government must get tough and build more prisons *and* spend more on schools and social programs. In other words, government needn't choose among proposed approaches to the problem, but rather should spend money on all of them.

Moving clockwise, longtime Washington insider Lloyd Cutler warned that we must not amend the Constitution to require a balanced budget because then we wouldn't be able to spend as much as we need to in times of emergency. (Like today's crime emergency?)

Again moving clockwise, to the bottom of the page *Newsweek* columnist Robert J. Samuelson pointed out that the costs of new entitlement programs such as the Clinton health care plan are often "wildly underestimated" — thus, of course, making balanced budgets unlikely.

And on the left-hand side of the page, David Broder deplored the crime, illegitimacy, and other social ills that (he doesn't say) are largely the result of previous entitlement programs — like the ones Raspberry endorsed at the top of the page, which brings us full circle. —DB

Larry King: too black, too strong — After Larry King recently proclaimed that black conservatives in general, and Clarence Thomas in particular, "wish they were white," he fielded calls about the comment for a week, explaining that any "person of color" who casts his lot with conservatives is a sellout because conservatism means separate water fountains and repression of minorities.

Later that month, Larry switched from "controversial" back into more familiar kiss-ass mode as he interviewed well-spoken rap music icon Ice T. Between softball questions, the rapper tried to help Larry grasp such hip hop culture terms as

"dope" (an adjective that replaces "cool" and "bad"). This, coupled with Larry's unashamed endorsements of such unconservative policies as redistributionist taxation and an activist federal government, raises the question: Does Larry King wish he were black? —RP

A critical review — Scholars — that is to say, people who write papers for scholarly journals — have a system for classifying footnotes: they either quote up or quote down. Those that quote up cite the works of those with higher status in the scholarly barnyard; those that quote down cite the works of those lower in the pecking order. Scholars often rate themselves by the number of times they are quoted up.

One of the reasons so many scholars view Ayn Rand as a comic figure is her proclivity to quote neither up nor down, but horizontally. Now the libertarian landscape is blessed with another horizontalist. In the current issue of *Critical Review*, Jeffrey Friedman cites himself in 21 of his 39 footnotes, nearly once per page. Each of those notes refers to one or more previous *Critical Review* articles by long-time graduate student Friedman, who has served as editor of *Critical Review* throughout its long and illustrious history. —RWB

All the king's apologists — I have a confession to make: I'm starting to appreciate Rush Limbaugh. I spent the Bush years denouncing the blowhard broadcaster to anyone who would listen; he's an Establishment *poseur*, I'd say — a man whose support for George Bush belies his sometimes anti-statist rhetoric. Rush hit his nadir when he "interviewed" Mr Bush in the home stretch of the 1992 presidential campaign. Clinton and Perot are for more government, he told the assenting Republican, while "you're for less government."

Not bloody likely. George Bush was the quintessential big-government conservative, and Rush damn well knew it — he'll even admit it, now that Bush has belly-flopped out of power and popularity.

And if Rush *hadn't* known that Bush was a statist, he could have found out by reading Michael Kinsley's weekly essays in *The New Republic*. Kinsley was an iconoclastic neo-liberal, more interested in thinking for himself than follow-

ing any party line. On some issues — agriculture subsidies, Social Security, free trade — he sounded downright libertarian. And he knew how to stick it to the president. When Bush promised he'd never raise taxes again, Kinsley showed that his proposed budget for the next year *already* included several new taxes and fees. Any time a Bush campaign officer lied or misspoke, Kinsley would point it out, gleefully. And he managed all this without getting too pollyannish about the opposition. ("What evidence is there that President Clinton will face up to the unpleasant fiscal reality that both he and the failed incumbent have ducked during the campaign? Well, none.")

Alas, those days have passed. A year into the Clinton administration, the roles have reversed. Rush Limbaugh may not be the president's most sophisticated critic, but he's right at least half the time, and what he says gets heard. Kinsley, meanwhile, has discovered the advantages of speaking flattery to power; with the Troopergate and Whitewater scandals, he has emerged as defender-designate of the oval and ovary of offices. On one recent *Crossfire*, he belittled reports that the Rose Law Firm shredded evidence of the Clintons' involvement in the Whitewater scam, because the story had "only" appeared in the *Washington Times*. (Actually, it had been confirmed in testimony before a grand jury and reported in several major papers and on CNN.) Recently, Kinsley wrote that then-White House Counsel Bernard Nussbaum's meetings with RTC investigators — people investigating Nussbaum's boss, people whose activities White House officials should certainly *not* be briefed about — are probably nothing to be concerned with.

But what's most disconcerting is what Kinsley *hasn't* written. In the *New Republic* of September 1, 1979, Michael Kinsley had this to say about one of Jimmy Carter's appointees:

President Carter hired Lloyd Cutler last week as his White House counsel for the same reason the Automobile Manufacturers Association hired Cutler in 1966 to help water down impending auto safety legislation, and for the same reason the Pharmaceutical Manufacturers Association has employed Cutler over the years to help explain away various pricing and safety infelicities, and for the same reason corporations pay Cutler's law firm millions of dollars every year to deal for them with the Congress, with regulatory agencies, and with the antitrust division of the Justice Department. . . . Cutler is the very symbol of the unelected permanent government here, available for hire to special interests, which Jimmy Carter denounced in 1976.

When Nussbaum left the White House in the wake of the aforementioned RTC meetings, Bill Clinton replaced him with none other than . . . Lloyd Cutler. What does Michael Kinsley have to say about fixer-for-hire Cutler now? Nothing.

At the 1992 Democratic convention, die-hard Jerry Brown delegates carried signs that read "Lemmings for Clinton." Who would have expected Kinsley to join the rush for the

cliffs? Let's hope Clinton's crimes bring this presidency down before one of our best journalists is completely lost to the Beltway. —JW

Discredit where discredit is due — The headline was "Feeling the Heat." The subtitle was "The Problem: Greenhouse gases could cause a climactic calamity." The article was written by *Time* reporter Michael D. Lemonick: "The heat waves, droughts, floods, and hurricanes may be previews of what could happen with ever increasing frequency if the atmosphere warms 3°F to 8°F by the middle of the next century, as some scientists predict."

The article was part of *Time's* "planet of the year" issue of January 2, 1989, the apocalyptic tocsin that launched the most recent wave of hyperenvironmentalism. *Time* milked the issue (global warming specifically and environmentalism generally) for the next few years. Indeed, Charles Alexander — the editor responsible for the special issue — became famous for publicly announcing that *Time* had "crossed the boundary from news reporting to advocacy."

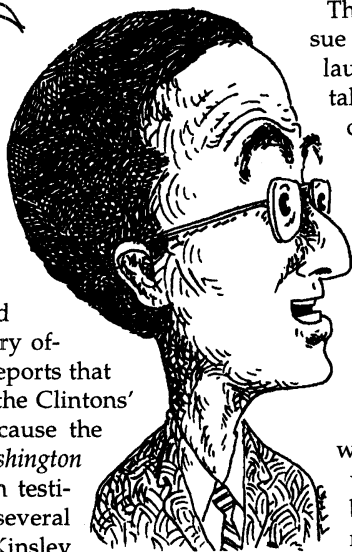
On January 31, 1994, Lemonick again tackled climate in the pages of *Time*. But this time the story was different. The headline: "The Ice Age Cometh." The subtitle: "Last week's big chill was a reminder that the Earth's climate can change at any time." Lemonick noted that scientists have been warning about the greenhouse effect, but that, "if last week is any indication of winters to come, it might be more to the point to start worrying about the next Ice Age instead."

If he were in any other profession, Lemonick might be worrying about his next job. But irresponsibility is part and parcel of the press, its badge of relevance. The successful journalist moves from hyped-up and sensationalized predictions of global warming to hyped-up and sensationalized predictions of an Ice Age without apology.

The consequences are enormous. Over the past five years, the government has taken big strides toward reducing freedom in the name of global warming. George Bush signed an international treaty that promises to cut back on greenhouse gases; Bill Clinton has demanded a wasteful, multi-billion-dollar "voluntary" energy policy; and politicians around the world are trying to figure out how to impose a carbon tax. And global warming is serving as a bandwagon on which to pack more government-funded research.

Yet Lemonick has the audacity to imply that the cause of all this is scientists' "apocalyptic warnings" about the greenhouse effect. Some scientists have indeed issued such warnings, but political action didn't come just because some scientists thought the world would get warmer. It happened because *journalists* like Lemonick and his boss persuaded politicians that global warming would win constituents' votes. And for five years it did. —JSS

McCaughey the Dragon-Slayer — At least some of the credit for the public's turn against Bill Clinton's health care plan should go to the Manhattan Institute's Elizabeth McCaughey, whose article in the February 7 *New Republic* detailed some of the 1,386-page bill's gorier features. Under ClintonCare, McCaughey pointed out, Americans will



be forced into cut-rate HMOs and prevented from exiting the system to buy better coverage. A seven-member price-fixing "National Health Board" will decide how much can be spent on medical services, outlawing plans that spend 20% more than their respective regions' average. A 15-member "National Quality Management Council" will establish "practice guidelines" to determine under what circumstances the services we will allegedly be entitled to are "appropriate." Doctors will be required to report each patient's visit to a national data bank holding every American's medical history. And more — much more than I can summarize here.

The White House replied with an undocumented ten-page screed against McCaughey's "blatant lies"; the response stood in stark contrast to the original piece, which backed up every claim with a reference to the offending page in the Clinton plan. So when McCaughey replied, she employed direct quotes as well as page references, making it tougher for the administration and its apologists to claim the passages weren't there. *TNR* generously offered to provide a venue for a formal debate between McCaughey and a representative of the administration; at press time, the White House is still ducking the challenge.

The *New Republic's* preferred alternative to ClintonCare is the almost-as-bad Cooper-Grandy scheme. But the magazine deserves credit for running the article, and for giving McCaughey's detractors a chance to embarrass themselves in public. At this point, hardly anyone continues to support the

administration's proposal. Ira and Hillary's medical monster is almost certainly dead. —JW

Free China — Warren I. Cohen, distinguished professor of history at Michigan State University, complains in the *Washington Post* about Robert Novak's claim that China is "freer today than before the demonstrations of 1989." Cohen rightly points out that the Chinese government is "still attempting to assert totalitarian controls over the intellectual life of the country." But it is sadly typical of academics that in his 500-word essay, the distinguished professor devotes not a word to economic freedom.

Now those of us whose greatest joy in life is giving a piece of our minds to others, whether they ask for it or not, are more directly concerned with freedom of speech and the press than with economic liberty. But we — Cohen and I, for instance — should remember that only a system of private property gives us the freedom and the affluence to engage in these pursuits. And for most people, the freedom to own property (or lease it on a long-term basis), start businesses, and trade freely to make a better life for themselves and their families is probably more meaningful than the right to write and read about the doings of governments.

The *Economist*, the World Bank, and the IMF have recently declared that China has moved out of the ranks of the low-income countries. Southern China reportedly has the world's fastest-growing economy, and the World Bank says China's GDP is now tied with Japan's for second in the world (though obviously not near the top in per capita terms). That's pretty good evidence that the Chinese people are enjoying a degree of economic freedom that is producing prosperity.

As they say over there, "To get rich is glorious." The distinguished professor, already wealthier than 99% of the people in the world, should have a care for those still trying to get rich. —DB

Later on, Later off — There are now only two types of interviewers on television: aggressive interrogators and effusive suckups. Neither are very good at their jobs.

The aggressive interrogators, as exemplified by Mike Wallace, go into an interview with an agenda, usually hidden. They want to get their subject to admit to something, an awful sin or insignificant misdemeanor. Their subjects generally know this and come to their interviews prepared for evasion, or at the very least defense. The resulting interviews resemble boxing matches: the interviewer trying to work his game plan for the knockout, the subject bobbing and weaving. The most common defensive strategy is to look the interviewer earnestly in the eye, ignore his question, and make a little speech. Most politicians have mastered this technique. Not surprisingly, most interviews with politicians are of interest only to fans of the arcane game. Occasionally, the aggressive interviewer runs into a subject unschooled in evasion, usually an unsuspecting businessman lulled into the interviewer's trap by the flattery of media attention.

CONGRATULATIONS TO

The New Republic

for the publication of its cover story

He's Back!

Why and Where the Spotted Owl Is Breeding Like Crazy
by Gregg Easterbrook

... which reported that the Northern Spotted Owl is neither facing extinction nor confined to old growth forest. In reality, large populations of Northern Spotted Owls prosper in second growth forest. Easterbrook also points out that the Northern Spotted Owl is not a species at all, but is a geographically separate population of *Strix occidentalis*, or spotted owl, which inhabits North America from British Columbia to Mexico and is in no way endangered.

The Editors of

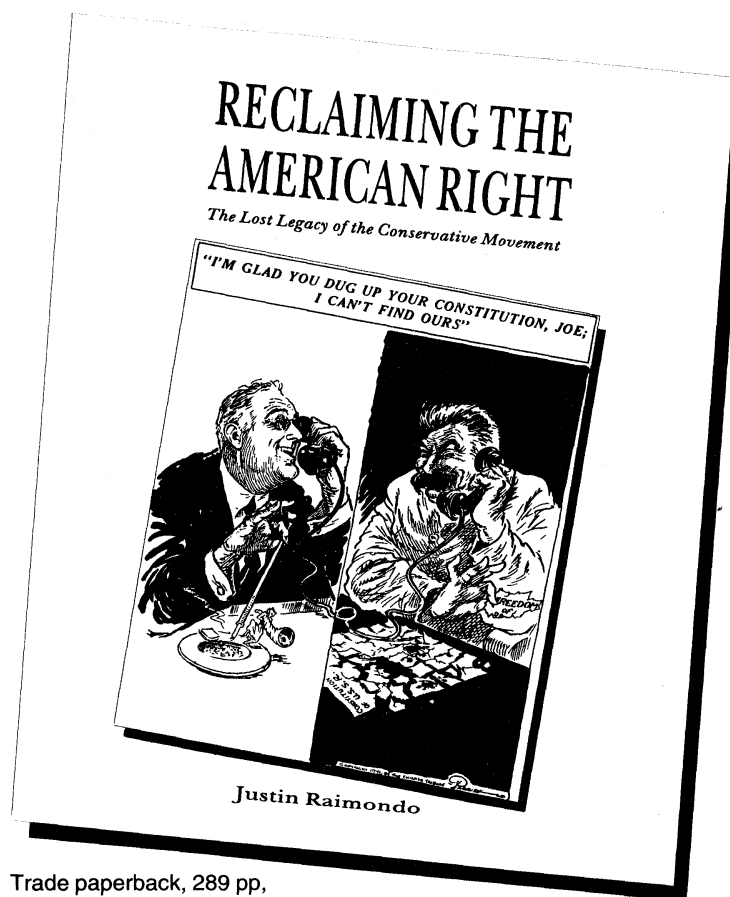
Liberty

... note that the exact same points were made in its pages three years ago, in R.W. Bradford's "The Owls are Not What They Seem" (July 1991) and "Owl Spotted" (September 1991).

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The flattering attention offered by the effusive suckups is apparently sincere. They not only make it evident that they love or respect or admire their subjects, they refrain from asking the slightest embarrassing or penetrating question. Consequently, it is almost impossible to distinguish an interview by Charlie Rose or Larry King from an infomercial.

Until February 26, there was a third type: an interviewer who could draw out his subjects without aggressiveness, who could get his subjects to say interesting and revealing things without insulting them. Connoisseurs of intelligent conversation will miss Bob Costas. For four nights each week since 1988, Costas provided insomniacs with 30 minutes of first-rate interviewing. His 1:35 a.m. television program was never more than a sideline to his career as a sportscaster, but Costas demonstrated that there is a place for intelligent conversation in the desert of television talk shows.

NBC replaced Costas with Greg Kinnear, a mildly amusing but lightweight television "personality" who built a reputation for a well-honed sneer hosting a cable program reviewing daytime talk shows. In contrast to Costas' program, Kinnear's has an audience, a monologue, and a lightweight interview.

Okay, I exaggerate when I say that Costas' retirement leaves television with only aggressive interrogators and effusive suckups. Network news people occasionally perform short interviews. But not often. What few interviews I have seen by Tom Brokaw or Dan Rather or Peter Jennings confirm the perception that the success of a network newscaster's career is more a function of looks than intelligence. This doesn't surprise: their jobs consist almost entirely of reading news copy that others have written. I can recall only two interviews by Dan Rather, in which he was made to appear foolish by George Bush(!) and Pat Robertson(!!). Among all the network newscasters, I can think of only two who show signs of intellect beyond that of a typical high-school teacher or metermaid: Ted Koppel of ABC and Tim Russert of NBC.

—RWB

Two thumbs down — Siskel and Ebert refused to appear on *The Arsenio Hall Show* after Arsenio hugged Louis Farrakhan and failed to denounce the minister's alleged anti-Semitism. Fine. But they would have shown better taste if they'd boycotted *Arsenio* because its host is a fawning, drooling mockery of an interviewer, incapable of responding to any guest's remark, no matter how inane, with anything more than a gushing "yaaaah." Hugged Louis Farrakhan? For Arsenio, that is admirable restraint.

—CS

Beyond bias — The left-liberal bias of the press is a recognized fact, thanks in large part to the work of Robert Lichter and his associates. Their documentation (notably in *The Media Elite*) has spawned a mini-industry on journalistic bias, featuring the selection and publication of bias-revealing quotes.

But there is another, more fundamental, way of looking at the problems of the press: rather than focusing on its biases, trying to identify the conditions that enable bias (and the shoddy reporting consequent to bias) to flourish in the press. This is a much more challenging approach, an approach that very few people have attempted. One who did was Dennis J.

Chase, who died from an accident in February at the age of 47.

Journalism was Chase's profession, and he was passionate about it. When I met him in Chicago in 1971, he was eager to be the best reporter he could. He loved to seize on a glimmer of information — a casually dropped remark, say — and develop it into a story through extensive reporting. He always used a tape recorder in order to be accurate, and couldn't understand why fellow journalists were reluctant to do so.

After working at several newspapers, he joined McGraw-Hill — first its Chicago news bureau and then its bureau in London. In both places he wrote for many McGraw-Hill trade magazines and newsletters. Subsequently, he spent 13 years at Crane Communications, where he was executive editor of *Advertising Age* until 1993.

During his early days as a journalist, Chase wanted to improve the caliber of journalism, and that's what he wrote about in such magazines as *The Quill* (the magazine of the Society of Professional Journalism) and *Reason*. Those writings reveal his wide reading about journalism and his meticulously collected and filed evidence, which often took the form of different ways the press dealt with a single issue. (It was harder to collect these then; no one had Nexis.) In one *Reason* article, Chase recounted four trivializing treatments of a statement by Alan Greenspan about inflation. Rather than investigate inflation's impact, reporters excitedly seized on Greenspan's statement that, "percentagewise," inflation affected stockbrokers' income the most.

In an eloquent *Quill* article about sensationalist environmental reporting, published in the days after Earth Day 1970, Chase quoted several journalistic claims that air pollution was getting worse. He demolished most of them — and, in the process, coined the term "eco-journalist." Another article scrutinized what was then called the "new journalism," labeling it "dead-end reporting" because it was "non-credible."

In all these essays, Chase argued that reporters should obtain evidence before determining that something is news. His essays lamented the "darkness of journalism practice," but he felt that journalism could change if the people most responsible for the "darkness" — editors — took a more philosophical stand. "Many of the errors made by journalists — mistaking change for crisis, social adjustments for revolutions — are not due to bad reporting," he explained in *Reason*, "but to standard journalism practice which requires reporters to assess the news value of immediate events without the evidence to do so."

Journalists, he said, are "at the mercy of whoever controls the Moment." And that is because editors have "never grappled with the key questions: what is news? what is important and how do we know?" If they had, they would recognize that news is "an important change or potential change in the status quo that can be independently verified by journalists." (He cited this as his preferred definition; I don't know whether it was original or not.) To provide evidence that news equals change, the news must "run a certain course," he said. In other words, some "news" will have to wait.

Chase found a model in *The Wall Street Journal*. The *Journal* lists news items briefly in a column on page one but, meanwhile, puts reporters to work investigating the most promising items. A likely outcome is a story that will appear a few days later as a long feature. This model offers a chance to identify and report on the news of the day without "hyping"

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"After 35 minutes, my boss said, 'Communication is very important to this job and so is poise under fire: Congratulations, you've got the promotion.' Your *Essence of Political Persuasion* Tapes earned me a \$12,000 a year promotion in 35 minutes."

R.S., Los Angeles, CA

"My letters-to-the-editor used to make people angry. Since I started using your Political Persuasion methods, people started sending in letters agreeing with me."

T.L., Toronto, CANADA

"...anyway, I got fed up listening to my sociology professor praise welfare statism. One day, after class, I got him alone and used your 'Welfare Junkies' argument on him. It stopped him cold! He asked if I could recommend any books on the subject. I told him I'd bring one by later.

"Michael, that's when I called you. I followed your advice to the letter. I bought a copy of Charles Murray's *LOSING GROUND* - and sold it to my professor. You're right, if I'd given it to him I'd be practicing intellectual welfare, encouraging him to believe in something for nothing and he'd have had no financial investment in reading the book.

"Well, he read the book and asked for more. I gave him a *Laissez Faire* Books catalog (he bought several books over the phone while I was there) and a CATO catalog.

"My professor is on his way to becoming a libertarian. Think of how many thousands of students he will influence with libertarian ideas - thanks to your *Essence of Political Persuasion* Tapes."

R.J., Madison, WI

"...I'm a competent, trained Psychiatrist, but I was stuck. He was the most resistant depressive I've ever treated.

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"Michael, your persuasion techniques are powerful. I regularly use them with clients, colleagues, friends and family. Your methods have improved all my relationships."

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"...I was one of the thousands of aerospace workers laid off. Not only was I out of work but I was competing against these thousands for a shrinking number of jobs here in California.

"For 3 months I got nowhere. One afternoon, I listened to your *Essence of Political Persuasion* tapes again. (I bought them a year ago.)

"I starting using the Rapport building steps, the Onus of Criterion and Political Cross-Dressing during every interview. In 2 weeks, I got 4 job offers. I'm now back at work. Michael, tell libertarians that your Persuasion tapes aren't just for politics...they got me a job."

B.N., Orange County, CA

"I'm a 74 year old retiree. I call in to several radio talk shows. People used to tell me that my libertarian ideas were crazy...Now they ask me to tell them more - thanks to your *Essence of Political Persuasion* Tapes."

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it before anyone knows if it means anything.

Unfortunately, although the *Journal* won the respect of many reporters, it did not set a trend. In fact, reporting has probably not improved over the past 20 years. If Chase had continued to assess environmental reporting, for example, he would have found today that the issues are more sensationalized and based on even flimsier evidence than they were in 1972. This lack of professional standards gives reporters more leeway to express their prejudices, which is what media critics focus on today. Perhaps, as former Interior Secretary James Watt has suggested, one of the few beneficial forces in journalism has been the advent of *USA Today*: its stories are so brief that there is little chance for extended bias.

By the mid-1970s, Chase had stopped analyzing journalism and concentrated on practicing it. Perhaps he concluded that journalism wasn't about to change; in any case, he did extremely well in business journalism, which doesn't demand the constant crisis-mongering he found abhorrent. Only in the past year, particularly after he left *Advertising Age*, did he return to his libertarian interests. His last speech, at a conference sponsored by the Heartland Institute, argued that libertarian and conservative organizations should embrace advertising as a tool for changing policy.

I was a friend of Dennis Chase. His clear thinking had always impressed me, and his ideas (he was the first libertarian I ever seriously conversed with) influenced me enormously. His commitment to discovering and reporting the truth inspired me, as it should inspire all journalists, whatever their beliefs. —JSS

Lies, damn lies, and health care polls —

Government and the insurance industry, the two institutions most responsible for the skyrocketing cost of health care, are fighting a public relations war over the the administration's proposal for mandatory cartelization and government control of medicine.

On the side of the government, we have Bill Clinton and Hillary Rodham Clinton grabbing headlines and soundbites by denouncing all criticism of their plan as the work of greedy and evil insurance companies. The insurance industry has responded with a series of television advertisements in which a middle-aged, middle-American couple worry about the Clintons' plan, pointing out some of its more undesirable features (i.e., people will be unable to get the medical care they want or need if the plan is enacted).

Right now, the Clintons are losing the battle. According to a *Wall Street Journal*/NBC News Poll published March 10, support for the Clintons' plan is falling sharply, and currently stands at 37%, while opposition has risen to 45%.

The poll also asked the same people whether they support the other health care plans proposed in Congress. A description of the Chafee plan, a "moderate" version of the Clinton plan which requires everyone to buy medical insurance and subsidizes medical care for the poor (but does not require employer payment), is supported by 48% of the American public. Another wimpy version of the Clinton measure, the Cooper-Grandy bill which stops short of requiring employers to buy medical insurance for all employees, got a favorable rating of 34%. The Gramm plan, which

allows tax-free savings accounts for medical expenses — gets 42% approval. The McDermott plan for a total and complete government takeover of all medical care, is approved by 31% of the people.

Interestingly, the *Journal* also reported that "when read a description of the major provisions of the White House bill — without identifying it — 76% of respondents say it has either 'a great deal of appeal' or 'some appeal.'"

Before you jump to the conclusion that people have been hoodwinked by Harry and Louise, consider that the published report on the poll did not specify how it described the "major provisions" of the Clintons' plan. The *Journal* did give us a clue, however:

Forty percent of those surveyed say requiring employers to pay for the workers' health coverage, a cornerstone of the Clinton plan, is the best way to achieve universal health coverage. This compares to 22% who favor requiring individuals to purchase their own coverage, and 18% who back having the government collect money through taxes and use it to pay medical bills. Moreover, by 58% to 34%, Americans say the government should set controls on health prices. The Clinton plan would place caps on the annual increase in private health insurance premiums.

If this reflects how the pollsters described the "major provisions" of the Clintons' plan, there's little wonder why so many people supported it. If you have to choose between having your boss pay for your medical care, or paying for it yourself either directly or through taxes, which would you prefer? Suppose the poll had described that provision of the Clinton plan this way: Should you have to pay for your medical insurance indirectly by means of a payroll tax? Or indirectly by increasing other taxes? Or would you prefer to pay for it yourself?

Suppose the poll asked about price controls by saying: Do you favor a system where the government decides the total amount of money that will be spent on medical care in this country and prohibits any spending above this amount, which will inevitably mean that some people who need medical care will be denied it?

If the cited provisions of the Clintons' health care were described in these terms, how much support would it get?

Suppose that the poll asked: Do you favor making it a criminal offense to select a physician of your own choosing and pay him yourself? Do you favor a system that requires that your personal medical records be stored in a government computer, with information accessible by a wide variety of government authorities? Do you favor a system that prevents people covered by Medicare from receiving newly developed drugs?

Presumably, the pollsters didn't ask people about these provisions of the Clintons' proposal. What kind of answers would the pollster have gotten if they had?

More than a century ago, Frederic Bastiat pointed out that government has two hands, one smooth and one rough. With its smooth hand, it bestows gifts on its people. With its rough hand, it exacts costs and imposes restrictions on their freedoms. When pollsters describe a program only in terms of the gifts it promises to bestow, while hiding the costs and restrictions it imposes, there is little wonder that people respond favorably.

—RWB

Analysis

Whitewater Was No Accident

by Chester Alan Arthur

"Power tends to corrupt; absolute power tends to corrupt absolutely." But what happens when power is diffused through an increasingly powerful bureaucracy?

Revelations about the Clintons' involvement in the looting of Madison Guaranty Savings & Loan, their recent attempts to interfere with the investigation of their involvement, and their interference with the investigation of the mysterious death of their close friend Vincent Foster seem to have taken over the headlines.

Supporters of the Clintons have attempted to dismiss the whole matter as a partisan attempt by Republicans to do personal harm to the Clintons and divert the public's attention from their legislative agenda. Some of these apologists have gone so far as to claim that the Clintons have not even been *accused* of any wrongdoing.

Meanwhile, Republicans have persisted in their curiosity and their criticisms, even comparing the activities of the Clintons to the infamous Watergate scandal that brought down the Nixon presidency 20 years ago. Apparently, Republicans are oblivious to the obvious point that by comparing the Clintons' problems to Richard Nixon's, they are accusing the Democrats of being as corrupt as a Republican. I am reminded of a contest sponsored by the *Baltimore Sun*, in which readers were invited to answer the question, "What's the difference between a Republican and a Democrat?" The winning entry: "A Republican is a person who believes the Democrats are ruining the country. A Democrat is a person who believes the Republicans are ruining the country. (Both of them are right.)"

Already the scandal has forced the resignation of two high-ranking presidential advisors, White House Counsel Bernard Nussbaum and Assistant Attorney General Webster Hubbell. Nussbaum bit the bullet after compromising the integrity of a supposedly "independent" investigation of the First Family's involvement in the savings-and-loan fraud, while Hubbell fell on his sword after it was revealed his old law firm was investigating allegations that he overbilled clients (including the federal government) more than \$1,000,000. Hubbell's fall had to be a special blow to the Clintons: he was a personal friend of both and a law partner of Hillary Rodham Clinton.

By early March, the Clintons appeared to be on the edge of paranoia. An Associated Press dispatch from Detroit (March 12) described how the president responded to questions about the scandal:

Shifting to the edge of his seat, visibly agitated and eyes bulging, the president wagged his finger at two reporters and unleashed a rising torrent of complaint. . . .

As he stood to end the interview, Clinton was asked if he would make public his tax returns from 1978 and 1979, which could reveal information about his investment in the Whitewater real estate deal in Arkansas at the root of the controversy.

Clinton's face reddened in anger as he argued that he has given all relevant financial records to independent counsel Robert Fiske and that legal procedure now prohibits him from releasing the records to the public.

Calmer heads among his remaining advisors tried to discourage further outbursts of this sort. Less than two weeks later, he had regained his self-control and told a press conference that he was making public the same tax returns that had precipitated his Detroit tantrum. Apparently, the "legal procedure" he had cited in Michigan no longer applied. The similarity between his angry and near-panicky behavior and that of Nixon in his final days is eerie.

Just how similar are the Clinton scandals and Watergate? Apologists for the Clintons typically see

Watergate as far more serious than the Whitewater charges. Typical is the view of Sam Dash, former counsel for the Senate Watergate Committee:

The only thing that Whitewater has in common with Watergate is "water."

Watergate involved a president, Richard Nixon, who committed serious crimes in office solely to advance his political ambitions. Perhaps at no other time has our constitutional democracy been more in danger.

It is really nonsensical to compare these crimes with the undefined allegations relating to Whitewater [which] involved commercial transactions that may have been engaged in by Bill and Hillary Clinton years before he was elected president.

This may be the way most Americans see things today — though

The apogee of the old system was achieved by Huey Long, who required every politician and employee of the State of Louisiana, from grade-school janitor to U.S. senator, to sign an undated letter of resignation.

I believe they will change their view of things as the complexities of the case unravel — but it's not the way I see it.

The burglary of the Democratic Party's headquarters and subsequent attempts to cover up the presidential campaign's involvement seems to me to be pretty much the sort of shenanigans that politicians habitually play. I can recall a Democratic "prankster" who appeared on the Johnny Carson show to brag about his efforts to sabotage Republican campaigns. The whole business was considered funny. I remember stories about how John F. Kennedy's grandfather had his campaign workers telephone uncommitted voters in the middle of the night posing as campaign aides for his opponent, a tactic which was considered to be clever and amusing. Snooping into one's opponent's campaign plans

doesn't seem a lot different to me.

Say what you like about Nixon, but the Watergate crimes occurred entirely within the context of the political game. His actions were aimed at his opponent and their actions were aimed at him. He cheated at the game, was caught, and tried to weasel his way out of it. The money used to finance the break-in and try to cover it up came from campaign contributions, not the taxpayer. Politics is a game with only one real rule: anything that gets you elected is okay, unless you're tossed out of office and into jail.

In the end, Nixon lost the game, barely escaping the hoosegow. The effects of his actions on the government and on the American people were relatively minor, and virtually all good: he disgraced the office of the presidency and shook people's confidence in government. So what's the big deal?

We may figure spitballer Gaylord Perry was a cheater at baseball and that Bill Laimbeer was a dirty basketball player, but we aren't about to put either on trial in public courts for their failure to play by the rules of their games. The same was true, more or less, of Nixon, the Watergate break-in, and its subsequent cover-up — except that his opposing team controlled the officiating.

In contrast, the Clintons are accused of fraud against the United States Treasury, of being paid accomplices in the looting of a savings-and-loan association, costing the taxpayers approximately \$60 million. Furthermore, they stand accused of obstructing justice by destroying documentary evidence that might be used against them. And they are charged with intervening in the investigation of the death of an individual deeply involved in the fraud. (For details on the charges against the Clintons, see "A Bill of Particulars," page 30.)

Whether anyone will ever get to the bottom of these charges remains to be seen. The president, after all, is the most powerful person in the world. He is in charge of the very police agencies responsible for investigating his apparent crimes, and appointed the very prosecutor responsible to bring legal action against him. Unlike Richard Nixon, the Clintons head the

political party that firmly controls both houses of Congress, and has used its vast majorities there to block investigation of the scandal. Furthermore, the fraud perpetrated by the Clintons and their cronies is extremely com-

Civil service reforms generally made it difficult or impossible to discharge an employee, unless the employee committed outright crimes or was grossly incompetent.

plex; many people will lack either the inclination or the intellect to understand it. This has enabled the Clintons and their apologists to maintain publicly that there have been no accusations of any wrongdoing, a bald-faced lie they manage to repeat with a straight face.

Until late February, most of the American media trod very lightly. The media boycott of the story reached such a point that *The Economist*, the rather staid British newsweekly, speculated in its February 26 issue that there might be a "conspiracy of silence" regarding the Clintons' shenanigans. *The Economist* compared the situation in America today to that in Britain in 1937, when the British news media blacked out all coverage of the constitutional crisis occasioned by the new king's affair with a divorced American, an affair that led to his abdication and exile. Just as Britishers who wanted information about that constitutional crisis had to read foreign newspapers, so many Americans have had to go to the foreign press for details of the Whitewater scandal. *The Economist* illustrated its story with photocopies of coverage of the Clinton crisis from the British press. "House of Secrets" ran one headline, over a photograph of the White House. "Big Trouble at Little Rock" ran another, over a photo of Rodham Clinton. "Suicide or Murder?" ran a third, over a photo of Vince Foster, thereby touching a subject of much speculation and suspicion everywhere in America except the major media.

Happily, the foreign press is not the only source of information for Americans. There are a few newspapers and magazines who are not inclined to look the other way as the scandal unfolds. Clinton has made an extraordinary number of enemies, both personal and ideological. His friends may control the *New York Times*, the *Washington Post*, and the television networks, but his critics control the *Washington Times*, *The American Spectator*, and a host of smaller periodicals. Reporters for these publications are resourceful, and they are coming up with very damaging information.

The media blackout came apart on February 24, when Roger Altman, acting head of the Resolution Trust Corporation, admitted in congressional testimony that he had briefed the Clintons' staff on the status of the RTC investigation of the Madison Guaranty scandal. The RTC is supposedly a completely independent agency, and the fact that it briefed the staff of individuals under investigation was too scandalous

for even the *New York Times* to ignore. Altman's revelation touched off a maelstrom of major-media interest. Within a few days, ABC News was referring to the Clinton administration as a "moral swamp" and even *Newsweek* was having second thoughts about the heroic character of the First Lady.

The Clintons acted quickly to attempt to reassert control of the situation. First, they ordered the resignation of White House Counsel Bernard Nussbaum, in hopes that offering a sacrificial goat would quiet the outraged public and put the awakened press back to sleep. Then they made a big show of ordering all White House personnel to comply fully with subpoenas issued by special prosecutor Robert Fiske, as if their minions might be thinking about committing perjury

on behalf of the Clintons. They put their spin doctors on overtime, explaining why there was no similarity between the Whitewater-Madison mess and Watergate.

Will they prevail? In the end, I suspect the truth will come out, despite the president's power and determination. Conspiracies are notoriously hard to keep secret; someone always has a reason to reveal some tidbit of information, and each tidbit prompts revelation of another. Further, we live in an age of the computer disk, the xerox, and the fax machine. What are the chances that not a single employee of the Rose Law Firm copied a document

is likely the affair will cripple his presidency.

Old-Style Corruption

The Whitewater-Madison mess is not the first scandal in American politics, and it will not be the last. Like Watergate, it is a strange throwback to the nineteenth century, when the political culture and the dominant styles of corruption in America were different than they are today.

"Power tends to corrupt, and absolute power tends to corrupt absolutely." When Lord Acton made his famous observation 107 years ago, its underlying truth was well-recognized.

Over the previous two centuries, the absolute power of Britain's monarchy had been replaced by the limited power of Parliament.

Although absolutism had never taken root in America, the truth of Acton's maxim was well appreciated on this side of the Atlantic. It underlay the American tradition of limited govern-



or two, or took home a computer disk with incriminating information, or kept a diary, or simply has a good memory of what happened? What are the chances that none of those in possession of information will ever find a reason to come forward?

Right now, it looks as if the Clinton presidency might not survive. Already, grand jury testimony has contradicted statements by the Clintons about the document-shredding at the Rose Law Firm, and more damaging testimony is sure to follow. Democrats in both House and Senate have finally concluded that they can no longer ignore the scandal and have announced that hearings will be held. But the president's power and resources remain extensive, and it is possible that he will manage to survive. At the very least, it

ment. Government may be a "necessary evil" (in Thomas Paine's words), but restricting its scope and power could minimize its evil.

Binding government in Jefferson's "chains of the Constitution" did not prevent corruption; it only limited corruption within fairly specific boundaries. Cities, states, and the almost powerless federal government were in the hands of politicians, a class of individuals almost universally held in contempt by decent people.

Politicians created "machines" to insure their re-election and the election of allies. They lined their pockets and financed their campaigns with kickbacks from government contractors. Government jobs were rewards to the party faithful, who dutifully worked on the election campaigns of their boss-

es and often kicked back part of their salaries.

Corrupt deals were pretty much like any bargain among criminals: they were negotiated and explicitly agreed upon. The only difference between such agreements and legitimate business deals was that they could not be enforced by the courts. As a consequence, politicians, like criminals (one is tempted to say, *other* criminals) depended on other means of enforcing contracts, primarily the expectation of

The new class of bureaucrats and politicians solved the problem that brought down the old political bosses.

profits from future deals and fear of retribution.

When the mayor wanted a kickback from the firm to whom he awarded the contract to build the new city hall, he negotiated with the contractor for a flat fee or percentage. If the contractor didn't pay the agreed-upon amount, the mayor would refuse him future business and perhaps have his police interfere with his ongoing operations.

Transactions between politicians had the same characteristic. The political boss of a large city might agree to deliver votes to a particular candidate for governor, in exchange for that governor allowing the political boss to name certain judges or control a particular government contract. The arrangement between a boss and his underling worked the same way: the party worker would agree to organize a precinct and deliver votes for the boss, and the boss would agree to give the party worker a specific government job.

The system worked reasonably well because everyone involved in a corrupt deal was a member of one or another of the political organizations or corrupt enterprises involved, and therefore depended on the enterprise for their jobs and income.

Perfecting Corruption

The apogee of this system was achieved in Louisiana in the 1930s under Huey Long, an immensely pop-

ular demagogue. As a precondition of employment, Long insisted that all his underlings tender a signed, undated letter of resignation. This condition applied to every single politician and employee of the State of Louisiana, from grade-school janitor to U.S. senator, giving Long the most complete control over government and politics of anyone in American history. Those who failed to toe the line could be threatened not only with loss of job and livelihood, but also with investigation, prosecution, conviction, and imprisonment at the hands of policemen, district attorneys, judges, and prison officials under his absolute control.

When Long challenged Franklin Roosevelt's welfare programs with his own "Share Our Wealth" agenda, FDR used all the resources of the federal government to remove Long as a political rival. Long's system was so perfect that the vast power of the federal government could not harm him. But the system had a single weakness, exploited by Dr Carl Weiss on September 8, 1936, who evaded Long's praetorian state troopers and put a fatal slug in Long's gut before falling in a hail of bullets.

Long was corrupted by lust for power, not money. But his carefully crafted system outlived him, and his successors' interests ran more toward cash. Thumbing their noses at federal investigators, they took the sensible precaution of making sure that all pay-offs and bribes took the form of cash sent by railway express (to insulate themselves from mail fraud charges), and within a few years they were living in mansions with solid-gold toilet fixtures. With prosperity came laziness, and the Long empire fell when they allowed a bribe to be paid by check — which cleared through the mail.

But the Long machine was the exception, made possible by Long's extraordinary popularity, skill, and determination. No other political machine in America before or since has achieved such absolute control. Consequently, they were vulnerable to less radical challenges than the assassin's bullet.

The inherent weakness of the old-fashioned corrupt deal was that, while

it had powerful safeguards against exposure by its participants, it could not eliminate that danger completely. Occasionally, a party involved in a corrupt deal would reveal its terms to the public. Once one person talks, others tend to go public in hopes of minimizing damage to themselves, and the conspiracy falls apart.

The traditional response of the average citizen to exposure of government corruption was to recognize it as further evidence that government is inherently corrupt. *Of course* politicians steal and jobholders goldbrick; that's why government should be severely limited. *What else is new?* Political corruption was tolerated in the way that a shopkeeper tolerates petty shoplifting: it was wrong but inevitable. Just as the shopkeeper minimizes shoplifting by putting as little merchandise as possible where the shoplifter can grab it, so the citizen minimizes graft by putting as little money as possible in the public treasury where the politician can grab it.

But in the aftermath of the outpouring of moral indignation that fueled the Civil War, Americans began to see politicians and government employees in a different light. No longer were politicians scoundrels distinguished from ordinary street criminals only by their gift of gab and their ability to wear civilized garb. Now politicians were moral leaders and government a moral enterprise. The previous notion of law as suppressor of activities that were considered wrong by a broad consensus (e.g., murder, polygamy, robbery, fraud, etc.) began to give way to the notion of law as positive agent for moral improvement (e.g., prohibition of alcohol, compulsory education, the suppression of vice, etc.).

As people began to see government in this new way, their attitude toward corruption changed to one of moral outrage. No longer was corruption seen as an inevitable corollary of a necessary evil; now it was the result of evil people who had somehow managed to rise to positions of power and divert the state from its true purpose of improving humanity.

These outbursts of public indignation gave rise to a reform movement for "civil service." The theory was sim-

ple: what enabled politicians to cheat the public was their authority to hire and fire government employees. Take away that authority, and the ranks of government employees would no longer be filled by people who depend on politicians for their livelihoods. Civil service reformers proposed to hire people on merit, as demonstrated by their ability to score well on civil service exams, and to promote them according to similar seemingly-objective criteria; to prohibit civil servants from engaging in electoral politics (to prevent their constituting an electoral machine); and to prohibit or severely limit their ability to earn outside income (to prevent their using their jobs for personal gain). Civil service reform would attract a new kind of person to government employment — not political workers intent upon personal gain, but dedicated, selfless individuals dedicated to the public good.

As civil service gradually replaced the older "spoils" system, the political process changed in subtle ways.

Whatever her motives, Hillary behaved precisely like the greedy yuppies she and her husband publicly despised.

Politicians could no longer count on their job-holders to finance and provide manpower for their campaigns. They began to look to what are today called "special interests" to finance their campaigns and began to develop new and more subtle forms of profiting from their office.

Relieved of the need to make forced "contributions" to the campaign coffers and to beat the pavement on behalf of their bosses, government employment attracted a new sort of person. In some cases, I am sure, it attracted altruistic idealists determined to do good, as the reformers had promised. But it mostly attracted another sort: people who appreciated extremely secure jobs with very substantial benefit packages and relatively high pay, at which one need not work very hard.

For both the politician and the gov-

ernment employee, the method of converting public funds to personal funds had changed. But the opportunities and incentives to do so remained in place.

A dollar that is owned by the government is different from a dollar that is owned by an individual. When an individual hires someone, he requires that that person do his job, and do it well and efficiently; he does not hire his friends' sexual partners or dimwitted brothers to curry favors. When he buys a product, he makes sure that he gets it and it works; he does not buy \$1,200 hammers or \$25,000 toilet seats. When he makes an investment, he makes sure that it pays off; he does not lend money to the relatives of political friends so they can shore up the money-losing land-development venture in which they are partners with the governor. Failure to exercise diligence is tantamount to throwing away money.

When a politician or government employee hires someone, he is far less concerned with seeing that the person does his job well and efficiently. The cost of an incompetent or lazy employee comes not from his pocket, but from the taxpayer's. Before civil service reform, the politician or bureaucrat tended to hire individuals who were willing to kick back part of his wages, do personal favors, or show extraordinary political or personal loyalty. After civil service reform, the bureaucrat lost the power to select whom he hired. But he still had no particular incentive to see that an employee did his job efficiently. In fact, civil service reforms generally made it difficult or impossible to discharge an employee, unless the employee committed outright crimes or was grossly incompetent. So government bureaus were still filled with goldbrickers.

What's more, all but the lowest-level government employees still had certain discretion over the expenditure of tax money, with little incentive to seek efficiency or value. To prevent the old problem of kickbacks or favoritism, regulations were enacted, requiring competitive bids for larger contracts, review of contracts by superiors, and other safeguards. These regulations were inherently inefficient, but they

seemed to reduce theft.

Politicians and bureaucrats have far less reason than businessmen to see that those they serve get what they pay for. What difference does it make to the bureaucrat whether he forces a remote underling to hire Gennifer Flowers or Roger Clinton instead of a competent person? Hiring a competent person makes the job of your underling easier; hiring Gennifer or Roger pleases someone with the power to ad-

If all campaign funding comes from taxpayers and goes only to established candidates, how does a person who is not already an established candidate ever become one?

vance your career or increase your agency's funding.

But politicians and bureaucrats have incentives to see that the money they control accrues benefits to themselves. Politicians no longer win elections by having party hacks take time off from their government jobs to do petty favors for constituents, work the precincts, and get out the vote. Instead they hire campaign workers and buy advertising using funds provided by special interests. And if the special interests need to be paid off with a favorable contract, regulation of a competitor, or protection from legitimate law enforcement, what's the problem? And if a little of that taxpayer money that pays back the donor finds its way into the politician's pocket, who's to care?

This widespread corruption is made possible by the virtual absence of anyone involved in the process who has incentives to look out for the interest of the taxpayers. The politicians, the regulators, the attorneys, the bureaucrats, and the shady businessmen all benefit from the system and have no incentive to prevent waste. Literally everyone directly involved in the spending of government money is a beneficiary of that money; no one benefits from seeing to it that it is spent efficiently or wisely. Is it any wonder that

money finds its ways into the pockets of those willing and able to work within the system?

The new class of bureaucrats and politicians solved the problem that had bedeviled the old class of party hacks and political bosses. Now, to avoid the danger of stool pigeonry by a participant in or witness to a corrupt deal, they simply never discuss terms or agree to any *quid pro quo*.

"Legal graft is the finder's fee, title insurance, city contracts," wrote Jack Newfield and Paul DuBrul in *The*

"Above a certain level, there are no Democrats and no Republicans. There are only class colleagues sharing profits."

Abuse of Power. "I'll get you a nursing home license and you give my friend some insurance." Members of the politico-bureaucratic class simply do favors for other members of their class, confident that those members will reciprocate. "It is important to understand," Newfield and DuBrul observe, "that above a certain level, there are no Democrats and no Republicans. . . . There are only class colleagues sharing profits."

And to discourage public revelation of these apparent but unprovable corrupt deals, they spread the money around. The taxpayer has infinitely deep pockets.

By enabling the S&L crooks to use public funds as risk capital for speculative schemes, politicians in the 1980s benefited a lot more people than the wheeler-dealers. Yes, the bank officers and their confederates made millions, but some money found its way into the hands of politicians who took kickbacks, landowners whose land was purchased by the "developers" at inflated prices, investors who got over-market interest rates on government-guaranteed certificates of deposit, advertising copywriters for the promoters, and even (I suppose) tellers at the savings and loans.

With very few exceptions, even the press has little incentive to investigate

these thefts of public money. For one thing, the attorneys who structure the deals are masters of misdirection and complication, making the task of investigation almost impossible. Furthermore, the pattern of corruption is so pervasive that the media have no rational criterion to select one particular episode for scrutiny. Unless, of course, the theft is particularly clumsy, or an especially high official is involved, as in the case of Whitewater. (This is not to suggest that the media's lack of interest is uniform. Sometimes competition or partisan considerations breed good investigative journalism.)

So long as no explicit contracts are made, conspiracies against the public trust cannot be proven. Put nothing in writing, don't let anyone whose loyalty you have even the slightest doubt of know about the deal, and there's nothing anyone can prove.

Perhaps the first deal of this sort to become widely known came to light after Bess Myerson, the beauty queen turned game show personality turned politician, was peripherally implicated in a political scandal in the administration of New York Mayor Ed Koch, then brought further attention to herself by being arrested for shoplifting. The resulting publicity stimulated interest in her past activities, eventually bringing a curious episode to light.

In the spring of 1983, Myerson was involved in a sexual relationship with Carl Andrew Capasso, a sewer contractor 20 years her junior who was in the midst of an angry divorce. Six days before a party in Myerson's honor at the mayor's mansion, Myerson added the name of Hortense Gabel to the guest list and arranged to have a city car and chauffeur drive Mrs Gabel to the party. A few days later, Myerson invited herself to a small dinner party at Gabel's house, and within a few weeks, Myerson was inviting Gabel to spend weekends at Capasso's estate in Westhampton. At some point, Judge Gabel introduced Myerson to her daughter, a well-educated young woman who had recently spent time in a psychiatric hospital.

Although the obese 39-year-old hadn't held a steady job in more than a decade, Myerson found her to have "extraordinary credentials" and a "bril-

liant resumé," which turned out to include such experiences as having "traveled alone, around the world" and "investigated the role of mentors in professional development." Myerson was in charge of the Cultural Affairs Department of New York City, a job she had received as a reward for campaigning on behalf of Mayor Ed Koch. Myerson was so impressed with the young woman that she hired her to a high-paying job in her department.

Hortense Gabel was not just anybody. She was the judge who was presiding over the divorce of Myerson's young paramour. Although Judge Gabel was known as a "woman's judge," shortly after Myerson befriended her, she cut Andy Capasso's alimony in half. Judge Gabel was in the habit of having her law clerk write her decisions, but a few weeks after Myerson hired Gabel's otherwise unemployable daughter, she told her law clerk to turn over the Capasso file to her so she could write the decision herself. She cut Capasso's alimony by another third.

Virtually everyone in the political class in New York understood that the two events were not simply a coincidence, and the prosecutor went to court with virtually every conceivable piece of evidence except testimony or documentation of an explicit trade. There were dozens of witnesses to Myerson's favors done Judge Gabel. Myerson's staff testified at length that Gabel's daughter was hired under very strange circumstances for a job that she was not qualified to do. The judge's staff testified that Gabel handled the Capasso divorce far differently from her other cases; and, of course, her decision was substantially inconsistent with her past decisions in similar cases.

In the absence of proof of an explicit agreement, neither Myerson nor Judge Gabel nor Myerson's boyfriend was convicted of any wrongdoing. The case illustrated just how safe such corrupt transactions are from prosecution.

Myerson's case was archetypal of modern corruption as tacit *quid pro quo* in all respects but one: it came to public attention and was prosecuted. The facts emerged only after Myerson — a former television star, a megacelebrity, and the second most prominent politician in America's largest city — had

been implicated in a scandal involving millions of dollars and the suicide of a prominent politician, and then got caught shoplifting. What are the chances that less blatant deals made by less prominent people will be exposed? Or deals by prominent people who have not humiliated themselves by being apprehended as petty criminals?

The pattern of institutional corruption is so widespread and the structures of the deals so complex that the press rarely gains much by exposure except in those very rare cases that involve very prominent people. Bess Myerson was one such case, and Bill and (more likely) Hillary Clinton may be another.

Because they committed their theft of public funds in Arkansas, where old-style political corruption has never gone out of style and the risk of apprehension remains small, they appear to have structured their corrupt business the old-fashioned way — leaving a paper trail. Why else would the White House and the Rose Law Firm undertake such a massive destruction of evidence? Even with this fatal mistake, they would have gotten off scot-free, had Bill Clinton not been elected president, thereby attracting the interest of thousands of reporters lusting for a Pulitzer Prize.

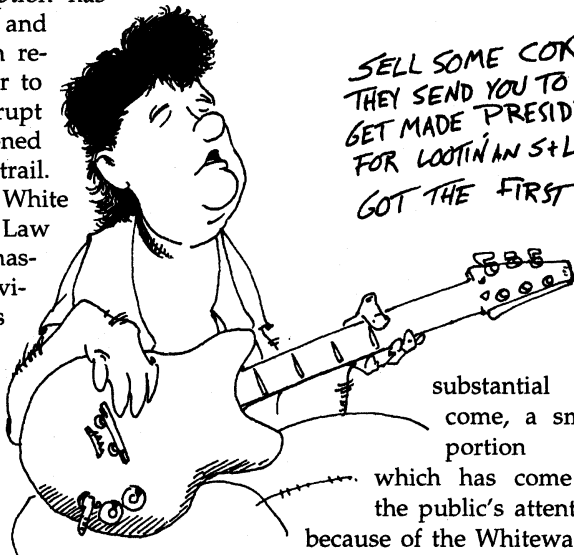
After all, they only received a few tens of thousands of dollars and only cost the taxpayers a few tens of millions. This is pretty small stuff in a country where governments spend trillions of dollars each year.

Siphon-Off Economics

There is a curious parallel between the Clintons and the Huey Long administration of Louisiana. Like Huey Long, Bill Clinton focused his lust on power and showed little interest in money. Like Long's colleagues and heirs, Hillary Rodham Clinton wanted cash. She oversaw the family's finances, structured the corrupt deals, and apparently supervised the coverup. As their partner Diamond Jim McDougal

told reporters, "If you tried to discuss finances or anything but politics with Bill, his eyes would glaze over. . . . Whatever we had to discuss, I discussed with her."

From the very start of their political life, she showed a weakness for money and a willingness to turn a blind eye toward conflicts of interest. Her admirers have made much of her meteoric "career" at the Rose Law Firm and as director of various major corporations, ignoring the fact that she was hired by Rose only after her husband was elected attorney general and elevated to partner only after he was elected governor. In the corrupt atmosphere of Arkansas, it certainly didn't hurt Rose to have the attorney general's and then governor's wife on board. Indeed, it brought them



SELL SOME COKE NANA NANA NANA
THEY SEND YOU TO HELL NANA NANA NANA
GET MADE PRESIDENT NANA NANA NANA
FOR LOOTIN' AN S+L NANA NANA NANA
GOT THE FIRST BROTHER BLUES

substantial income, a small portion of which has come to the public's attention because of the Whitewater-Madison scandal. Nor did adding the governor's wife to the boards of directors of major Arkansas corporations do those companies any harm, especially when it became clear that the governor had a reasonable chance of one day becoming president.

And for much of the 1980s, Rodham Clinton had another motive to accumulate cash. Her marriage was in serious trouble, and the possibility that it might end in divorce and financial insecurity had to be on her mind.

Whatever her motives, she behaved precisely like the greedy yuppies she and her husband publicly despised:

For twelve years of this Reagan-Bush era, the Republicans have let S&L crooks and self-serving CEOs try to build an economy out of paper and

perks instead of people and products. It's the Republican way: every man for himself and get it while you can. They stack the deck in favor of their friends at the top and tell everybody else to wait for whatever trickles down. (Bill Clinton, campaign speech, November 20, 1991)

I was raised to believe the American dream was built on rewarding hard work. But we have seen the folks in Washington turn the American ethic on its head. For too long those who play by the rules and keep the faith have gotten the shaft. And those who cut corners and cut deals have been rewarded. (Bill Clinton, acceptance speech, July 16, 1992)

In addition to the corrupt political and business deals that have come to light in the past year, Hillary traded options and mutual funds and invested in sophisticated tax shelters. In one particularly interesting episode, she made a profit of \$100,000 speculating in cattle futures.* By the time her husband was elected president, Hillary Rodham Clinton had accumulated nearly a million dollars.

Bill and Hillary share a lust for power, which they seem to enjoy both as an end in itself and as an instrument to other ends. Bill uses power to get

* Rodham Clinton claims that she was a typical commodity speculator, doing research by reading *The Wall Street Journal* and other public sources. It is a truism among futures traders that 95% of people who trade commodities lose their money and quit trading within a year. The tiny minority that is successful — and turning a small stake into \$100,000 is wildly successful, by any standard — almost always continue to play commodities. But Rodham Clinton says that she took the \$100,000 she made and walked away from the market never to play again. Given the close relationship of the Clintons to agribusinesses heavily involved in commodity trading, it is reasonable to surmise that the profit may have been a camouflaged bribe. An agribusiness can easily generate simultaneous losses and profits by going both long and short on the same commodity, then assigning the profitable trade to a favored trader (Rodham Clinton) and the losing trade to another (its house account).

sex, to impress a long line of small-town beauty queens and comely department store clerks. Hillary uses power to get money, deftly trading her husband's influence for cold, hard cash, in the form of crooked deals with government contractors and other buyers of her husband's services.

As the public has gradually become aware of Hillary's responsibility for the Whitewater-Madison fraud, her reputation as a saint has wilted. The president has jumped to her defense, telling reporters that "I have never known a person with a stronger sense of right and wrong in my life — ever." This is a pretty tepid defense — Bill Clinton has focused his entire life on politics and associated almost exclusively with politicians, an occupation hardly characterized by powerful moral sense.

Of course, as the Whitewater scam has come unraveled, Bill Clinton has become more and more involved. He has learned many of the details and worked to cover them up. But it is difficult even to imagine his concocting and executing the corrupt schemes that enriched his family, though he certainly did not object to them.

Creeping Corruption

I don't normally consort with politicians; I prefer the company of decent people. The only politician that I have known well enough to consider a friend was an attorney who had run for Congress a couple of times as a Republican. His politics were about as good as a Republican's can be: he was genuinely concerned about the growth of government power and the erosion of individual freedom, and determined to do something about it. What's more, he seemed to be a very ethical guy. Not surprisingly, he failed in both his campaigns.

Some time after his second defeat, he confided to me that he was planning an investment in some sort of government-subsidized real estate venture. He explained to me that, yes, he thought such "investment opportunities" ought not be offered by government and that he had always believed it was morally wrong to put one's nose in the public trough. But he had had second thoughts, he said. "This money is going to be wasted anyway.

Why should it all go to liberal Democrats?"

This episode illustrates an overlooked aspect of the increasingly powerful state: the corollary decline in morality. My friend was not an evil person. He did not set out on an immoral course, or even an amoral course. He wanted to do the right thing. But facing the incentives created by legisla-

What difference does it make to the bureaucrat whether he forces a remote underling to hire Gennifer Flowers or Roger Clinton instead of a competent person?

tion that increased state power, he gave in to temptation and took a course of action that, at some level at least, he knew to be immoral.

Of course, what my friend was doing was not *illegal*, not in today's environment of the powerful and corrupt state, any more than it is illegal for a high-level bureaucrat to retire from his job in order to get his generous government pension, then continue the same responsibilities with the same bureau for the same pay as a consultant; or for a military contractor to sell the Defense Department a hammer for \$1,200; or for a governor to appoint to a regulatory position the hand-picked candidate of his friend and business partner, who just happens to hire the governor's wife to represent him in dealing with the regulator.

These activities are on the barely legal side of the thin line that differentiates immorality from felony. And they are made possible — indeed, encouraged — by the increasing power of the state.

How Not to Combat Corruption

The rampant corruption in American political life, in the form of large campaign contributions, is widely recognized and condemned. *The Wall Street Journal* recently reported that California Senator Diane Feinstein

gets "campaign contributions" totaling some \$22,000 a day. "If Feinstein, Inc. were a business," the *Journal* noted, "its projected revenue would place it among the top 5% of U.S. corporations." The need to raise over \$150,000 every week means that Feinstein must spend an inordinate amount of time asking people for money. And those who give money expect something in return.

When campaigns for federal office routinely cost millions of dollars, even in small states, the influence of those who "donate" to the winning candidate is bound to be greater than the influence of individuals and corporations who do not. The usual remedy prescribed for this inherently corrupt system is a vast panoply of regulations and reporting requirements; some even propose a system of taxpayer-financed political campaigns. Neither of these approaches can possibly work.

Proposals to have taxpayers foot the bill inevitably run afoul of the problem of choosing which candidates get the taxpayers' cash. Obviously, if any candidate for president is going to have \$1,000,000 given to him, a lot of people are going to announce their candidacy. So some prerequisite for tax funding is established, usually some evidence of widespread public support. But this creates two other problems. First, there will always be individuals with negligible public support who will figure out how to meet the criterion and thereby walk away with a chunk of the public treasury. The current system of partial taxpayer funding of presidential campaigns, for example, has given millions of dollars to Lyndon LaRouche and Lenora Fulani, despite the fact that neither has ever managed to get so much as 1/10 of 1% of the vote in a general election.

More fundamentally, public funding inherently favors incumbents and other frontrunners. If all campaign funding comes from taxpayers and goes only to established candidates, how does a person who is not already an established candidate ever become one? Only a person who is already famous for some other reason or an individual with personal wealth sufficient

to finance his first campaign. The idea that only celebrities or rich people could ever be elected to high office is repugnant to most people, and for good reason: not only does it strike at the heart of people's democratic sensibilities, but most people are at least vaguely aware that celebrities and rich people lead lives very different from

Government attracts and rewards those who are already corrupt and presents corrupting incentives to those who are not.

their own and are liable to have difficulty empathizing with ordinary people.

Regulating campaign finance is no more effective. In more than 20 years of this approach, political campaigns have continued to grow more expensive, the role of large donors has continued to grow, and the influence of those donors has continued to increase. Regulations that can be evaded, will be evaded: if you outlaw donations of more than \$1,000 from an individual or corporation, individuals or corporations who want to make larger donations will find ways to do so, by making gifts in the names of others (relatives, friends, or employees) or by providing incentives for others to donate. If you manage somehow to prevent these subterfuges, you again limit political candidacies to celebrities and rich people. (It is a sign of how counterproductive campaign finance reform has been that political action committees — universally re-

viled as the symbol of modern political corruption — were invented as a perfectly legal response to the last significant campaign reform, the Federal Election Campaign Act of 1974.)

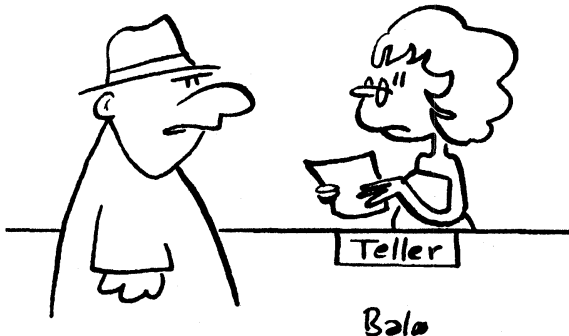
Of course, advocates of regulation and public funding have made some progress. Part of the reason is that the public is genuinely upset by the level of corruption inherent in the current system, and feel that some sort of change might help, no matter how implausible such improvement might be. But a major reason for the adoption of such "reforms" is that they inevitably act to support incumbents, the exact group of people who are in charge of enacting legislation.

The root of the corruption that pervades American political culture is the continuing growth and power of the state. The more powerful the state is, the more interest groups are willing to pay to control its power and wealth; consequently, the more interest groups contribute to political campaigns, the more expensive political campaigns become, and the more beholden to campaign contributors elected officials become.

And as the government grows in wealth and power, more and more people can get their share of its power and wealth by pursuing careers within it or by engaging in corrupt business with it. So more money is looted by savings-and-loan bandits, by bloated contracts and kickbacks, by investors taking advantage of subsidies and tax incentives and the whole panoply of government loot.

The Bottom Line

When Bill Clinton told a reporter that her question about his tax returns was the sort of thing that causes "a dangerous public cynicism about government," he was doing more than trying to hide his corrupt activities. He was defending the new religion of the modern world, the deep-rooted faith in government. And his warning was on target. The exposure of corruption — whether by Richard Nixon, the Clintons, Lyndon Johnson, Boris



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Yeltsin, or Fidel Castro — eats away at people's faith in government as a miracle-working institution capable of creating paradise on earth, consisting of saints, selflessly dedicated to the common good.

So long as government remains an ever-more-powerful institution, gobbling up people's money and restricting their freedom, corruption will grow and expand. For a century, most Americans have tried to pretend that the problem of corruption is the problem of a few bad people. They have ignored the fact that government attracts and rewards those who are already corrupt and presents corrupting incentives to those who are not.

Confronted with corruption, there is always a temptation to blame scandals entirely on their perpetrators — to say that they can be avoided by choosing better men and women to be our political leaders. This is a temptation that must be overcome if the corruption of our political culture is to be addressed.

"Power tends to corrupt, and absolute power tends to corrupt absolutely." If Americans had better appreciated the importance of Lord Acton's observation and refused to allow their government to accumulate so much power, American public life would not be the moral swamp that it is today.

The only way to reduce the corruption in public life is to severely limit government's power to tax, spend, and regulate. Any other approach is bound to fail. □

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Everything you ever wanted to know about Whitewater, but were too confused to ask.

A Bill of Particulars

Bill Clinton and Hillary Rodham Clinton routinely respond to questions about their involvement with Whitewater Development and the failure of Madison Guaranty by angrily saying, "We haven't even been accused of doing anything wrong." The facts reveal this statement as a lie. The Clintons stand accused of violating the public trust, looting the public treasury, obstructing justice to cover their tracks, and interfering with the investigation of a related death.

The pattern of corruption that has characterized the careers of the Clintons and their associates is far more extensive than can be summarized in a few pages. But here are some of the more interesting charges, and a brief summary of the evidence that supports them. I make no attempt even to hint at the pervasive evidence of their political and business allies' broader pattern of profiteering at taxpayer expense while skating on the edge of the law.

While governor of Arkansas, Bill Clinton neglected to enforce the law against a man who was the business partner of him and his wife. James ("Diamond Jim") McDougal, a longtime political colleague of the Clintons, purchased Morgan Guaranty Savings & Loan in 1982. He expanded its deposit base aggressively, in the process greatly increasing its loans to Arkansas politicians and officers of the bank. It was soon in financial trouble, thanks in part to bad loans to officers, friends of officers, and politicians, including a loan of \$1,000,000 to then-Governor Jim Guy Tucker, half of which was written off.

Times may have been hard at Madison, but in January 1985, McDougal managed to hold a fundraiser for his old friend Bill Clinton in the lobby of the bank, raising money to

help Bill pay back a bank loan used to finance the campaign that won back the governorship. At least one of the people who was recorded as a donor (coughing up a \$3,000 cashiers' check drawn on Madison) doesn't remember ever making the donation, while other donors, employees of Madison, made their contributions with the understanding that McDougal would pay them back.

Meanwhile, regulators were about to close down Madison because of insufficient capital. McDougal decided the way to keep Madison open was to raise capital by selling stock. But there was a problem: it isn't easy to get regulatory approval to sell stock in failing financial institutions. McDougal put his old friend Hillary Rodham Clinton of the Rose Law Firm on retainer as at-

Murderers often try to make their killings look like suicides. But the possibility of homicide was never explored by the Park Police.

torney for Madison. Bill Clinton, at the recommendation of McDougal, appointed Beverly Bassett Schaffer to be his new banking regulator; Ms Schaffer had previously served as attorney for Madison. Then Ms Rodham Clinton, representing Madison, requested Schaffer's approval of the stock offering. One of the supporting documents provided by Rodham Clinton was a favorable review of the S&L's condition by Frost & Co., its accountants. The head auditor on the project was James Alford, who had

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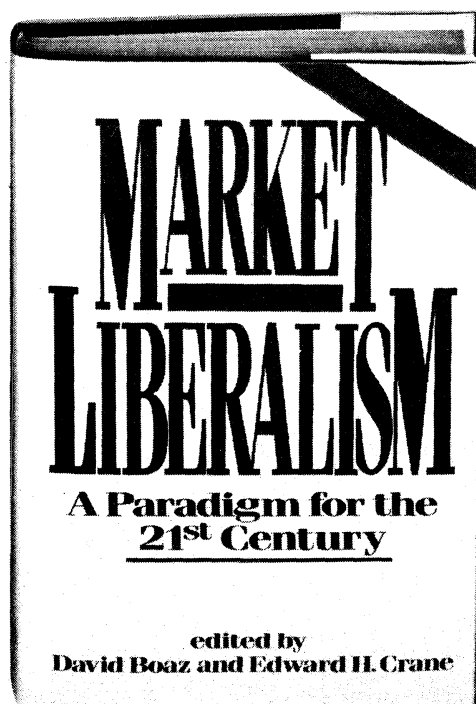
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two outstanding loans from Madison which neither he nor Rodham Clinton disclosed.

Schaffer approved the stock offering. Madison stayed open and continued to make extremely risky loans to its officers. In February 1986, for example, it lent \$672,000 to Judge David Hale. In March, Hale lent McDougal's wife \$300,000 of federal money earmarked for loans to minorities. McDougal used \$100,000 of that money to shore up Whitewater, the corporation that the McDougals and Clintons had started in 1978, when Clinton was attorney general. It looked like a pretty good deal for the Clintons, who received half ownership but didn't have to put up much money. But things hadn't worked out and it needed cash. Hale never paid back the \$672,000 he borrowed from Madison, and McDougal never paid back the \$300,000 loan from the government. In October 1986, McDougal was ousted as chairman of Madison.

Madison didn't go belly-up until March 1989, when federal regulators took it over and tried to make some sense of the whole mess. Vincent Foster, Jr, a law partner of Rodham Clinton, offered his firm's services on behalf of the federal government, without bothering to mention that his firm had previously been attorney for Madison. The firm got the job. The attorney that the firm assigned to the case was Webster Hubbell. He sued Frost & Co, the accounting firm that had issued Madison a clean bill of health, for \$60 million, the amount of the government's loss in the failure of

Madison, but settled the suit for \$1 million, reportedly about half the sum payable by Frost's insurance company. Rodham Clinton's law firm got \$400,000 of this settlement as its fee for handling the negotiations. The resolution of the situation let a number of debtors off the hook, including Seth Ward, Hubbell's father-in-law, who got out of repaying a debt of \$573,793.

All that the Clintons appear to have gotten out of the deal was the money

*Unhappily for the Clintons,
the law doesn't let you deduct
expenses you never paid.*

raised by McDougal, the fees directed to Rodham Clinton and her firm, and their investment in Whitewater Development. Although Whitewater turned out to be a loser, it actually profited the Clintons. It seems that as investors, the Clintons were never asked to put up much money, though they stood to make very large profits if the project worked. As it was, they made a modest gain by deducting from their income certain interest paid by Whitewater. Unhappily for the Clintons, the law doesn't let you deduct expenses you never paid, and when the Whitewater matter came under public scrutiny, they paid up. What had started as a risk-free prospective gold mine for the Clintons ended up a tax fraud that would have worked had not the Whitewater Madison mess come under scrutiny in the wake of Clinton's election.

There were no criminal investigations. The whole episode fell under the rubric of "business as usual," just another corrupt deal in the nation's most corrupt state — but not that different from corrupt deals involving scheming businessmen, government regulators, and the public treasury everywhere else in the country. If Bill Clinton had not been elected president, the whole matter would have been forgotten. But Bill Clinton *was* elected president, in part on a campaign to clean up government. Those who knew of his activities in Arkansas

were annoyed by his hypocrisy and they raised the issue publicly.

Then, on July 20, a bullet entered the head of Vincent Foster, the Clintons' personal attorney, Hillary's former law partner and reputed lover, a man deeply involved in the investigation of irregularities concerning Madison Guaranty and Whitewater Development.

Foster's death was reported as a suicide. But there were questions. The investigation of his death was peculiar, to say the least. For one thing, police investigating the case were denied access to his office while Clinton aides removed personal and business documents. Among the items removed was a briefcase containing a torn-up note, written in Foster's hand, describing his distraught mental state. Curiously, the note was "overlooked" at the time, and even after it was noticed, Clintons' aides waited 30 hours before turning it over to police.

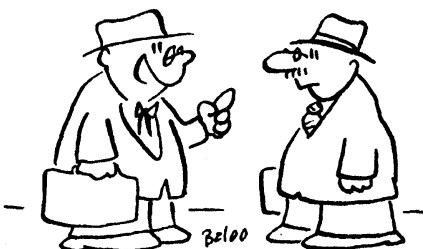
Foster was found lying face up on a slightly sloped hill in Fort Marcy Park, perfectly straight, his arms placed neatly by his side — "as if it was ready for the coffin," says George Gonzalez, the first rescue worker to reach the body. He was shot in the mouth, so the death was either suicide or murder, not an accident. There were no signs of struggle around the body, so if Foster didn't commit suicide, his body was moved to the park from another location or someone did some careful cleanup.

According to Gonzalez, "The face was white and pale, and only a thin trickle of blood oozed from one corner of his mouth. Usually a suicide by gunshot is a mess." Typically, when someone is killed by a bullet wound in the mouth, blood is splattered everywhere and in pools around the body. But there were no pools around the corpse, and Kevin Fornhill, the first police officer to reach the scene, commented that Foster's white shirt "was really neat" and was not splattered by blood. Eyewitnesses who saw the gun say it appeared to be clean, too. All this is inconsistent with suicide.

The corpse ought to have been in the position Foster was in when he shot himself or was shot. The bullet should have been found in the ground behind him. But Park Service Police

continued on page 42

Congress



"I've got it! — You put my wife on your payroll, and I'll put your wife on my payroll!"

Trafficking in Numbers

by Gwynne Nettler

"Seat belts save lives," the saying goes. But do they?

The shelves by my desk hold several pounds of documents describing research evaluating various ways of protecting motorists against death or injury while seated in automobiles. I have to add "while seated in" because people can be hurt in stationary vehicles, and the New York law forcing individuals to buckle up when

in motorcars, moving or not, has recently been applied against lovers who were "doing their thing," unharnessed, in a parked car.

The largest stack of reports by my side is issued by the U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA). From an immense quantity of information provided by police, supplemented with data from death certificates, medical examiners' reports, and emergency service and hospital records, government statisticians have drawn the oft-repeated conclusion: "Seat belts save lives."

NHTSA enlarges this inference to claim that, as more people tie themselves into their vehicles, more lives will be saved. Indeed, one NHTSA advertisement shows a stern police officer, menacing in his broad-brimmed Stetson, glaring at us and warning us that, in his eleven years patrolling highways, "I've never unbuckled a dead man!" — apparently promising those who buckle up *absolute* immunity to death in car crashes.

It is possible that the officer is accurately reporting his personal experience. But his message is patently false.

People do die harnessed to their motorcars, sometimes because the belts trap them and sometimes regardless of whether they are buckled up.

The NHTSA's "fatal accident report system" (FARS) tells us that, during 1990, 43% of drivers and 23% of other occupants who were killed in cars and light trucks were belted in. (The NHTSA uses the term "accident" to cover all vehicle crashes, including the unknown portion that are homicides and suicides.)

Nevertheless, FARS indicates that seat belt use among fatally injured motorists *increased* about six-fold between 1975 and 1990, meaning that as more people wear such devices, a higher proportion of those killed, up to some limit, will be harnessed. Unfortunately for fair assessment of the life-saving value of seat belts, FARS excludes from its tallies those vehicular deaths it deems due to "acts of God" — motorists caught in flash floods, for example. In at least some of these incidents, seat belts may increase the incidence of fatalities.

NHTSA is not the only government bureau to study vehicular safe-

ty, and vehicle manufacturers, insurance companies, and universities also produce estimates of the efficacy of protective apparatus for motorists. In 1992, for example, the U.S. General Accounting Office (GAO) compiled a report for the Senate Subcommittee on Water Resources, Transportation, and Infrastructure that sifted through more than 2,500 citations of traffic safety studies. GAO researchers winnowed this vast number to yield 44 documents that described original investigations or analyses considered relevant to the questions put by the subcommittee.

Twenty-two of these articles concern the impact of legislation on the use of "safety belts," 21 address their efficacy in reducing deaths and injuries, and nine estimate the differences in the public costs exacted by belted and unbelted crash victims. (These numbers total more than 44 because some studies address more than one topic.) From their analysis of these documents, GAO's auditors concluded that seat belt laws "work" — that is to say, that their use increases the proportion of motorists who are har-

nessed, reduces the incidence of death and injury, and lowers the social costs of such damage.

GAO's decision to limit its consideration to 44 of the 2,500 studies available may expedite legislative decision-making. It also inevitably stimulates curiosity among those who, by temperament and training, are dubious about governmental attempts to compress complex observations into a simple code to be recorded in the public ar-

"Every one of these figures comes in the first instance from the village watchman, who just puts down what he damn pleases."

chives. "The government," as Sir Josiah Stamp reminded us a century ago, "are very keen on amassing statistics. They collect them, raise them to the *n*th power, take the cube root, and prepare wonderful diagrams. But you must never forget that every one of these figures comes in the first instance from the village watchman, who just puts down what he damn pleases."

But skeptical voices are few. Americans are subjected to an "educational" campaign that urges us to wear our bridles. The U.S. Postal Service adds its authority by hanging commandments to buckle up at exits from its stations and by printing the exhortation on cancellations of our stamps — although, for good reason, its own local-delivery drivers are *not* harnessed.

The federal government is determined to have every state pass legislation requiring all passengers to be secured by protective devices, the preferred mode being three-point, manual shoulder-and-lap harnesses, supplemented by automatic air-bags for front-seat occupants. And our intellectual elites — academics and media stars — join the campaign. Legislation that penalizes unharnessed motorists "just makes sense," they say, as they regale us with horror stories justifying their approval of yet more law. Even Peter Huber, a scholar otherwise critical of "junk science," can write that injuries

in automobile crashes could be "completely prevented by seat belts and sobriety."

I emphasize Huber's adverb to illustrate the promissory zeal with which this phase of consumer protection is prosecuted. To question such enthusiasm is to incite odium. Skeptics have been called everything from "stupid" and "ignorant" to "accessories to murder — mass murder!"*

Despite these efforts to intimidate critics of seat-belt legislation, important questions about the studies supporting mandatory seat-belt use have to be asked. Do the costs of the safety devices and enforcement of their use exceed the benefits claimed? Where do the figures come from? Who has observed what, with what accuracy?

Unintended Consequences

As Garrett Hardin has pointed out, "You can't do just one thing." The additional effects of that "one thing" may be perverse effects. Not only may we fail to achieve our goal, but our actions can produce the opposite of what was intended, in the manner of an *iatrogenic effect* such as physicians recognize when a diagnosis or treatment does more harm than good.

A first indication that the highly-touted seat belt might produce some iatrogenic effect came to my attention in a 1984 Finnish study by J. Tolonen and Associates. Using files of insurance companies' Boards of Traffic Accident Investigation — rather than the contestable police reports — these investigators find for 1972–1979 that:

In collisions where the vehicles had approximately the same weight, cervical spine injuries were more common causes of death in victims who had used seat belts than in those who had not (21.3% vs. 13.7%). The mechanism of fatal cervical injuries in victims who had used seat belts was the rapid bending of the neck. . . .

This kind of finding has been seconded recently (June 1993) by research at the University of Montreal's Laboratory on Transportation Safety.

* This last accusation comes from Dr Stanislaw Geberdt of the British Medical Association, quoted in John G.U. Adams, *Risk and Freedom: The Record of Road Safety Regulation*.

Investigators there looked at data for 1987 provided by the Quebec government insurance board that covers *all* victims of traffic accidents in that province. They report that:

- "Twenty-nine percent of all injured car occupants sustained a neck injury." Most of these were classed as "neck strains" rather than serious injuries. Nevertheless, such minor damage consumed some \$7 million — more than two thirds of the nearly \$10.5 million needed to indemnify those with neck injuries.
- Rear-end collisions produced 45% of neck injuries.
- Of vehicle occupants who received neck injuries, the vast majority (87%) were harnessed.
- Most (53%) of the accidents that produced such injuries occurred in areas where speed limits were 30 mph (50 k/h) or less.
- Women suffered 40% more neck injuries than men and their treatment cost more than twice that of men.

This research notes that, while seat belts "tend to prevent more severe head injuries, the belts make acceleration/deceleration of car occupants worse." Such a trade-off is one of the several suggested by other studies, not-

As the number of motorized transports in a land increases, the nation's rate of passenger fatalities relative to the number of vehicles decreases.

ably John G.U. Adams' *Risk and Freedom* (1985). Adams, a geographer at University College London, analyzes world-wide data about deaths and injuries occasioned by the use of roadways by motorists, pedestrians, motorcyclists, and "pedalcyclists" (a useful neologism).

Adams, who is *not* a "traffic anarchist," concludes that:

- The efficacy of "an enormous amount of road safety regulation" is questionable.
- "The possibilities for compelling people to be safer than they choose to be appear to be extremely

limited."

- "The principal achievement of road safety regulation has been a redistribution of the burden of risk from vehicle occupants to pedestrians and cyclists."

Unreported Correlations

In addition, Adams finds international confirmation of "Smeed's Law," named after R.J. Smeed's 1949 research. Smeed reports a negative relationship between the number of motor vehicles in a country and its rate of traffic fatalities: as the number of motorized transports in a land *increases*, the nation's rate of passenger fatalities relative to the number of vehicles *decreases*. With the exception of some recent, law-induced iatrogenic effects, the long-term trend has been for rates of vehicular fatality to decline in every country for which we have data.

In the United States, for example, death rates in motorized traffic have decreased steadily, with only a few, small annual reversals. Since the enactment of the National Traffic and Motor Vehicle Safety Act (1966), more refined rates of roadway deaths have become available for the U.S. These refinements show regular annual declines in traffic mortality rates per 100,000 population, per thousands of licensed drivers, per thousands of registered motor vehicles (*à la* "Smeed's Law"), and per estimated million vehicle miles traveled.† Such refined rates are improvements over the use of absolute numbers. But, as I shall argue, they remain less than satisfactory.

Consider a recent Canadian study, in which professors Elliott M. Levine (philosophy) and Alexander Basilevsky (mathematics, statistics) accumulated data on the effects of Manitoba's law (effective April, 1984) requiring all persons in motor vehicles to wear harnesses. Levine and Basilevsky's careful study concludes that "seat belt use is generally associated with *greater* injury and fatality risk" (emphasis added).

A value of the Levine-Basilevsky re-

search lies in its employment of several indicators of the fates of motorists, belted and unbelted. It uses police accident reports, the files of the Provincial Medical Examiner, data from the Rehabilitation Hospital where long-term disability cases are treated, and a



special investigation by the University of Manitoba's Accident Research Unit that compared the motoring behavior of randomly drawn samples of approximately 1,000 belted and 1,000 unbelted drivers.

This last source of information describes one of the many difficulties in extracting the precise causal power of a singular condition — like being harnessed or not — from out of a complex of events that generates the deaths and injuries that interest us: motorists who voluntarily belt themselves and those who do not are different kinds of personalities, a finding that has been replicated in places other than Manitoba.

Drivers who prefer to belt themselves receive fewer speeding tickets than those who resist harnesses; i.e., belted drivers drive more slowly. They more frequently turn on their headlights during daytime travel, maintain

greater clearance between their cars and others, and receive fewer citations for moving traffic violations than those who do not use belts.

In short, voluntarily harnessed drivers tend to be risk-averse. Unharnessed drivers tend to be more reckless (or, if you prefer, are more confident of their driving skills).

Despite such differences between drivers who use and those who ignore harnesses, Levine and Basilevsky find the advertised benefits of wearing seat belts to be false. Indeed, their data, combining police reports with hospital records for 2,715 hospitalized drivers of automobiles and light trucks and vans in private use, 1982 through 1988, reveal an iatrogenic effect. Details sharpen the picture of who is at risk on motorways:

- In Manitoba, the "odds-risk mortality ratio" is 17:10 against those who are harnessed in vehicles. That is, belted occupants are 1.7 times more likely to be killed than unbelted motorists.
- Drivers of light trucks and vans (LTVs) generate twice the number of fatalities per registered vehicles than do drivers of automobiles.
- LTV fatal accidents are "especially prevalent at night, and typically involve unbelted and highly impaired young male drivers."

• In daytime fatal crashes involving more than one vehicle, harnessed victims exceed the unharnessed by 1.8 to one.

- Daytime hospital admissions for injuries to drivers of automobiles, vans, and light trucks are two times more frequent for those who are belted in than for drivers who are "free."
- Daytime drivers who are harnessed, compared with those who are unbelted, suffer injuries requiring hospitalization in ratios of 45:15 for injuries to the spine, 81:31 for the torso, and 103:44 for the head.
- In daytime near-side hits, drivers who are harnessed, compared with those who are not, generate hospital admission in the order of 4:1 and bed-days in the order of 8:1.

So we arrive at conflicting reports. Investigators who work for governments and American automotive man-

† Fatalities are one thing; motorists' collisions and injuries, another. Within the United States during the early 1990s, insurance claims for motoring collisions and injuries increased with vehicular density.

ufacturers regularly claim benefits from the compulsory harnessing of motorists. Investigators who are independent of car-makers and governments sometimes find benefits, but on other occasions find harms redistributed or increased.

Resolution of such opposed assessments of risk turns attention to the requirements of adequate research that would inform policy. Studies that invoke the aegis of science in preparing advice for citizens and their legislators must satisfy three desiderata:

- that observation and recording be reliable and accurate;
- that calculation be pertinent and correct;
- that evaluation reasonably weigh the benefits of safety measures against their costs.

These costs must include at minimum the cost of protective devices, the price of enforcing their use, the psychological satisfaction derived from using them or not — that is, the sense of security they afford versus the nuisance they impose — and the value of the injuries and deaths they prevent *net* of the injuries and deaths they produce.

Observation and Recording

The U.S. Department of Transportation recognizes that its estimates of lives saved and injuries prevented through automotive safety devices rest on at least two assumptions: that observations of belt-wearing during vehicular crashes are accurate, and that the efficacy of various modes of passenger protection — air-bags, automatic harnesses, two- and three-point manual belts — can be assessed from crash tests in controlled environments. Neither assumption is well-founded.

Observations of roadway smash-ups are usually made after the fact. They are reconstructions. The primary "observations" and their coding, out of which official records are constructed, are subject to an unknown quantity and quality of error. Police procedures for recording the protective relevance of seat belts to motorists' injuries and deaths vary among departments, and change from time to time within departments. Slippage between what occurs and how events are ticked on a report sheet is therefore a constant possibility.

For example, for three years after

passage of Manitoba's seat belt law, all pedalcyclists, all motorcyclists, and some pedestrians killed on roadways were recorded as "occupant fatally ejected from motor vehicles," thereby inflating the police count of fatalities of the unharnessed. In addition, Levine and Basilevsky find a tendency for belt-use among dead travelers to be "under-reported in as many as 50% of cases in some years," while claims that occupants had been ejected have sometimes been overreported by more than 100%.

A fair inference is this: The consistency with which accident investigators code crash-scene conditions, and the validity of their interpretations of causes of injury and fatality, are not known

In Manitoba, belted occupants are 1.7 times more likely to be killed than unbelted occupants.

and cannot be assumed. As in all official reports of social events, neither innocent error of observation and recording, nor "fudged" data, is novel. As Stamp observed, it all comes down to "the village watchman, who just puts down what he damn pleases."

Moreover, from the many muddled attempts to use laboratory studies to assess the dangers of pharmaceuticals and other chemicals in "real life," we have sadly learned that findings in such controlled settings do not necessarily apply to the messy world of actual events. Similarly, crash tests in engineered situations often do not mimic motoring accidents in the "real world."

Laboratory dummies do not necessarily behave as people do. Seat belts may be protective of dummies in head-on laboratory exercises, but such experimental auto smash-ups do not translate without error into human experiences while motoring. To assume so is to commit the "representative fallacy."

When the consistency and accuracy of observations are unknown, it becomes an exercise of doubtful utility to perform calculations with such "information," and hazardous to extract policy recommendations from them. However, since so much time and

money is spent generating statistics, and since these numbers are widely disseminated, the processes of calculating and evaluating merit comment.

Calculation

Quarrels about safety legislation — all such legislation — concern judgments of risk. Judgments of risk require more than mere tallies of the unfortunate events we wish to avoid. The notion of risk rests on an idea of *probability*.

Probability, in turn, is an equivocal concept. Philosopher John Mackie identifies seven different notions of probability, some of which contain subdivisions, and he adds that "probability resembles moral concepts such as goodness and obligation" in that it reflects mixtures of knowledge and ignorance.

Despite difficulties with this evolving concept, three interpretations are main contenders in the public arena, and citizens should be advised of the differences in usage because they refer to different processes that are frequently confounded.

1. Games of chance provide one conception of probability. Such games involve "happenings" in playing with inanimate objects whose structures allow reasonable estimates of "chances." Dice are an example. Here we know in advance of the toss of a fair die — of which there are only approximations — that the likelihood of any one of its six pips showing, over some "sufficiently long" run, is $1/6$, and hence that the probability of throwing a double six is $1/6 \times 1/6 = 1/36$.

It is such knowledge that makes gambling profitable for the gaming industry.

2. A second, distinct use of the term refers to degrees of belief accorded by a person to a hypothesis. This is *subjective probability*, tested in the realm of risk by the odds one is willing to give, or take, on a bet. Subjective probability often appeals to expert opinion to justify itself, and this appeal calls attention to a fact that consumers of authoritative dicta should know: *There is no relationship between the confidence with which a subjective probability is stated and its accuracy.* To mistake confidence of utterance for validity is to become vulnerable to demagogues and other con artists.

3. A third interpretation of "probability" judges the likelihood of events by the frequency with which they have appeared in a class of people, or conditions deemed relevant to them. With few exceptions, this is the version of probability employed in calculating risks for public consumption. It is a *relative frequency* conception of probability.

This concept of probability has its own difficulties, and does not fit neatly with mathematicians' requirements. I include it in a discussion of the risks of motorized travel because most journalists, legislators, and citizens are inundated with numbers expressing subjective probabilities and relative frequencies, and consumers usually can't tell which kind of probability is being reported or how well it's been calculated.

In addition, relative frequency deserves description because it is the kind of probability that actuaries, statisticians, and epidemiologists use. They use it because it comes closest to common conceptions of "the chances that . . ." — and because abandoning a frequentist definition of probability, as some have urged, puts us into the fuzzy world of "degrees of belief," a world in which anything might happen and one person's gamble is as sensible as another's. This is not what lawmakers and the general public want to hear.

Decision-makers who resort to a relative-frequency interpretation of probability attempt to see the future by categorizing events in the past and counting them. Judgment enters here because a relative frequency notion requires some "indefinitely long run" of the events that concern us. Moreover, it requires that these events occur under identical conditions and that they be independent of one another. Unfortunately for the assessment of travel risks, these requirements cannot be satisfied.

Traffic fatalities, for example, fluctuate considerably. They vary with season and time of day, with conditions of roadway, driver, vehicle, and surroundings, and with the posture and position of occupants in vehicles. And there is always a question, commonly ignored by journalists, of whether we've looked back far enough to avoid unusual perturbations in our

numbers, including changes over the years in the ways events are defined and tallied. In drawing inferences about the effects of safety legislation, we wish to discount singular, dramatic events that put spikes in our charts. One year's 27-vehicle pile-up on a foggy California interstate can distort analysis of trends.

Risk-assessors assume that the events under study have been reliably categorized and accurately tallied. With

these always-contestable assumptions, they relate these occurrences to some "base" of conditions, or people, or actions — or even to kinds-of-people and their kinds-of-actions in types-of-situations. Hence the "relative" in relative frequency.

It should be clear that this idea of probability is a population term. It refers only to the frequency with which a kind of event occurs in some aggregate of people or things or situations. It can-

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not be translated legitimately into the probability that a particular individual will, or will not, experience that event.

The numerator of this rate contains a tally of events we've observed and recorded, however accurately. The denominator of this rate should include all those circumstances, and only those circumstances, differentially associated with whatever we've counted in the numerator.

For example, if 50% of pregnancies of American women end in abortion, this proportion can *not* be extrapolated to "the chances that" a particular woman has a 50% likelihood of ending her pregnancy with abortion. (Of course, a woman's psychoanalyst may make a "judgment call," and assign a subjective probability — "an educated guess" — about the odds of her undergoing this procedure. But that is a very different type of "probability.")

In its frequency mode, probability expresses a relationship between a number of *actual* events and a number that summarizes conditions assumed to have the *potential* of distinctively permitting them — or, better, of generating them.

For example, since people can't get divorced without being married, a proper divorce rate must refer that numerator to the number of married couples in a population — not, as is sometimes reported, to the number of marriages that year. And, if one can't bear a child without being a woman, reproductive rates should be related to the number of women of fecund age. Similarly, one can't have a "traffic accident" without being on some kind of roadway, but does a private driveway count?

Assuming, then, an appropriate denominator ("base") of our rates, we strive for rational judgment by projecting a relationship observed in the past into the future on the usually unstated assumption that all productive forces remain the same. This is treacherous work. It justifies the lesson Hippocrates taught physicians over 2,000 years ago: "Experience, fallacious; judgment, difficult."

Illusory Exactitude

In the case of political promise expressed as probability, most of the public has little trouble recognizing

such numbers as figures of speech — hopes, invocations, inspirations. But when scientists talk about "chances," lay consumers of statistics can't tell whether their probabilities refer to a known frequency with which some kind of event occurs relative to a base of reliable premonitory signs, or

If 50% of pregnancies of American women end in abortion, this should not be extrapolated to "the chances that" a particular woman has a 50% likelihood of ending her pregnancy with abortion.

whether the figure is a "professional guess," or some combination of these "probabilities."

An example illustrates the point. On October 19, 1992, geophysicists with the U.S. Geological Survey issued a warning that the San Andreas fault near the central California town of Parkfield — the most closely monitored fault segment in the world — had "a 37% chance" of a major slippage — an earthquake of magnitude Richter 6.0 — "within 72 hours."

Depending on the amount of error one allows in judging prophetic success, this forecast can be said to have failed. A lesser, 3.9 quake did occur one week after the promised Big Shake. But what is pertinent to our concern with official figures is that the public that attends to such "probabilities" is ignorant of their basis. I asked Allan Lindh, one of the seismologists involved in the Parkfield study, four questions:

- Are you estimating a relative frequency probability or a subjective probability?
- If the former, what is the "37%" a percent of?
- If the latter, how do you and your associates arrive at the subjective estimates?
- And, in either case, what justifies the precision: 37%, not 35% or 40%?

Dr Lindh replied, "Good questions. The answer is both. We strive for quan-

titative, but given small samples and dearth of models, we settle for subjective."

With due respect to the difficulties earth scientists have in foreseeing changes in our globe's activities, I wish to call attention to a common ploy, one that — forgive the alliteration — might be called persuasion by presumed precision.

Exact numbers impress. By contrast, the more honest use of a range of numbers to indicate uncertainty reduces authority and makes it sound as though the "experts" are guessing.

If we ask traffic-safety experts how many of the approximately 23,000 to 44,000 lives lost on American roads each year will be saved through the enforced harnessing of motorists, we find estimates that range from 17,000 lives spared annually, to 15,000, to a low of 325. American politicians, including some recent presidents, like to cite the larger hope rather than the smaller possibility.

These numbers are confounded by definitions, and by who counts what. Estimates of lives lost in traffic vary. They depend, in part, on whether one counts only people killed in motor vehicles and thrown from them, or tallies those kinds of deaths plus the roadway mortality of pedestrians, cyclists, and bikers. For example, as a proportion of all traffic deaths, pedestrian fatalities vary from a low of about 15% for the United States to a high of 60% in Hong Kong.

And yet another issue complicates estimates: How much time should we allow between a crash and a death for the mortal injury to count as a "traffic fatality"? The National Safety Council records deaths within a year after a crash as a roadway death; most jurisdictions use a 30-day period, while some allow 90 days for deaths to be assigned to crashes. Such variation raises the perennial question about "cause of death." Did a collision without harness *cause* a death? Or did it only contribute to the death of an already sick and weak person?

Inevitable Economies

But the difficulties of calculating motoring risks do not end here. Even if we were to accept, as a rough estimate, some official rate at which individuals

can expect to be injured or killed as they travel in a variety of ways on a variety of roads, we need to know something else as well. In the controversy about seat belts, we need to know not just whether such harnesses ever prevent injury and fatality, but how much they do net of the injuries and fatalities they cause.

This requirement provides defense against the con-artist's ploy of counting successes and forgetting failures. It is armor against the enthusiast's habit of trying to prove a case by telling anecdotes favorable to it while ignoring contrary instances.

"Activists" who sponsor state-mandated intervention in others' lives routinely evade the issue of degree of improvement consequent upon their preferred programs net of perverse effects. In the auto-safety controversy, advocates of police action frequently talk as if any benefit were justifiable. "Even if only one life is saved!" they cry.

This is nonsense. There is an economy of salvation.

We implicitly judge how much we should worry about being killed or injured while motoring by guessing how frequent those events are, and then multiplying that guess by the values assigned to death or injury and the costs of defensive measures against them. In this calculation, there is room for argument.

On our roadways, the perceived probability of damaging accident is sufficiently low that virtually no one refrains from motor travel for this reason. Of course, the value assigned to not dying is high. Some claim that the value of life is infinite — "priceless" — but few who say this believe it, because every action carries with it a chance of death or shortened life.

Nevertheless, when the relative frequency with which an event occurs is either very high or very low, it becomes difficult to improve upon such a probability by any intervention. We reach a saturation point beyond which risk is acceptable compared with the cost — including the nuisance — of a further reduction in a possibly dangerous circumstance.

For example, we could reduce serious injury and fatality by outlawing

motorbikes and by preventing male teenagers from driving any vehicles, since both of these "conditions" have higher rates of calamity than the less exciting, and excitable, modes of transport. And we could make some additional reductions by thickening the armor on vehicles, by requiring passengers (other than drivers) to be seated back-to-front, and by mandating that all travelers ride in cars equipped with roll-bars while wearing flame-retardant underwear and balaclava, and crush-proof helmets.

These possibilities seem ridiculous. Their perceived absurdity attests to the less-than-infinite value we place on our lives. There are trade-offs.

So what is the value of mandating seat belts? Are the trade-offs worth it? To find out, we must have both a consistent method of classifying the incidents in which users of roadways are hurt or killed and reliable records of these incidents.

Consistent classification is required because in some proportion of traffic crack-ups, wearing a seat belt is irrelevant to one's safety. In other cases, the practice is iatrogenic. In yet other instances, the harness helps somewhat. And in some cases, harnesses do what they are supposed to do: They fulfill the *sine qua non* promise — "If it had not been for the bridle, serious injury or death would have resulted."

Space does not permit a suggested taxonomy of damaging motoring events, other than to give the flavor of this requirement. For example, single vehicles colliding head-on with immovable objects — trees, walls — constitute one category of smash-up. Roll-overs — single and multiple — constitute additional classes of mishap. Two-vehicle head-on collisions are a different class of crash from near-side and far-side blows, and so on.

Each such class of crash should be further subdivided by "state of the roadway" — isolated or congested, rural or urban, dry or wet or icy — and by the drunkenness or sobriety of all participants, including pedestrians. Virtually all research on roadway safety agrees on one fact: That somewhere between 40% and 60% of traffic fatalities is produced by drunken pedestrians, motorbikers, and drivers of trucks

and passenger cars. If we exclude the drunken users of public roads from consideration, we would probably discover that a majority of those who die in vehicles were belted in.

The second step in a fair test of harness-efficacy would compare the rela-

Exact numbers impress. By contrast, the more honest use of a range of numbers to indicate uncertainty reduces authority and makes it sound as though the "experts" are guessing.

tive frequencies of death (or injury) for each class of crash when the safety device is, and is not, used.

The work of the eighteenth-century mathematician, the Reverend Thomas Bayes, can be adapted for this purpose. Assuming that we know the relevant probabilities, a variant of Bayes' formula allows us to calculate how much the hypothesis that "buckling up" saves lives is confirmed or disconfirmed by our observations. For each class of mishap, we should have to know all these probabilities: that of dying while using a roadway (called the "base rate" of death); its obverse, the probability of not dying in such circumstance (the "base rate" of survival); the probability that individuals are harnessed when they are killed; and the probability of their being harnessed when they are not killed. Similar probabilities would have to be known for degrees of injury, a difficult task.

Meanwhile, we lack the refined information with which to calculate the net worth of seat belt legislation, and we are not likely to obtain it. For lovers of liberty, such ignorance returns the burden of justification to those who would impose more law upon us.

Evaluation

Assessment of public policy depends on political philosophy. Facts, by themselves, are not sufficient.

In the current "culture wars," there are good people on one side who want

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In 1988 I moved to America — "the land of the free and the home of the brave." To my horror I soon discovered that America and Americans were being economically raped. I researched the specific mechanisms of the economic rape and identified the key economic rapists. I wrote the book *The Economic Rape of America: What You Can Do About It*.

After more research and discussions with many, I concluded that Personal Power was an important ingredient of the solution, so I wrote a second book *Wake Up America! The Dynamics of Human Power*.

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As a professional consultant I've worked with computers for many years. Among other companies, I've studied Microsoft to determine why it has been so successful. Why has it overtaken IBM in terms of market valuation? Microsoft basically sells software programs to make computers more efficient and effective and easier to use. We could call Microsoft's programs "computer success programs." At the time Microsoft was created its potential could have been measured by the difference between how successful computers were at that time compared to how successful they could become. In other words, there was a gap between what was and what could be. This gap represents potential. By utilizing this gap of potential, Microsoft co-founder Bill Gates became a billionaire and the richest man in America.

In human affairs, right now, there is also a gap between what is and what could be. We suffer from "human failure programs" (like government!) that keep us as a society stuck at a low level. The gap between what is and what could or should be represents potential. **This potential is vastly greater than the potential that enabled Bill Gates to become the richest man in America.**

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Lowell H. Becraft, Jr. - Attorney - Huntsville, Alabama

"Whenever I read any of your Terra Libra publications, my heart starts pounding with excitement. I've been studying freedom for a few years, but I often thought living my life as a truly free person was a pipe dream. It was something to think about and discuss with a few freedom loving friends, but nothing that I can do much about. Your publication really changed my mind. "Wake Up America" was truly my personal wake up call. I don't recall buying a book with higher useful information content per page or per dollar. Your breadth and depth of useful knowledge is incredible.

I think Terra Libra will be a success. It has a far broader appeal than anarchism or Neo-Tech. I would definitely like to be part of it. I'm originally from Japan and was disappointed in America because many of the bad habits of old Japan are also prevalent here. My father is a translator in Japan and also is discovering freedom. I would like to discuss with you the possibility of publishing Terra Libra products in Japan."

Isao Hanashi - Computer Consultant - Mesa, Arizona

"**WOW!** Your Terra Libra concept is a mind-blower... and a winner whose time is **NOW!** The info you sent brought the greatest excitement about the possibility of freedom in my lifetime I've **ever** known. Thru Terra Libra you're providing an exciting possibility: Be free now, working within and around our present oppressive government, leaving it to collapse of its own weight while we simultaneously create alternative systems that'll be in place to replace those of the tyrannical government when it withers and dies as in the USSR. Fascinating stuff!

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Duane F. Campbell - Developer - Kent, Washington

"Your philosophy and writings are exactly on target, this is the stuff I grew up on. I detest coercion and all the official and unofficial bodies that use it to further their parasitic existence. Invisibility seems to be the first line of defense, as in *The Art of War* Sun Tzu writes, "only the formless cannot be affected" and "To win without fighting is best." He also wrote, "Strength is not just a matter of extensive territory and a large population, victory is not just a matter of efficient armaments, security is not just a matter of high walls and deep moats... Those who establish a viable organization will survive..."

Andrew Stocks - Entrepreneur - St. Petersburg, Florida

Terra Libran free-enterprise entrepreneurs will apply Freedom Technology to move society from what is to what could or should be. In the process many will become millionaires and billionaires. The Terra Libra books, reports, and information packages will tell you how. You simply can't afford to miss these incredible opportunities.

TERRA LIBRA STRATEGY

When you oppose something, or try to reform it, you encounter opposition. Your effort elicits an almost automatic counter-effort. Terra Libra does not attempt to change, oppose, reform, or overthrow any political or economic systems. We simply create our own voluntary alternatives. In fact, Terra Libra does not threaten or challenge the authority of any legitimate governments.

The bogus power of illegitimate freedom-violators depends on the support of their victims. Terra Librans find practical ways to legally, elegantly, and safely withdraw their support. The power of illegitimate freedom-violators is tenuous — flimsy, fragile, and of little substance. Understanding the dynamics of human power enabled Mohandas Gandhi to defeat the armed might of the British Empire without firing a shot. The armed might of the East German freedom-violators, backed by 300,000 Russian troops could not keep the Berlin wall standing. When the victims of the soviet freedom-violators withdrew their support, the Soviet Empire collapsed overnight.

Because of currency debasement (inflation), huge budget deficits, property seizures, Nazi-like terrorism, and other criminal violations, many freedom-violators are destroying their own coercive power systems. They are rapidly losing control.

We distinguish three sectors: the **public** sector, the **private** sector, and the **free-enterprise** sector. The **public sector** operates on the principle of coercion: the force of the gun. The **private sector** mixes coercion and freedom — politics and business. People in the private sector enjoy a modicum of freedom. However, they obey, bribe, and finance the freedom-violators of the public sector. They often obtain special privileges such as monopoly licenses, subsidies, and welfare from the freedom-violators.

People in the **free-enterprise sector** practice real, true, or pure free enterprise. In Terra Libra slavery has been abolished. Free Sovereign Citizens own their lives, minds, bodies, and the fruit of their labor. They practice voluntary exchange. They can do anything which doesn't harm others or their property. These principles are formulated in the Code of Terra Libra.

Terra Libra is the free-enterprise sector of the world. Terra Librans create voluntary institutions in areas such as education, currencies and banking, justice, communications, etc. As the coercive institutions of the freedom-violators worsen and collapse, people naturally shift their economic activities into Terra Libra — the "**Terra Libra Shift.**"

Freedom Technology enables you to legally, elegantly, and safely shift some or all of your economic activities into the free-enterprise sector. The Terra Libran entrepreneurs who facilitate this shift will become the millionaires and billionaires of the next century. To get an idea of the potential, consider the size of the public and private sectors. These two sectors will collapse and be replaced by the free-enterprise sector.

Over the years there has been a shift in the nature of power. At one time power was almost totally based on **violence** (coercion). Then power came to be based more on **money** than on violence. In today's world power is based primarily on **information**. This shift in the nature of power is described in the book **Powershift** by Alvin Toffler. Territorial countries are based on violence, money, and brainwashing (the perversion of information). Terra Libra is primarily an information-based country.

I believe that we maximize our prospects for freedom by

applying a wide range of strategies — circumvent, ignore, criticize, ridicule, weaken, reform, and replace the enemy on many fronts. Terra Libra should be viewed as an **adjunct** to other strategies. Our strategy is outlined in much more detail in the Terra Libra reports.

WHAT HAS BEEN ACHIEVED SO FAR

Much more has been achieved than space allows me to mention. A few highlights:

- There are now twenty-six Patrons and thirty-seven Professional Liberators in: Arizona, Australia, Bulgaria, California, Canada, Colorado, Delaware, England, Florida, France, Hawaii, Illinois, Ireland, Jamaica, Louisiana, Michigan, Nebraska, New York, North Carolina, Oregon, Sark (Channel Islands), Texas, Turkey. (Patrons and Professional Liberators are basically people who provide services related to Freedom Technology, for example, alternative currencies and banking, tax abatement, education, secure communication, etc.)
- A Terra Libra Supper Club has been established in Orange County, California. The November 1993 issue of the *Orange County Liberty Bell* included a full-page feature on Terra Libra.
- The Terra Libra "country" concept has been expanded to include "Terra Libra Territories" of which there are already several.
- An organization has been established to create a worldwide economic system with a 100%-gold-based currency. The system will interface with current banking systems. It's organized so each aspect of it is perfectly legal in the country where that aspect operates. Users of the gold-based system will be able to enjoy most of the services they now receive from their local bank. They will be able to deposit local currency checks and bank notes. The system will write checks in local currency. Secure electronic transfer will be possible for transactions between users of the system. Users will be able to withdraw funds from local ATMs (automatic teller machines). The gold will be maintained by a solid financial institution with an impeccable reputation of at least 100 years — in a safe country. The gold will be insured and subject to regular independent audit. We expect the system to be operational around June 1994.

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to use the law to do good for others, without necessarily having the consent of the subjects of their compassion. In opposition, there are good people who recognize that the law is an invention whose principal instrument is force. They agree with Tolstoy that "no one who has not sat in prison knows what the state is like," and they are loathe to compel others to behave "better" than they choose to.

Do-gooders in the first category assume that their idea of well-being is universal, or that it would be universal if others were as informed as they are. The second sort of do-gooder approves of "moral suasion," but is chary of coercing others toward virtue. They cite approvingly Henry David Thoreau's promise: "If I knew for cer-

tain that a man were coming to my house tonight to do me good, I'd run as though my life depended on it." Thoreau's statement embraces two liberal doubts: whether complexes of values are commensurable among individuals, and whether we have knowledge of optimal means to our good ends.

Today's version of Millian liberalism tries to accommodate its political preference to facts. It prefers argument from evidence to "thinking with one's blood." It is inclined to let people do as they wish as long as their actions do not harm others. Moreover, it proposes that we can discern, and agree upon, "harm."

Harm takes many forms, of course, but one variety is conceived as "exter-

nalities" — costs imposed on others by our behavior. Thus, in the seat belt controversy, proponents of mandatory harnessing cite the medical costs of attending to those who, because they are not strapped into their vehicles, are injured or killed.

Preceding pages have demonstrated that such a cost is difficult to assign. But if findings such as those John Adams and Levine and Basilevsky report were validated more generally, then it would be legislators' coercion-to-safety that produces externalities.

While we await extension of properly designed research, the hypothesis that the legally coerced harnessing of motorists saves lives and reduces injuries deserves the Scottish verdict: *Not Proven*. □

Arthur, "A Bill of Particulars," *continued from page 32*

say he shot the gun while standing and the bullet went back into the woods. The gun's position is also suspicious: the *New York Post* reported that it "was still clenched in his hand, which was lying in easy repose alongside his right leg." Typically, the gun is not found in the suicide's hand; it is usually thrown away by a reflex action. According to Gonzalez, the barrel of the gun was perfectly perpendicular to Foster's leg, which is very unlikely to occur by chance.

Police say that no one other than Foster was in the park at the time of his death. But a *New York Post* investigation discovered that a blue Mercedes-Benz "was parked, unattended, on a short roadway leading to the park when the police and ambulances arrived." Police say the car was merely disabled, but have not explained why the information was withheld from the press at the time of Foster's death.

Murderers often try to make their killings look like suicides. Standard police procedure is to treat suicides as homicides until proven otherwise. As a New York City police officer explained to the *Post*, "You treat it as a homicide, particularly if it is a VIP, like this case, until you can prove otherwise." But the possibility of homicide was never explored by the Park Police.

Why investigation of a death of this

importance was turned over to the Park Police, an organization with little experience in homicide investigations, rather than the FBI, the nation's premier police investigatory agency and one with much more experience in such matters, is also a mystery.

The investigation by the Park Police was hindered by agents of the Clintons, who refused access to Foster's office until they had removed a substantial number of papers from it. Although the staffers told the police that the only things they removed were Foster's personal papers, they eventually admitted that they had also removed papers regarding Whitewater-Madison.

Although authorities promised to make public the police report on Foster's death, they have not done so — at first with no explanation, later asserting that to release it might interfere with Special Counsel Robert Fiske's investigation. After the *Post* investigation uncovered inconsistencies in past statements and raised the possibility of foul play, however, the police allowed a single reporter for the *Post's* chief competitor, *The Daily News*, an opportunity to review the police report and talk to investigators. Based on its reporter's review of the report and interviews with unnamed sources, the *News* concluded that the case is closed. But suspicions will continue to exist so long as

the police report is kept secret and inconsistencies remain.

The circumstances of Foster's death may never be known. But it is undeniable that the Clintons interfered with its investigation. The net effect of the Foster death, at this point, is to cast ugly suspicions on the Clintons, suspicions they could have avoided by not removing evidence from his office and by allowing a proper investigation of his death by competent authorities.

In sum, there is no doubt that the Clintons violated the public trust by failing to reveal conflicts between their own private financial interests and the public interest, and there are considerable indications that they looted the public treasury by a number of fraudulent subterfuges. It is possible, I suppose, that Rodham Clinton's opposition to allowing an investigation of the Whitewater-Madison affair was motivated by considerations other than fear of apprehension. But how else can one explain the fact that when a special prosecutor was appointed to investigate the matter, and the possibility of a subpoena of records relevant to the case became a real possibility, the Rose Law Firm immediately began shredding Foster's files? How else can one explain the Clintons' interference with the investigation of Foster's death?

— Chester Alan Arthur

Captive Nations Report

Rainy Nights in Georgia

by Frank Fox

The end of Communism has not meant an end to Russian imperialism.

History, contrary to popular belief, does not repeat itself — except in Russia. In 1918, Georgia declared its independence from Kremlin rule. Three years later, the Bolsheviks, in violation of earlier agreements, marched back in. In 1991, by an overwhelming 98% vote, the people of Georgia again asserted their sovereignty. Now, again, they are threatened by a meddling Russia.

Georgia, nestled between the mountain masses of the Caucasus and the Ponto-Armenian highlands, was the land of Prometheus chained in his eternal punishment; of Jason and the Argonauts in search of the Golden Fleece; of the dreaded Gog and Magog, Old Testament names that forecast future doom. The country's most enduring symbol is the coat of arms of its eleventh-century ruler, King David II. That featured the sling and the harp, for King David traced his ancestry back to the Biblical David, slayer of mighty Goliath.

Greeks and Romans, Byzantium and the Muslims, Tartars and Russians took turns ruling the mountainous land. And except for one brief period, when David II and his daughter Tamara united the peoples between the Black and Caspian seas, it was always the Goliaths who prevailed. Georgia remained within the Russian empire from the time it was annexed, in 1801, until the revolution of 1917.

Today, with the peoples of the Caucasus locked in seemingly irreconcilable bloody disputes, it is worth re-

calling that this was not always the case. On September 20, 1917, the Georgians, Armenians, and Azerbaidjanis established a Trans-Caucasian Federal Republic. In its first election, Georgians gained positions of leadership and formed a most unusual national-federative coalition of Christians and Muslims, one that might have been a model for other struggling nationalities in that "prison-house of peoples."

After October's Communist coup, Lenin moved to abort this promising experiment. Georgia's leaders were Mensheviks — anti-Bolshevik socialists who believed in a democratic stage in the revolutionary process. Lenin saw them as a potential threat, but he had to bide his time.

First his followers fomented disagreements within the federation, culminating with the proclamation of an independent Georgia on May 26, 1918. The Armenians and the Azerbaidjanis followed suit. On January 10, 1920, the Supreme Council of the Allies gave *de facto* recognition to the three Caucasian republics. On June 12, the Soviets, preoccupied with a campaign against Poland, reluctantly

recognized Georgia's independence and agreed not to interfere in its internal affairs.

But with the conclusion of the Polish campaign, the Soviet forces were free to move. In February of 1921, the Red Army invaded Georgia — the "kept mistress of the Entente," Stalin called her — and forced the republic, as it had Armenia and Azerbaidjan, back into the Bolshevik fold. Noe Zhordania, the nation's remarkable leader, fled into exile.

On June 10, the exiled governments met in Paris and in a futile gesture concluded an alliance that provided for a common foreign policy and a customs union. The Caucasian Federation thus became both a success and a failure, at one and the same time.

Back for Seconds

The first phase of the present struggle began when Georgian president Zvia Gamsakhurdia, a graduate of Soviet prisons, proclaimed his nation's independence on April 9, 1991. Following the August coup against Gorbachev, the dozen or more national and ethnic groups that make up

about 30% of the Georgian population resumed their centuries-old opposition to central authority, fearing "Georgia for Georgians" policies reminiscent of previous attempts at Russification.

The Ossetians in the north and the Abkhazians in the west were particularly resentful. The Russian military lent support to Abkhazian nationalism, sending mercenaries to staff that region's secessionist army. In January of 1992, Gamsakhurdia was deposed, as Tbilisi — the capital city itself — was swept with bloody civil strife. In March, Eduard S. Shevardnadze, a Georgian who had previously served

In October, Shevardnadze was elected speaker of the Georgian parliament by close to 90% of the electorate, in effect making him president. Shevardnadze presented himself as a genuine convert from the old *nomenklatura* to the new democratic faith. But even as he sought to consolidate power, a loose coalition of Caucasian tribes led by the exiled Gamsakhurdia threatened to plunge Georgia into a full-blown civil war.

By now there seemed little question that Russian troops were taking part in this internecine struggle, assisting the Abkhazians and other militant Muslims against the Georgians. By the summer of 1993, the Russians were clearly positioning themselves to broker the peace between Shevardnadze's forces and those of the other rebels. The August 1 edition of the *New York Times* editorialized about a "new Russian Empire," noting that in Georgia the Russian military units "have thrown their weight behind ethnic secessionists."

Shevardnadze grew ever more strident, threatening to resign if parliament refused to grant him new emergency powers and continuing to accuse the Russians of attempting to divide up Georgia. But Yeltsin and his military advisors were clearly playing for higher stakes, mindful that their actions were being observed by other ethnic groups of the old Soviet empire. They wanted at the very least to force Georgia to accept their aid, so it would be forced to join the Commonwealth of Independent States.

By October, the 65-year-old Shevardnadze, his carefully tailored suits exchanged for combat fatigues and an automatic pistol, travelled up and down the front trying to inspire courage in his followers, while the separatist Abkhazians and the troops of the ousted Gamsakhurdia threatened

"We must remember that we are 70 years behind civilization because of the Bolsheviks."

Shevardnadze's principled stand against Gorbachev obscured his earlier participation in Soviet repression.

as Soviet foreign minister, was invited to replace Gamsakhurdia. He negotiated a peace in Ossetia, but fighting intensified in Muslim Abkhazia, still ruled by unelected Communists.

Shevardnadze, a man whose friendly, distinguished appearance and principled stand against Gorbachev tended to obscure his earlier participation in Soviet repression, now claimed that he had been "treacherously deceived," and blamed Russia's representatives for the "dirty affair" — his reference to the Russian armed forces' covert support for the Abkhazian separatists.

Georgian cities. Abkhazia had now officially seceded, and another province, Mingrelia, came under the control of Gamsakhurdia's forces. Shevardnadze was finally forced to beg Russia for help. Naturally, aid was forthcoming. Russian troops began to protect Georgia's railway lines.

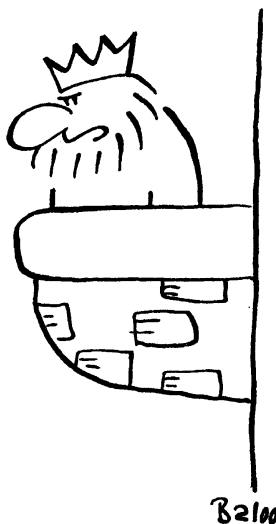
Full Circle

The pattern followed by the Russians in Georgia can also be seen at work in Armenia and Azerbaijan, the other states of the original confederation. "We must remember," said one Azerbaijani leader, "that we are 70 years behind civilization because of the Bolsheviks, and right now Christian Armenians and Muslim Azerbaijanis are simply incapable of living as neighbors." The Russians will surely do their best to divide and conquer, to prevent another effort at confederation, to exacerbate ancient feuds for their own gain.

Georgia has come full circle, a victim of patterns that have persisted throughout the history of the centuries-old Russian state. On February 3, Russia and Georgia signed a cooperation treaty; now Russia, "proceeding from the need to respect Georgia's territorial integrity," will keep military bases on Georgian soil and train and supply the Georgian forces. Yeltsin has "encouraged" Georgia to join the ruble zone, which would make it economically dependent on Russia. With Georgia's entry into the Commonwealth of Independent States, it has in effect become, once more, a vassal of the Russian bear. □



"Well, we lost another war — I hope you wimps are satisfied!"



Warning

The Perennial Threat

by David Brin

Socialism may be dead, but an older threat to freedom still thrives.

Millions were convinced by the hypnotic, idealistic-sounding incantations of Marxist pseudo-science. Human nature, for better or worse, never fit old Karl's idealizations, but that did not prevent multitudes from investing in them a kind of religious fervor. Then other multitudes declared Communism the worst evil of all time, again giving the ideas more credence than they were due.

Only a few seers understood that nothing long-lasting could ever come of it, neither utopia nor endless terror. Andrei Amalrik's forgotten 1970 masterpiece, *Will the Soviet Union Survive Until 1984?*, underestimated by a few years the obstinacy of a bureaucracy clinging to power, but otherwise called events with remarkable vision.

Sure enough — after but a single lifespan, the flame that seemed so dire sputtered. History tells of nations and people who went down with their creed rather than admit its irrelevance, but today we see Russian adults reared on the catechism of Marx abandoning the faith and converting *en masse* to the rites of Adam Smith.

So: all hail the market, *revivodus*. The great enemy of Free Enterprise has fallen, and no obstacle now blocks our road to capitalist paradise. Right?

Well, maybe.

Many societies have seen fleeting episodes of openness, from Heian Japan to Ashoka's Indian Empire to the early caliphate of Baghdad — narrow, blessed periods during which

ideas flowed like rivers, when liberated individuals proved their mettle in fair competition and were rewarded less for their connections than for what they produced. These were times of rich culture and rising prosperity for all, not just the most creative or influential.

Alas for human progress, every one of these brief experiments withered soon after flowering. And in none of these cases was the agent of downfall anything remotely resembling Communism.

Obsessed as we've been for 70 years with a bumbling malignity to the east, it's easy to overlook historical evidence that populist revolutionary movements seldom keep steam, however militant their beginnings. Few market systems have been permanently ruined by proletarian or peasant uprisings. A great many, on the other hand, have been destroyed by another nemesis of free enterprise: *aristocratism*.

If free markets benefit from honest ambition, they also seem disastrously vulnerable to a darker side of that same trait — not so much greed *per se*

as a tendency to *cheat*. The aristocratic impulse drives self-made men to use their wealth and power to arrange for their heirs to start out life as owners, as nobles, as demigods. Choose any epoch and you'll find examples. Coups by the Roman patrician class. Civil service *rigor mortis* in Chi'ing China. The ongoing decline of Great Britain.

It's an unfortunately familiar pattern. A first wave of enterprising leaders rises, proud to have done so by their own efforts. But once in power, they conspire to close what had been open, to change the rules so that newcomers will find the same climb harder.

Avoiding socialism was relatively easy; Americans just don't take to homogenization. All our myths push individualism, love of difference, and change. Give or take a few mega-institutions — welfare, IBM, the Pentagon — we dig in our heels against organized accumulations of authority. Marxism could never take root here; the soil is too irascible.

Aristocracy is another matter. Our people find much that is fascinating in

affluence and influence, in the lifestyles of the rich and famous. Before the depths of the 1992 recession, opinion polls showed that a majority of Americans believed the well-off deserve what they have, even if it is orders of magnitude more than ordinary wage-earners could ever hope for. Populist soak-the-rich campaigns do badly among middle-class voters because each of us imagines that *we*

Ours is the sole civilization in which the comfortable have so outnumbered the underprivileged. That is no mean accomplishment.

might someday live up there on the hill, given the right breaks.

Diamonds and Pyramids

For thousands of years, most urban civilizations were structured as pyramids, with a privileged few on top subsisting on the labors of the obedient masses below. The "American Dream" represents a radical departure from this near-universal theme. Our ideal of a middle-class society is best pictured as a flattened diamond: a few people getting rich by providing honest goods and services, with the vast majority living not far below this elite in comfort — well-educated, with a fair degree of political clout. In such a society, a respected millionaire will have earned his or her wealth personally, not inherited it.

Below the middle class, numbers are supposed to narrow again; hence the diamond shape. If we must cynically accept that "the poor will always be with us," then they should be few — sporadic unfortunates who have fallen temporarily, owing to bad luck or bad habits. Either way, society ought to be able to lend them a hand, so that they can rise up again. Or if not them, certainly their children.

Clearly, this model is no more than an ideal, one we have yet to attain. Yet consider how incredible it is to have this dream at all! We *should* notice, and regret, that too many lack middle-class

comforts. But ours is the sole civilization in which the comfortable have so outnumbered the underprivileged. That is no mean accomplishment.

In our myths and movies, we tell ourselves over and over that we can have the diamond. Few of today's battles between Left and Right dispute this goal — the ends are assumed; only means are debated.

Today, nearly everyone agrees that socialism isn't the way to get there. Pounding a pyramid flat doesn't turn it into a diamond. It just makes everyone poor, and leaves a new set of bulges — commissars and bureaucrats — to begin reshaping another steep triangle, another aristocracy.

Yet, as we've seen, unbridled capitalism has its dangers, too. Entrepreneurs turned bureaucrats have a bad habit of trying to *sharpen* the pyramid, making it narrower on top, broader at the bottom. What to do?

A Little Revolution, Now and Then

Much has been written about America's great families, of the battles between old money clans and new money upstarts, of the power wielded by the rich. A cottage industry thrives on silver-spoon-watching, tracing their interlocking directorships and efforts to wield influence. Still, somehow, Americans have managed for two centuries to prevent a true ruling class, able to enforce its will and whim without constraint by due process or any need to negotiate with other social classes. Complain if you will about the undue sway of Rockefellers, Annenbergs, and the like, but consider how small their power is in proportion to, say, the noble houses of Bourbon France, or the *apparatchiks* of Brezhnev's Soviet Empire. A glass half-empty is also half full.

This continuing balance and restraint may be one of the most singular traits of American society. The more one ponders it, the more mysterious and unlikely it seems. How was it achieved?

Thomas Jefferson, warning of the dangers of self-entrenched aristocracies, prescribed a solution: new revolutions every 20 years. This is usually read as exaggeration or polemic, but is

it? One could argue that America has steered its narrow course between despotisms of Left and Right by sticking close to Jefferson's formula, tweaking and adjusting the rules of the game each generation or so. Some purifications have been violent — notably, the Civil War. Turn-of-the-century Progressive reforms were peaceful, but no less "revolutionary." So was the Jacksonians' populist revolt, and in a cultural sense, the Roaring Twenties.

Consider the effects of one simple, well-timed act of Congress, the G.I. Bill of Rights, which took a million returning World War II veterans — sons of farmers and factory laborers — and gave them university educations theretofore undreamt-of. This one piece of social engineering nearly demolished the functioning class system in America for more than a generation — at least for white people. For others, justice and opportunity had to wait another 20 years, for the civil rights movement and other medium-scale social fervors which, largely non-violently, inoculated our nation with steady doses of renewal and change. Whatever other effects these episodes had, from music and culture to law

The aristocratic impulse drives self-made men to use their wealth and power to arrange for their heirs to start out life as owners, as nobles, as demigods.

and leisure, and whatever faults they left unsolved for later generations to deal with, each made American culture, on balance, more open and equal than before.

What does "equality" mean? Contemporary middle-income Americans don't generally regard the richer classes as foes or oppressors. We see them as slightly better-off neighbors, with whom we might catch up in time. Don't we drive the same streets? Don't we stop at the same traffic lights? Don't we have to renew our auto licenses at the same crowded windows?

But the situation is inherently un-

stable. This good-tempered equilibrium rests on social bargains that were last renewed over a generation ago. Today, newspapers and magazines are full of articles sketching disturbing trends, especially a growing disparity in income and capital, between those on top and all the rest. At no time since the Great Depression has the upper one percent controlled so large a fraction of the property and wealth-generating capacity of the nation.

Congressional studies show that those 660,000 families drew over 60% of all after-tax income gains in the 1980s. For the first time in this century, rich families are increasing the number of personal servants they keep while paying them less. Huge mansions bloom, while Americans get so used to images of poverty and homelessness that they — we — start to take them for granted.

The diamond is showing every sign of slumping into a ramshackle pyramid, and there are inevitably those on top whose impulse is to chip away, to seek privileges, to help the transformation along.

One classic way to forestall the anger of workers and professionals is to foster resentment toward those *less* well-off, like so-called "welfare cheaters," or to issue thinly-veiled appeals to racism. Signs of such a distraction campaign are already visible. But you cannot hide a pyramid by covering it with a blanket. Aristocrats may find themselves less well-armed than they imagine, especially against angry, educated masses.

Even if we all agree that runaway aristocracy is bad for free enterprise, solving the problem is still difficult. Government bludgeons don't work. The familiar cycle of revolt and repression demonstrates that brute expropriation achieves little. Chopping heads and seizing estates may be satisfying for a day or two, but afterward there is only blood on the ground, and no capital (or capitalists) with which to rebuild.

Jefferson never suggested killing the golden goose. His once-per-generation prescription took into account the need to combat aristocratism with imaginative solutions, ones unlike those tried in the past. Subtle

methods are needed, means which don't choke incentive or offend the wild spirit of individualism. One decade's "solution" can burden the next — hence the need to eliminate aging bureaucracies.

The honest rich, those who *earn* their wealth, deserve every penny. We all benefit by their creativity, and should encourage it with the incentive of fortune. What we need is a periodic tweaking of the rules, with the simple, obvious aim that cheaters shall not

prosper as well as producers, and that bright young men and women with vigor and ideas should have a decent chance to start off from an even playing field, no matter who their parents may be.

The fall of Communism came just in time to remind Americans that freedom has another ancient, implacable foe, one that is deeply rooted in human nature. Aristocracy is, after all, why we had a revolution in the first place, two centuries ago. □

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Argument

Back to the Libertarian Party

by James Ostrowski

Only fundamental, radical change can reverse the growth of big government and the social decline that growth has caused. And only the Libertarian Party is proposing such change.

The Libertarian Party is like a 1950s B movie — it is “the thing that wouldn’t die.” It has managed to survive for 20 years against all possible odds and adversity. From without, the party has faced lack of funding, lack of media attention, lack of voter understanding, and labyrinthine legal obstacles to placing candidates on the ballot. From within, it has been crippled by internal bickering and factionalism. Worse yet, every episode of infighting seems to lead to the wholesale departure of the disappointed faction. But still, the party thrives.

Ed Crane and his followers departed in 1983 when their candidate failed to win the 1984 presidential nomination. Murray Rothbard and his followers left after the 1989 party convention to join the paleoconservative movement. Others left to form libertarian Republican organizations. But none of these renegade factions have accomplished anything of lasting value for the cause of liberty. In the 1992 presidential race, the Murray Rothbard camp backed, of all people, Pat Buchanan, then jumped to Perot, then Bush. Ed Crane and the Cato Institute stayed out of the last election, but they showed how bizarre their political judgment can be back in ‘88, when they supported Pete Du Pont, whose platform advocated intensifying the drug war.

In 1996, Crane’s crowd will probably back Massachusetts Governor

William Weld, while the Rothbardians will support Buchanan if he runs, or a similar paleocon type if he doesn’t. You can rest assured that neither faction will succeed in electing a president who will shift the nation in a libertarian direction. Both groups have a knack for picking losers. Worse still, both have a knack for picking *non-libertarian* losers.

How can libertarians really feel at home in the Buchanan or Weld camps? Buchanan actually publicly repudiated Rothbard on foreign policy during his campaign, and has denounced free trade and belittled Austrian economists. As for Weld, he’s certainly a better political bet than ponderous Pierre Du Pont. But no libertarian could have the stomach to serve as a chief U.S. attorney — yet Weld did just that. U.S. attorneys are the centurions of big government, each commanding a small army of arrogant young shysters whose main job is prosecuting and jailing taxpayers, drug users, and businessmen hopelessly entangled in the federal regulatory spiderweb.

Weld is simply a very shrewd and competent politician who is betting that a combination of fiscal conservatism and socially liberal or moderate views will catapult him into national power. On that score he is probably correct, but that doesn’t make him a libertarian. That makes him a moderate Republican tinkerer. Weld is not our friend. Indeed, he may be our biggest enemy.

The tragedy is, had the platoons that flocked to Buchanan and Du Pont stuck with the party, we might have been in a position to win five million votes and hold the balance of power in 1992. It is time for all good libertarians to check out of the Republican Roach Motel and come home to the spanking-clean Libertarian Party.

Reagan, Weld, and Other Safety Valves

America is in a state of slow but steady decline, thanks to the myriad ill effects of big government. We can pinpoint the start of the decline at the fall of 1990, when Bush sent troops to the Persian Gulf. Concern over the

Gulf War and the tax increase passed shortly earlier caused a recession we still haven't been able to shake. For this is not a cyclical recession; it is a structural recession. The growth of government has finally reached the point where it is causing an actual contraction of wealth and a worsening of social health.

The continuous and steady growth of government since the Civil War did not necessarily mean a decline in the overall health and wealth of our society because the free market was able to produce wealth faster than the state could destroy it. This was true even after the New Deal. But the Great Society was the last straw. By the '70s, with the Great Society firmly entrenched, government had grown so large that its ability to destroy wealth drew dangerously close to the market's ability to create it. In 1971, a handful of men and women recognized what was happening and founded the Libertarian Party.

The nation's reaction to this stagnation was to elect a new leader, one who said he would cut big government, restore economic growth, and end the "malaise" Jimmy Carter had correctly diagnosed. From Central Casting came the greatest actor ever to play President: Ronald Reagan.

Behind his anti-statist pose, Reagan *increased* the size of government. His tax cut for the rich was offset by a tax increase for the working class and small businessmen. He launched a new drug war, fueling the current crime wave and the social decline of urban America, symbolized by the L.A. riots. Foreign adventurism and military spending increased. No major programs were cut, not even the honey subsidy, resulting in the enormous debt we face today. The underlying malaise of the American economy was not addressed, let alone cured.

Now Bill Clinton has his grimy hands on the levers of power. He is raising taxes, socializing medicine, increasing regulation across the board, and proposing absurd environmental laws. He will increase inflation and spending, boost the debt to \$6 trillion, and, two years from now, when all is said and done, he will be less popular than Jimmy Carter.

Whoever the Republicans put up against him in '96 will win hands down — start packing, Bill. It could be Weld. It could be Kemp. My guess is that it will be Weld, because he's smarter and younger and fresher. But there's talk of a Kemp-Weld ticket. I would prefer Weld-Kemp, as in "weld Kemp's neoconservative mouth shut."

So Weld will arrive in '96, just like Reagan did in '80, with a fresh gust of out-of-the-Beltway air. He'll have a bunch of new ideas for lighting the fires of the economy — many of them no doubt good ones. He will convince the public that something tangible is being done to reverse America's decline. He will no doubt succeed, as Reagan did, in causing a temporary economic boom, which may carry him into a second term in the year 2000. But inevitably, because he is no more than a moderate tinkerer, nothing will be done to reverse the slow, inexorable growth of big government on all fronts. What is needed is not tinkering, but *radical, libertarian change*.

Late in Weld's second term, the walls will come tumbling down, Bush-style, and the Democrats will dust off a conservative-to-moderate governor from a southern or western state and stroll into the White House in 2004. The end result of the Weld experiment will be a more advanced state of decline. The only difference will be that we will all be twelve years older and twelve percent poorer.

That may be what the Cato Institute wants to achieve in politics, but if that's all there is, I'd rather go fishing. And I *hate* fishing!

To understand the pernicious role Weld will play, think of big government as a pressure cooker and the public as the water, being boiled alive by taxes and regulation. What keeps the public from exploding in rage? The safety valve, of course. In the 1980s, the safety valve was Ronald Reagan. His rhetoric and partial tax cut let off enough steam to prevent the pot from exploding. In 1996, the safety valve will be Bill Weld or Ross Perot. As long as there is a safety valve for public outrage, the pressure cooker of big government will continue to boil us down.

Tinkering can keep the lid on public anger and thus allow the power

elite to continue to rule us. It does not and cannot reverse the trend toward ever-larger big government.

Ballooning Government

Government is a parasite that grows and grows and grows until it is so large and destructive that it destroys the host society that sustained it. One statist expansion plants the seeds for future growth. As Ludwig von Mises put it, "The failures of the interventionist policies do not in the least impair the popularity of the implied doctrine. They are so interpreted as to strengthen, not to lessen, the prestige of these teachings."

Consider the health care crisis. After 60 years of intense government intervention, the average person cannot afford decent health care. The government created a sluggish economy by taxing, inflating, and regulating away all signs of economic vitality, draining the pocketbooks of the middle and working classes to the point where paying health insurance premiums is painful or impossible. Meanwhile, it cartelized and bureaucratized the medical care industry, greatly increasing its costs. All this has been interpreted as proof of the need

William Weld is not our friend. Indeed, he may be our biggest enemy.

for further intervention into the health care market. A demand for governmentally-provided health care has been created. By whom? The government! *Government creates its own demand.*

All government intervention is essentially alike, be it economic, social, or military. All intervention uses force to transfer resources from one group to another, creating negative consequences for the victimized group. These consequences then make further intervention likely.

The poverty caused by economic intervention strengthens not only leftist calls for more welfare spending, but also right-wing demands for greater social controls. Government causes poverty; poverty increases time prefer-

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ence (the rate at which an individual prefers to consume goods now rather than later); increased time preference encourages activities that bring immediate satisfaction at the expense of long-term welfare — drug abuse, violent crime, gambling, unwanted pregnancies.

Welfare programs in turn encourage still more self-destructive behavior by softening that behavior's consequences. More irresponsible behavior in turn leads conservatives to call for more and tougher social control, usually via criminal law. But their approach causes further poverty and stimulates even more calls for welfare spending. The drug war, for example, creates only destructive black markets; it does not reduce the underclass problem, but extends it.

All these factors also make military intervention more likely. Poverty and social decay at home encourage the state to engage in foreign adventurism, in order to distract attention from domestic problems and to rebuild national morale by targeting a foreign scapegoat. Militarism, in turn, harms the domestic economy, and provides successful examples of the forceful use of state power, thus stimulating support for yet more right- and left-wing domestic interventions.

The peacenik who favors domestic intervention is a hypocrite. The liberal who opposes cultural coercion but favors the economic kind is a hypocrite. The conservative who opposes economic intervention but favors military and cultural warfare is a hypocrite. Ostensibly, liberals fight conservatives to stop infringement of civil liberties and conservatives fight liberals to stop infringement of economic liberties. In fact, each group reinforces the principle of coercion, and we get massive infringement of civil and economic liberties.

It is the unity of government intervention that dooms all libertarian efforts to intervene in today's major-party politics. Neither Buchanan nor Weld are pure libertarians in any of the three policy areas. Thus, while they may tinker away in a quasi-libertarian style on selected issues, they will be *increasing* intervention into other areas, thus completely negating the sparse

benefits of tinkering.

Furthermore, political realities usually prevent quasi-libertarian politicians from pushing libertarian issue agendas. All through the Reagan/Bush drug war, liberal Democrats on Capitol Hill were silent. Why? Because they knew that pro-legalization speeches would be unpopular and might lose them control of Congress. And without Congress, they would no longer be able to tax and spend and regulate. They cared more about interfering with our economic lives than they did about stopping conservatives from interfering with our private lives. Most liberals and conservatives care more about intervening where they want to than about stopping the intervention they in theory oppose. You can't trust a conservative and you can't trust a liberal. When push comes

Ed Crane and Murray Rothbard both have a knack for picking losers. Worse still, both have a knack for picking non-libertarian losers.

to shove, each will pick power over principle and power over *you*.

Since government has an inherent tendency to expand, and because its very expansion creates a public demand for further expansion, policy tinkering has not, will not, and cannot reverse this trend. Only fundamental, radical change can permanently reverse the growth of big government and the social decline it has caused. And only the Libertarian Party is proposing fundamental and radical change.

These are the reasons I have decided to become active again in the Libertarian Party. I flirted with the libertarian Republican movement a few years ago, but am now convinced that libertarian incursions into major-party politics are pointless and counter-productive. The two big parties are just tools for distributing big government's loot. They are rotten to the core and their leaders are more likely to corrupt well-meaning libertarians than be converted by them. □

Reviews

***Reclaiming the American Right: The Lost Legacy of the Conservative Movement*, by Justin Raimondo. Center for Libertarian Studies, 1993, xi + 287pp., \$17.95.**

Ride a Paleo Horse

R.W. Bradford

From the very first paragraph of *Reclaiming the American Right*, Justin Raimondo strains credulity. "After a decade in power, why has the conservative movement failed to make a dent in big government? After taking over the Republican party in the sixties, and then capturing the White House in 1980, conservatives are baffled to discover that the power of the federal government to tax, regulate, and invade every aspect of our lives, has not lessened but increased over the last decade. Bewildered, frustrated, and demoralized, the men and women of the Right are asking themselves: *What went wrong?*"

In this brief paragraph he plants the seeds from which his entire book blossoms.

First, he supposes that conservatives have been "in power" for a decade, a proposition that is simply false. Yes, an avowed conservative held the presidency from 1981 to 1989, and a moderate with political debts to the Right held that office from 1989 to 1993. But the Senate was in the hands of the Democrats during half that time, and the House was in the absolute control of left-liberals during the entire period. And the courts remained in the hands of left-liberal and centrist appointees of Kennedy, Johnson, Nixon, Ford, and Carter, despite Reagan's efforts. In a

government characterized by checks and balances, control of the executive wing, even with a small majority in one house of the legislature, does not amount to being "in power."

Second, he supposes that the aim of the conservative movement has been to reduce "the power of the federal government to tax, regulate, and invade every aspect of our lives." This is a pretty concise statement of the aim of the *libertarian* movement, not the conservative movement. The conservative movement has many aims: to defeat atheism and communism; to restore moral order; to reduce the power and influence of leftists. Several of these goals can only be pursued by increasing the power of the state, a fact most conservatives know and accept. It is true that many conservatives sometimes couch their views in libertarian rhetoric, and that there are libertarian tendencies in the souls of some conservatives, but the suggestion that the fundamental goal of the conservative movement is to achieve the libertarian agenda is simply preposterous.

Third, he supposes that what "bewilders, frustrates, and demoralizes" most conservatives in the wake of the election of Bill Clinton is the failure to achieve their agenda. This is at most a relatively small part of the explanation, to say the least. A much more significant cause of such bewilderment, frustration, and demoralization is their loss of control of the executive branch and

its concomitant jobs and media attention, and public disenchantment with political conservatism.

In sum, in a single grand specimen of the fallacy of many questions, Raimondo does his best to smuggle into his reader's mind three propositions that are simply false. What is the payoff of this concatenation of falsehoods? What follows from the proposition that conservatives are heartbroken after holding political power for a decade but failing to achieve their hearts' desire, a reduction in the size and power of government? It should surprise no one that the solution to the question Raimondo poses in anguished italics — "*What went wrong?*" — is a conspiracy theory.

The libertarian agenda held so dearly by conservatives, he explains over the following five pages, was thwarted by "three invasions from the Left, loosely grouped along generational lines." The first incursion came when ex-leftists like James Burnham and Frank S. Meyer joined the staff of *National Review* in the 1950s. The second wave consisted of "liberals and assorted Social Democrats" like Norman Podhoretz and

The Old Right was never a movement at all, let alone a mass one. It was more of a tendency.

Irving Kristol, who entered the conservative movement in the 1970s. The third wave was the host of "think tanks, magazines, and activist organizations" that the second wave started in the 1980s. Taken together, these invaders constitute the "neoconservatives," or "neocons," bent on perverting the conservative movement toward their statist and globalist ends.

Happily, this gigantic conspiracy is no longer having an easy time, thanks to the rise of "rebels who call them-

selves paleoconservatives," the only leader of whom Raimondo identifies is Llewellyn H. Rockwell, Jr, the head of the Ludwig von Mises Institute. As a result, Raimondo explains, "The Right is today embroiled in an internecine struggle every bit as vicious as the ancient blood feuds coming to the surface in the post-Communist Balkans" (p. 7). You may wonder, at this point, just when the civil war among conservatives escalated to mass murder. The notion of Norman Podhoretz and Llewellyn Rockwell engaged in bloody

War II, was dissolved on December 11, 1941, more than half a century ago. Smeared, subjected to government repression, and ultimately defeated, they [sic] are mentioned in passing in American history textbooks, if at all, as either crankish obstructionists or outright Nazi sympathizers. Now the same forbidden phrase is heard once more in the land — and the smear-mongers are at it again, recycling old libels and raving that some tinpot Third World dictator is the reincarnation of Adolf Hitler.

Today's paleoconservatives are the continuators of the America First wing of the conservative movement. . . . [M]odern conservatives . . . have lost touch with their heritage. As a new generation of conservative theorists and activists yearns to get back to first principles and get in touch with its roots, blasting through the historical blackout on this subject is an all-important task, and the main purpose of this book.

The history of the modern conservative movement in America is really the history of two movements. The Old Right, the original Right, was nationalist, populist, and fundamentally libertarian. The cold war Right, dominated in large part by ex-leftist converts to conservatism, was militantly internationalist, increasingly elitist, and largely indifferent to free-market economics. . . . Starting out at opposite ends of the political spectrum, these two movements eventually came to meet and merge. The end result of this long process, which began in the mid-fifties and was completed by the time the eighties rolled around, was the transformation and betrayal of the American Right. What was betrayed, and by whom, is the theme and substance of this book. (9–10)

The first thing one notices in this torrent of inflamed rhetoric is that Raimondo could have used the services of a good editor. Aside from the grammatical error siced above, does he really have to explain that the "mid-fifties" are "over forty years" ago, or that December 11, 1941, was "more than half a century ago"? Perhaps Raimondo intends this book for the arithmetically challenged.

The peculiarities of its rhetoric aside, it is plain that *Reclaiming the American Right* is an extraordinarily ambitious book: it proposes a new interpretation of recent history, replete with

evil conspiracies and bloody battles that other historians have not even noticed. It is against these startling claims that this book should be judged.

The Devil in James Burnham

Reclaiming the American Right has five distinct sections: a ten-page introduction stating its remarkable thesis; a two-chapter, 40-page analysis of the ideological origins of neoconservatism; a five-chapter, 136-page survey of various individuals identified by Raimondo as representatives of the heroic "Old Right"; two chapters (51 pages) on ideological developments within the right wing during the past 50 years; and an eleven-page conclusion reiterating his call for the expulsion of the neocons from the conservative movement and the empowerment of the "paleoconservatives and Old Right libertarians."

Conspiracy theorists and inflammatory partisans are often inclined to play a bit fast and loose with the facts. Since Raimondo is both, it is especially important for the reader to examine his evidence with critical intelligence. Raimondo tells the story of the battle between the Old Right/paleo heroes and the neocon villains by focusing on fifteen individuals, so I expected to get a feel for his case by closely examining his account of individuals with whom I am very familiar (e.g., H.L. Mencken, Rose Wilder Lane) rather than those

After peeling away the superficial research and the attempts to fire up conservatives, all that remains is a mishmash of stories and quotations about various figures on the Right.

with whom I am only marginally familiar (e.g., James Burnham, Frank Chodorov) or those with whose careers and writing I have negligible acquaintance (e.g., Max Schachtman, Louis Bromfield).

First up was a chapter on the career and thinking of James Burnham, whom I remembered from my high school days, when I was an enthusiastic reader

This is an extraordinarily ambitious book: it proposes a new interpretation of recent history, replete with evil conspiracies and bloody battles that other historians have not even noticed.

battle is an amusing one, but Raimondo's suggestion of open warfare is inaccurate: the paleos have declared war on mainline conservatism and made lots of vicious attacks, but the mainline conservatives have pretty much failed to notice that they are under fire.

Raimondo concludes his introduction by summarizing his intentions and thesis:

This book . . . presents a radical new thesis: that conservatism failed because a Trojan horse inside the movement has been undermining the fight against big government. Since the mid-fifties, for over forty years, these interlopers have acted as a Fifth Column on the Right: conciliating the welfare state, smearing their Old Right predecessors, and burying the real story of how they came to claim the mantle of conservatism.

Two traditions stand head-to-head, contending for the future of the conservative movement. One piously holds out the promise of enterprise zones from South Central Los Angeles to Mogadishu, while the other dares utter the forbidden phrase, *America first!* It is an old argument, using language that seems to echo the past.

The America First Committee, main opponent of U.S. entry into World

of *National Review*. Burnham wrote a regular column titled "The Third World War," a feature so boring that I cannot remember a single thing about it — except that I found it boring. About the only other thing I could recall about Burnham was Murray Rothbard's animosity toward him, which I quickly discovered Raimondo shares. This is not surprising, since Raimondo dedicates the book to Rothbard, thanks him in the book's acknowledgements, and wrote the book while supported by the Center for Libertarian Studies and the Ludwig von Mises Institute, the think tanks controlled by Rothbard and Llewellyn Rockwell.

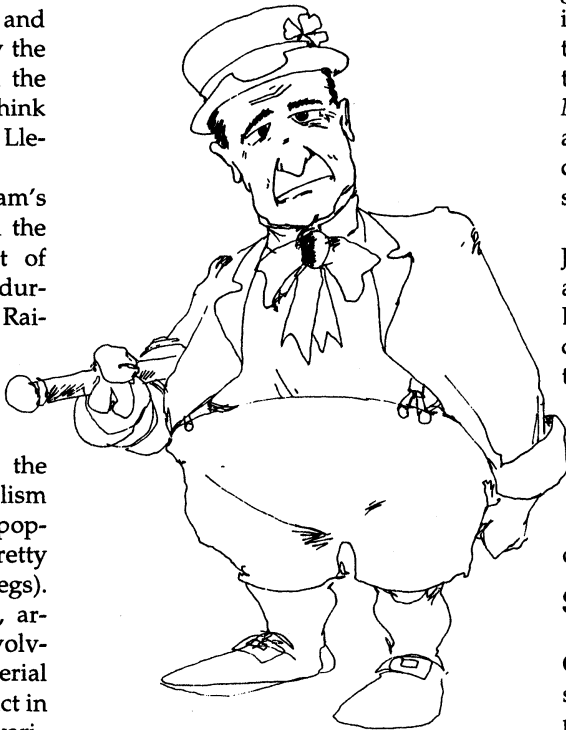
Raimondo summarizes Burnham's break with the Communist Left in the later 1930s and the development of Burnham's own political thinking during the following decade. From Raimondo's summary, Burnham seems to me to be a fairly sophisticated political thinker. At the time, the central debate among political "scientists" was whether the world was moving toward socialism (the majority position), fascism (a popular minority), or capitalism (pretty much agreed to be on its last legs). Burnham challenged this analysis, arguing that political systems were evolving toward a bureaucratic "managerial state." He saw his own task as "to act in such a way as to promote those variants of the new order that permit us that minimum of liberty and justice without which human society is degraded to merely animal existence" (26). Burnham's political odyssey from the Trotskyite Left to the Buckleyite Right is somehow an interesting one, but Raimondo's conclusion that "Burnham was the first neoconservative, and the purest in the sense of being the most explicit and consistent" (21) is offered without a scintilla of evidence.

"As Senior Editor at the *National Review*, Burnham played a pivotal role, taking on a good deal of the day-to-day editorial tasks," Raimondo writes. "For the next twenty-three years he was a decisive influence on what was to become the fountainhead of American conservatism." Alas, the only evidence that Raimondo cites about Burnham's influence at *NR* is this:

In his biography of Buckley, John Ju-

dis quotes Neal Freeman as saying that in 1964, Burnham "had been subtly but persistently reminding the editorial board of the hidden virtues of Nelson Rockefeller." In any conservative's book, the chapter entitled "The Hidden Virtues of Nelson Rockefeller" is going to be *very* short." (25)

Offhand, this seems to undermine Raimondo's thesis: as a loyal reader of



NR in 1964, I can assure you that the "hidden virtues of Nelson Rockefeller" never found their way into its pages. So why would Raimondo quote this bit of information? Perhaps to inflame his readers?

In that context, consider this passage:

Conspiracy theorists of the Right have traditionally blamed the Council on Foreign Relations for coming up with the "New World Order," but in fact it was Burnham who, with unusual prescience, first coined the phrase. (23)

Raimondo follows this astonishing discovery with his evidence: a 123-word passage from Burnham which argues for internationalism but does *not* include the phrase "New World Order." The only reason I can imagine for Raimondo to include such a logical synapse is to arouse those who react with autonomic anger to any mention

of the phrase "New World Order."

Most bizarrely of all, in a 21-page chapter devoted to demonstrating the evil influence of James Burnham on the conservative movement, Raimondo does not cite a single quotation or passage from Burnham after Burnham became an avowed conservative in the early 1950s. Most of his citations are from Burnham's correspondence regarding his break with the Trotskyites in 1939; a few are from his writings between 1939 and 1953; not one is from the period in which he was an editor at *National Review*. If Burnham was such an evil influence at *National Review*, couldn't Raimondo offer us a single specimen of his perfidy?

In sum, Raimondo's analysis of James Burnham fails miserably to achieve his goal of demonstrating Burnham's pernicious influence on conservatism. Indeed, it fails to show that Burnham had any influence on the conservative movement at all. Furthermore, it fails to cite a single position of Burnham's during his time with *National Review*, with the sole exception of a third-hand report of an opinion about Nelson Rockefeller.

Saint McCarthy?

Raimondo's discussions of other Old Right figures show equally inept research and scholarship. One might expect, for example, a researcher studying the writing of John T. Flynn to consult some of the huge amount of newspaper and magazine writings from Flynn's long journalistic career. If Raimondo ever made any attempt to examine Flynn's journalistic writing, there is no evidence of it here: every single such passage quoted by Raimondo is also quoted in Ronald Radosh's *Prophets on the Right*, published in 1975. Similarly, Raimondo's chapter on Colonel McCormick, the isolationist publisher of the *Chicago Tribune*, is drawn entirely from two biographies and a couple of anthologies published by the *Tribune*.

I also noticed numerous factual errors. Raimondo's chapter on Max Shachtman garbles the political comings and goings of various leftists in the 1960s and 1970s; for example, he has Irving Howe and Michael Harrington joining the Democratic Socialist Organizing Committee in the 1960s, while in fact, Harrington founded the organi-

zation in 1973. In his chapter on libertarians' role in the struggle for conservative leadership, he misreports the vote totals of every Libertarian presidential candidate through 1988; on the average, his figures are off by more than 40%.

And why did Raimondo devote an entire chapter to the career of Shachtman, an obscure figure peripheral to the Right, while devoting only a couple pages each to such important Old Right figures like Rose Wilder Lane, Isabel Paterson, and H.L. Mencken? And why are his brief treatments of Lane and Pa-

The suggestion that the fundamental goal of the conservative movement is to achieve the libertarian agenda is simply preposterous.

terson, whose ideological writing mostly predated the end of World War II, included in his chapter entitled "The Postwar Old Right"?

Sometimes it seems as if parts of *Reclaiming the American Right* were written by different people. For example, the chapter on John T. Flynn defends McCarthyism, attacking Ronald Radosh's view that by supporting Joseph McCarthy's campaign against Communist infiltrators, Flynn was betraying his libertarian principles. Raimondo praises McCarthyism for providing "a battering ram against the statist Cold War" and turning "the main thrust of the people's suspicions inward rather than outward; toward Washington, D.C., rather than Europe or Asia." His only criticism of McCarthyism was that it "provided a context and rationale for the cold war" (112). But a hundred-plus pages later, defending Patrick Buchanan against claims that some of his comments on the Iraq war were anti-Semitic, Raimondo writes: "Every war in American history has provoked a domestic witch hunt against dissent, and the Iraq war proved to be no exception. . . . The Korean War and the onset of the cold war witnessed the onslaught of McCarthyism. . . ." A page later, Raimondo compares the criticism of Buchanan to "the worst of Joe McCarthy's

antics" (224-25).

Raimondo's blindness to contradictions in his position is most apparent in his discussion of the present "paleoconservative revolt." He praises Samuel Francis for "correctly identifying the neoconservative incursion as the source of the internal rot of modern conservatism," mentioning in passing that "Francis is somewhat confused by the history of the problem. He cites none other than our old friend James Burnham as the one who first identified the 'ideo-neurological reflexes and knee-jerks of the left' in neoconservative doctrine. Yet he does not seem to realize that Burnham himself was the virtual embodiment of that doctrine" (235). But no matter: "This odd error over the role of . . . Burnham is peripheral, however, and not really important to the central argument of the Francis piece" (236).

Burnham may not be important to the central argument of that particular article by Francis, but he is most certainly important to Francis' general ideology. Francis is James Burnham's leading follower and defender today; Francis has praised *The Managerial Revolution* for having "uncovered what is one of the central truths of the 20th century and elaborated it into an interpretation of the present age" (*Chronicles*, January 1992). Francis is also a leading figure of the modern paleoconservative movement, explicitly identifying himself with the Old Right tradition. Certainly, his interpretation of Burnham's ideology differs from Raimondo's. Whichever of them is correct, it is clear that at least one "neoconservative" figure has influenced "paleoconservative" thought, a fact that bodes ill for Raimondo's neat portrait of a tidy ideological struggle.

Picking Over the Remnant

The fundamental problem with Raimondo's mission to recapture conservatism in the name of a mass movement called the Old Right is that the Old Right was never a movement at all, let alone a mass one. It was more of a tendency. To say that someone was a member of the Old Right is to say that the person was generally critical of the New Deal and of American participation in World War II. But these are political positions, not political philo-

sophical views. There is no common core belief at all.

In fact, at their core, those identified as Old Rightists frequently held contradictory views. Albert Jay Nock, for example, was a follower of Henry George: he believed that government ought to be supported by a Single Tax on real property which virtually confiscates the value of land (but not its improvements). H.L. Mencken not only abhorred the Single Tax theory, but held all such theories in contempt.

But Nock and Mencken, at least, were self-declared allies. Consider the much greater contrast between two other indisputable Old Rightists: Isabel Paterson and Oswald Garrison Villard. The former was a radical individualist, a believer in strictly limited government and fierce intellectual consistency. The latter was a moderate liberal, not particularly fond of big government but no libertarian either, pragmatic in his philosophy and eclectic in his politics. Both were admirable figures, but they had little in common beyond their opposition to overcentralized government and World War II.

Throw in old-line progressives like Harry Elmer Barnes, liberal muckrakers like John T. Flynn, Main Street Republicans like Robert A. Taft, and an agrarian nationalist like Louis Bromfield, and the Old Right's ideological stew gets even murkier. Did all these people consider themselves part of the same, grand movement? No — how could they?

The simple fact is that the Old Right is a *post facto* construct by which Murray Rothbard classified together various figures on the right who shared with Rothbard an antipathy to the New Deal and American participation in World War II. They included individuals from a variety of ideological traditions, ranging from Nock's anarchism to Mencken's classical liberalism to Harry Elmer Barnes's progressivism.

Even if it were accurate to characterize the Old Right as a movement, it would be preposterous to characterize it as a *mass* movement. The figures that Raimondo identifies as Old Right were mostly isolated individuals, nearly all of whom eschewed participation in anything akin to a movement. While

those individuals frequently were prominent, their prominence was generally the product of achievements in other fields than politics: Mencken as a literary critic, Nock as a biographer, Patterson as a novelist and critic, Col. McCormick and Joseph Medill Patterson as owners of metropolitan newspapers, Lindbergh as the first man to fly the Atlantic, etc. Even the America First Committee, probably the largest Old Right organization, spent its short life as a common front, not a mass movement — and not all of these figures were by any means associated with it.

The problem is that Raimondo wants to have it both ways. He is at least vaguely aware of this problem. In contexts (e.g., p. 3) where he is selling his conspiracy theory, he portrays the Old Right as a successful mass movement that was undermined by exogenous invasion. Where treating the Old Right as a mass movement flies in the face of historic reality too brazenly, he characterizes the Old Right in a more

capitated by the shabby treatment Paul received at the hands of his LP critics. . . .

Although he overstates Paul's vote total by more than 70%, he neglects to mention that the shabbiest treatment of Paul came from none other than Justin Raimondo, at that point a supporter of neocon Jack Kemp. Raimondo distributed buttons at the nominating convention emblazoned with the slogan "Gay Nazis for Paul," and denounced Paul as a Pat Robertson clone and a reactionary opponent of abortion rights.

Raimondo also penned a scurrilous pamphlet, "The Ron Paul Scam," in which he criticized Paul as a purveyor of right-wing conspiracy themes. At one point Raimondo equated Paul with the John Birch Society's chief conspiratologist Gary Allen, then denounced the Birch Society's beliefs in no uncertain terms:

This is not philosophy or political ideology, but psycho-pathology pure and simple. Here is a full-blown delusional system masquerading as a school of thought, an updated, nuclear-powered McCarthyism in which the omnipresent enemy is no longer the Kremlin, but Wall Street. ("The Ron Paul Scam," 1987)

Raimondo's thinking seems to have evolved considerably between the time he penned those words and today. In *Reclaiming the American Right*, the Birchers' "psycho-pathological" views have mutated into something quite different:

The [John Birch Society] was inveighing against the New World Order years before George Bush popularized that sinister phrase. For more than thirty years, the smear brigade derided these concerns as the perfervid fantasies of discredited "conspiracy theorists." When the plans of the internationalists for a world government backed by U.S. troops and tax dollars unfolded on the front pages of our newspapers, the Society crowed: "JBS — Ahead of its time!" — and justifiably so. (193–194)

Raimondo began his peculiar political odyssey as a devout follower of Ayn Rand, but he quickly developed into a professional gay militant and a leader of the Libertarian Party Radical Caucus, a pressure group within the party dedicated to advancing the Roth-

bardian agenda of nuclear disarmament, land reform, and leftist revolutionary rhetoric. His one previous volume was published at about this time: *In Praise of Outlaws*. There Raimondo fiercely defended the 1979 anti-police Castro Street riots. Unlike *Reclaiming the American Right*, it did not feature a cover blurb from Pat Bucha-

Reclaiming the American Right reads like a high-school student's term paper, written in florid language and expanded to 200 pages.

nan; instead, it depicted a police car set afire by rioters.

By 1985, Raimondo had moved further leftward, denouncing other libertarians as "racists" for failing to support with sufficient enthusiasm open immigration for black Africans. In 1986, Raimondo took a job with the Libertarian Republican Organizing Committee, which tried to convince Ron Paul to run for the presidency as a Republican before attacking him when he joined the Libertarians. The next voyage in his ideological odyssey occurred around 1990, when he took a position as a "scholar-journalist" at the Center for Libertarian Studies and the Ludwig von Mises Institute, the official purveyors of "paleolibertarianism."

It is not unusual, of course, for a person's political views to evolve. But it is disingenuous for a person to write a history of a political movement with which he was deeply involved without mentioning his role in that movement's development, no matter how much that past involvement may embarrass him today. And one would think that Raimondo the former radical-left-libertarian might show at least some sympathy for his former politics.

What is Left of the Old Right?

Reclaiming the American Right reads like a high-school student's term paper, written in florid language and expanded to 200 pages. It is replete with irrelevancies, grammatical glitches, and logical gaps. It fails miserably to prove its theses. Indeed, it fails even to mar-

Raimondo distributed buttons at the 1987 Libertarian Party convention emblazoned with the slogan "Gay Nazis for Paul."

accurate fashion; for example, at one point in his discussion of Garett Garrett (52) he describes it as "that loose grouping of intellectuals, writers, publicists, and politicians."

The Devil in Justin Raimondo

In his discussion of the libertarian movement, Raimondo writes about events in which he played an active role. Here is his account of the 1988 Libertarian Party campaign:

In 1988, the Libertarian Party rebounded somewhat, nominating ex-Congressman Ron Paul, of Texas, and receiving some 750,000 votes. But once again internal disputes took center stage; some LPers were disturbed by Paul's cultural conservatism, which clashed with their own neo-hippie values and lifestyle. [Murray] Rothbard's break with the Libertarian Party was originally pre-

shall a plausible case for them. After peeling away the superficial research and the attempts to fire up conservatives, all that remains is a mishmash of stories and quotations about various figures on the Right. That said, Raimondo's raw writing talent often shines through the overblown prose and propagandistic rhetoric.

Reclaiming the American Right is a political tract masquerading as a scholarly work. It is not aimed at the reflective reader, but at the right-winger upset at the Right's loss of power. *Reclaiming the American Right* stands in the grand tradition of *None Dare Call It Treason*, *Life of the Party*, and *A Choice, Not an Echo*, explaining the fall from power of a political group in terms of an evil conspiracy and exhorting the members of that group to purge the conspirators and seize power with their reinvigorated old agenda.

It remains to be seen whether *Reclaiming the American Right* succeeds as a political tract. The success or failure of a polemic is measured by whether it succeeds in inflaming those it addresses. *Reclaiming the American Right* concludes with 14 pages of praise for Patrick Buchanan and a rousing eleven-page appeal for conservatives to expel the evil neoconservatives from within their midst and "take back America." Whether it is succeeding in this mission remains to be seen. To date, it has sold more than 3,000 copies, mostly as a result of Patrick Buchanan's enthusiastic endorsement of it in his syndicated column and a modest effort to market the book to libertarians.

But signs of measurable success for the paleo movement remain sparse. Pat Buchanan remains a popular media figure, but has never identified himself as a paleo and continues to oppose some paleo positions. Sam Francis continues to write his column for the *Washington Times*, and both Murray Rothbard and Llewellyn Rockwell occasionally find their way into print in the *The New American*, *National Review*, and even the *Los Angeles Times*. But circulation of *Chronicles* has declined about 14% since 1990, when Rothbard and Rockwell became regular contributors and it became the major magazine of the paleo movement. During that same time, the circulations of other conservative and libertarian

publications have risen dramatically.

Despite its many flaws, *Reclaiming the American Right* may find a market.

The inherent interest of the subject partially compensates for its stylistic excesses and inept scholarship. □

Was Ayn Rand a Plagiarist?

Raimondo's most startling "revelation" is his allegation that Ayn Rand virtually plagiarized *Atlas Shrugged* from an obscure novel published in 1922:

The Randian claim to have given birth to a philosophy without antecedents, which amounts to an Objectivist version of the Virgin Birth, is proved false by the fact that Rand's novel, *Atlas Shrugged*, bears such a strong resemblance to Gareth Garrett's 1922 novel *The Driver*, that there arises a real question as to whether Rand passed the boundaries of acceptable behavior in "borrowing" a little too much. (199)

What evidence does Raimondo cite that Rand committed this "intellectual fraud"? His case is based on certain similarities between *Atlas Shrugged* and *The Driver*: the last name of the hero of each novel is Galt, both take place "against the backdrop of great American industries," the heroes of both are geniuses who are "persecuted and attacked by [their] fellow businessmen and by government," both novels are "paean[s] to the entrepreneur as creator," and, perhaps most provocatively, the hero of Garrett's novel "is portrayed in language Rand might have used to describe" some of the characters in *Atlas Shrugged*.

After noting that both Garrett's hero and the father of the heroine of *Atlas Shrugged* "bore more than a passing resemblance to E.H. Harriman," the railroad magnate, Raimondo cites his most telling point:

The clearest evidence, albeit circumstantial, that Rand did indeed read *The Driver* is the fact that a stylistic device used throughout *Atlas Shrugged* also occurs in *The Driver*. While it is plausible that two different authors could come up with a similar name for their main character

[sic], and even that the two novels might express similar themes, it is too much to believe that the use of the same rhetorical device could also have occurred by happenstance. *Atlas Shrugged* opens with the question "Who is John Galt?" and the phrase recurs throughout the book. John Galt does not make an appearance until the last third of the novel; he is the mystery man, the unseen shaper of large events. In *The Driver*, a similar motif is employed. (201)

Raimondo proceeds to quote a passage from *The Driver* in which the line "Who is Henry M. Galt?" appears, and the first passage in *Atlas Shrugged* in which the line "Who is John Galt?" appears, then another passage in *The Driver* with the same question. He then cites the similarity between a character in *The Driver* and a character in another of Rand's novels.

At this point, Raimondo rests his case, explaining that he has related an "overwhelming mass of evidence":

While not plagiarism in the legal sense, the unacknowledged and — in my view — *conscious* use of Garrett's work as a starting point for her own, does, in this case, constitute intellectual fraud. It is fraud because Rand spent so much time denying not only her own past, but also the value of any and all tradition. Especially in view of the fact that the "official" biographical essay, written in the sixties by Barbara Branden, and based on extensive interviews with Rand, has a long account of the writing of *Atlas Shrugged* that makes no mention of Garrett, Rand's silence on this subject amounted to a deliberate deception.

On the other hand, this is not a case of word-for-word plagiarism, as with Martin Luther King's doctoral dissertation. It is a case of denying one's own roots (205)

State _____ Zip _____

that Rand stole from Garrett, then consciously hid her copies of Garrett's books and avoided his name in conversation because she wanted to avoid leaving any evidence that might prove her to be a plagiarist. But if this were the case, why didn't she take even the simplest and most obvious precaution against discovery? Why didn't she make the last name of the hero of *Atlas*

Shrugged Smith, or Jones, or Raimondo, or any name other than the name of the hero of the very work from which she was plagiarizing? If she were so stupid that this subterfuge didn't occur to her, how did she figure out the importance of hiding any copies of Garrett's books she might possess and refrain from speaking his name? For that matter, if she were this

stupid, how did she ever become so successful a novelist and playwright?

Then there are the problems with the circumstantial evidence that Raimondo does present.

There were many popular novels written in the early part of this century that presented heroes who are entrepreneurs overcoming the competition of other entrepreneurs and attacks by government. The fact that the hero of one of these might have the same last name as the hero of Rand's novel is an unremarkable coincidence. Which leaves the question of Rand's and Garrett's use of the same "motif" and "literary device," the repeated question "Who is . . . ?"

The line "Who is John Galt?" is a pervasive literary device in *Atlas Shrugged*, used to express bewilderment at the declining state of affairs in a world where creative human beings seem to be disappearing without a trace. It is the very first line of *Atlas Shrugged*; it was spoken dozens of times by a vast variety of characters as the plot unfolds.

So how many times does this "literary device" appear in *The Driver*? Unable to locate a copy of this extremely obscure work, I asked Raimondo. His answer: "Three." Does repeating a line three times over the course of a novel constitute a "motif" or "rhetorical device" or "literary device" that is unique or even a salient characteristic that another author might "appropriate without acknowledgement"?

I own a CD-ROM compilation containing the full text of 1,896 literary classics, along with sophisticated software capable of searching out every instance of the use of certain phrases or words in any of the 1,896 works. I loaded the disk into my computer, called up the software, and asked for a list of works in which the question "Who is?" appears. My software was unable to find a single instance, but not because the phrase is so infrequent as to not appear. To the contrary, the problem was that certain words and phrases "are so common that they are excluded from the indices" the software uses in its search for significant detail.

—R.W. Bradford

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Institutions, Institutional Change, and Economic Performance, by Douglass C. North. Cambridge University Press, 1990, 160 pp., \$37.95 (hc), \$11.95 (sc).

Why Prosperity Is Rare

Jane S. Shaw

Historians have long puzzled over Western civilization's economic success. How did the West emerge from the "almost unrelieved wretchedness" that characterized human existence for most of history? How did its wealth reach the point where "an unusually high proportion of people were becoming better fed, healthier, and more secure . . . than at any other time in history"?

The person who has come closest to answering these questions is Douglass C. North, who received a Nobel Prize in economics in 1993. North is concerned with economic growth, not freedom *per se*, but his recognition that private property rights and individual autonomy and responsibility are what propel growth makes the story he tells an important one for libertarians. His most complete theoretical statement to date can be found in his 1990 book, *Institutions, Institutional Change, and Economic Performance*. As the rather cumbersome title suggests, his is a complicated theory.

North has long been aware of the complexity of these issues. Although the earlier book he wrote with Robert Paul Thomas, *The Rise of the Western World* (Cambridge University Press, 1973), offered a sweeping, almost mon-ocausal, explanation for economic growth, the authors intended to probe deeper than earlier theories had. To North and Thomas, such factors as "innovation, economies of scale, education, capital accumulation, etc." are "not causes of growth; they are growth." North and Thomas promised to delve deeper and provide "a com-

prehensive analytical framework to examine and explain the rise of the Western world" (p. vii).

It did. And the result was a glittering achievement. Grounded in both Chicago School economic theory and an impressive knowledge of medieval and early modern history, *The Rise of the Western World* argued that it is *institutions*, particularly the institution of private property, that drive economic growth. Only with private property rights could individuals (and organizations) reap the rewards that come from innovation, economies of scale, and other prerequisites for growth. Owners of property have the incentive and ability to increase their property's value through new techniques. Without property rights, there is little incentive to become more productive or efficient, because an inventor or innovator cannot capture the benefits of the invention or innovation.

The central point of the book was that private property rights gradually evolved in response to changing costs. Modern Western economic history begins with population growth, which spurred specialization and trade through markets. The opportunities presented by markets made traditional feudal institutions less attractive to serfs, who had benefited from the feudal lord's protection. Gradually, the labor that serfs owed to the lord was replaced by money dues, and serfs became freer to move away and sell their work to others. Land, too, became transferable.

Meanwhile, innovations in military warfare led lords to give up some of their independence in return for protection, and regional and national political units began to form. This also contributed to the dissolution of feudalism.

With feudalism dying, the widespread emergence of transferable private property rights at last became possible. But at this point, different nations' experiences began to diverge, and the final third of the book is devoted to a discussion of why efficient, freely tradeable property rights developed steadily in England and the Netherlands but were stifled in France and Spain.

Briefly, in France and Spain, the Crown attained a great deal of power, while in England and the Netherlands legislative bodies provided a check on the Crown. The powerful sovereigns took steps that brought them immediate revenues at the price of restricting markets and preventing economic growth. For example, the French Crown sold numerous monopoly privileges (which made others' entry into industry difficult or impossible), regulated production processes, and controlled prices. In Spain, the Crown gave special privileges to entrenched agricultural guilds. These privileges protected sheep herding and prevented the development of a market in cropland. In addition, the Spanish Crown frequently confiscated property and changed contracts.

Inevitable Efficiency?

Eventually, North became dissatisfied with this explanation. As he explains in the introduction to *Institutions*, the original thesis assumed that there would be a general trend toward efficient institutions — that is, toward private property rights — unless the government got in the way. But later he became more pessimistic, coming to believe that it is in rulers' self-interest to manipulate rights in self-serving ways, even when the manipulations are inefficient — and that it is costly for others to challenge these arrangements.

Even then, more efficient institutions ought to prevail over time, as "political entrepreneurs" in stagnant economies come to emulate their more successful neighbors. After all, the ruler gets more taxes if more is produced. Nonetheless, many, perhaps most, societies actually stagnate or decline, suggesting that this competition rarely works.

So in *Institutions*, North presents a more fine-grained theory that focuses, not just on property rights, but on a broad range of institutions. While pri-

vate property rights are still the engine of economic growth, they are part of a complicated institutional matrix.

For the layperson, the term "institution" is a bit off-putting; we rarely use the term the way economists do. Most of us tend to think of institutions as organizations. For economists, institutions are (in North's words) "the rules of the game in a society or, more for-

relative prices. Changing costs of home labor, single motherhood, leisure, and contraception have all contributed to familial evolution. But so have perceptions, ideologies, and concepts — feminism, for one. Institutional change occurs as "changing relative prices are filtered through preexisting mental constructs that shape our understanding of those price changes" (85).

The Institutional Matrix

With this picture of an institutional matrix in mind, let us consider a couple of institutions that figure importantly in economic history. One is the common law. Clearly, the common law (sometimes called "judge-made law") evolves over time. Does it evolve toward efficiency — that is, to encourage rather than deter productive outcomes? Some argue that, over time, judges tend to discover efficient institutions and decide cases that favor them. Others argue that judges have imperfect information and are often influenced by ideology, thus hampering efficiency. But whatever one's view, the common law illustrates both the stability of institutions and their incremental change, which occurs as people select which issues they take to court.

Constitutional protection of rights illustrates the role of informal constraints. The U.S. Constitution is an institution that most people believe has had a profound impact on America's economic growth, because it has protected property rights and restricted government. But, as North points out, very similar constitutions have been adopted in Latin American countries, and few of these benefits seem to have accrued there. Why? In brief, because "the persistence of the institutional pattern that had been imposed by Spain and Portugal" — a very bureaucratic, top-down state — has dominated Latin American policies (103).

Institutional Staying Power

An institution's staying power derives from its "increasing returns": it pays to stick with what you have. Although some people work to make incremental changes that benefit them directly, the basic institutions don't usually change rapidly or dramatically; even revolutions frequently leave basic institutions untouched. It is a funda-

mental thesis of North's work that if all institutions could compete fully and fairly with one another, the most efficient — the ones that provide incentives for both private good and social good — would win out over time. Unfortunately, thanks to what North calls "path dependence," such competition does not always occur.

To illustrate how path dependence works, North turns to the literature of technological change. Once a technology has been started on a path, it is often more costly to change to a completely new technology than to improve the old one, even if the old one is less efficient. The typewriter keyboard layout was designed to slow down a typist, because early machines would jam if a typist worked at top speed. Yet today's high-tech word processors continue to use the same pattern of letters designed to *slow down* the typist. Getting all typists used to a new and faster keyboard arrangement would speed typing, but at an enormous cost in terms of retraining. So the pattern remains stan-

The public indifference to the massacre at Waco suggests that the informal constraints underlying the Constitution may have largely disappeared.

dard even though the original rationale is long out of date.

Economic institutions, too, have staying power, because people benefit from continuing along old institutional paths. Different institutions might be better, but information feedback is often poor, so few are aware of the possible gains, and the costs of changing are high. The path may be productive or unproductive, but it will tend to continue in the same direction.

The Prospects for Freedom

All this leaves the libertarian with cause for both hope and concern.

On the bright side, it's harder to change institutions than it seems. The institutional matrix is self-reinforcing and persistent. That may be why the United States has managed to sustain economic growth and maintain sub-

The common law illustrates both the stability of institutions and their incremental change, which occurs as people select which issues they take to court.

mally, . . . the humanly devised constraints that shape human interaction." North argues that it is the interaction between organizations and institutions that causes change. The institutional matrix is a combination of both formal and informal rules, including constraints deliberately created by governments and other authorities, as well as other constraints which simply evolve. "Institutions structure incentives in human exchange, whether political, social, or economic" (3).

As an illustration, consider the institution of marriage and the family. This institution is formal in that it requires government approval (and, in many cases, the approval of religious authorities) and is infused with legal rules about the control and inheritance of property. Informal constraints are also important: marriage leads to certain expectations about the behavior of husband and wife, expectations about children, and expectations, both formal and informal, about how children should be brought up. In this country, for example, children are required (formally constrained) to attend school after a certain age. Informal constraints are transmitted through the family and through other sources, from Dr Spock's book on child care to television.

Furthermore, the family is in a state of flux. As with other institutional changes, this is caused by many different factors — most notably, changes in

stantial freedom in spite of the New Deal, numerous wars, and the enormous growth of government transfers. (An interesting illustration of a sturdy belief in *one's own* private property is the recent example of the Northwest regional director of the Sierra Club, who logged his own land while loudly urging that public land be locked up for the spotted owl. It's not clear that he even perceived that he had done something inconsistent.)

Also, says North, short-term changes are less important than the long-run path. (Having read this book, I'm less worried about the Clintons' health care plan than I was before.) But at the same time, the institutional matrix can change, almost invisibly, without our realizing it. Consider again the U.S. Constitution. We know that changing interpretations have eroded private property rights. When the loss is described, step by step, we see how steady and widespread the erosion has been.² Yet most people are unaware that parts of the Constitution are now hollow.

Similarly, the public indifference (except by libertarians) to the massacre at Waco suggests that the informal constraints underlying the Constitution's formal provisions may have largely disappeared.

The implications of path dependence are also severe for Third World nations. If those countries don't have an institutional matrix that includes respect for private property now, will they ever develop one? The road seems rockier after having read this book.

There is room for hope, however. We know little about Eastern Europe's institutional matrices. Perhaps the changes sweeping that region will tap reservoirs of entrepreneurship and private property not yet drained by Communism. Perhaps the historical path that led to private property in those countries before is still there, though hidden. We shall see. □

Notes:

1. Nathan Rosenberg and L.E. Birdzell, *How the West Grew Rich* (Basic Books, 1986).
2. Two books that outline this erosion are *Public Choice and Constitutional Economics*, edited by James D. Gwartney and Richard E. Wagner (JAI Press, 1988) and *The Birth of a Transfer Society*, by Terry L. Anderson and Peter J. Hill (University Press of America, 1989).

My cowboys have always been heroes.

Louis L'Amour, Freedom Writer

John Conolley

Louis L'Amour is the bestselling western writer of all time — thanks in part to tireless self-promotion — with over 250 million books in print. He is loved by schoolchildren, day laborers, and college professors alike, much to the bafflement of critics. His books, despite their literary flaws, are rousing, ably written tales that brim with respect for individualism, self-reliance, freedom, and the human mind.

Louis L'Amour? you say. You're telling me I should be reading oat-burners?

Damn right. Yes, some of L'Amour's stories fit the standard western formula: a stranger rides into town and sets the bad guys on their ears. But he also wrote more nuanced historical novels — some set in the Old West, some in other places and times. His hundred-plus books also include short story collections, memoirs, a few works of non-fiction, even a volume of poetry.

L'Amour spent years travelling and working across the American West. All the landscapes in his westerns can be found and walked over, and many of the events in the stories actually happened to him. A voracious reader, especially of history, L'Amour filled his books with interesting sidelights. He even provides survival information. (On the run in the wilderness? Build your fire under a bush, so the smoke will be dissipated as it rises and watchers will not see.)

But that isn't why L'Amour is loved. What sets L'Amour apart is his moral vision. He writes about heroes, and makes us believe that we can be heroes. Whatever the setting, L'Amour presents men and women who care about the right, who make their own way without complaint, who use their minds to meet the

overwhelming challenge of a frontier.

L'Amour himself has been known to dispute this. "My characters are not heroes," he once told an interviewer. "They are people who do what they have to do at the time." In L'Amour's short story "Survival," protagonist Tex Worden even says, "I ain't goin' for any of that hero stuff. That's all baloney."

But then there is Jublain, a character in L'Amour's *Sackett's Land*, arguing another point of view:

"I think . . . I feel some lonely battle was fought here, and fought well, and men died for what they believed, perhaps surrounded in this place. Someday men may come with more knowledge than we and they will put the parts together. And out of it will come a story of heroes."

"You believe in heroes?" Corvino looked at him thoughtfully.

"I cannot believe in anything else. A man needs heroes. He needs to believe in strength, nobility, and courage. Otherwise we become sheep to be herded to the slaughterhouse of death. . . ."

Whatever the author himself may say, Jublain's views are closest to the spirit of L'Amour's fiction. Stalwart and larger than life, L'Amour's protagonists cannot be anything *but* heroes. Had the title character of *Flint* been made more human by the addition of weaknesses, he would not have responded to a severe beating by rising from the dust, wiping the blood from his eyes, staggering to the saloon with broken bones, and shooting his assailants before collapsing.

Obviously, this can lead to some literary problems. L'Amour's heroes tend to be very similar to one another, and he doesn't devote a lot of words to characterization. (Then again, that's only a problem for the fan who reads a dozen of his novels in a row. Read L'Amour

only from time to time, as the mood strikes you, and his characterization failures will not bother you much.)

You can also count on L'Amour's women to be *women*, not men in dresses or some adolescent fantasy (*à la* Robert Heinlein's *Friday*). L'Amour believed strongly that a woman could be as heroic as any man, and more than one of his protagonists, upon winning the fair maiden, says, "I don't want a woman to walk behind me. I want her to walk beside me." Interviewed for the *Contemporary Artists* series, L'Amour asked "why feminists don't object . . . that in every horror movie or crime movie . . . some woman's screaming her bloody head off. . . . I've been around them under stressful circumstances, and they don't scream. They're just as solid as any man would be."

That said, some critics feel L'Amour's female characters don't really come alive, and indeed, many receive even sketchier development than his men. And L'Amour has one widely-noted idiosyncrasy that prevents a fully mature treatment of either men or women: there is no sex in his stories. The hero will pursue a woman for 150 pages, but when he catches her, the subject is dropped, usually without even a kiss. L'Amour's rather lame explanation is that sex is a leisure activity, his characters are busy settling a wilderness, and therefore he can't be bothered to describe sex. (Question: just how are they to settle *anything* then?)

L'Amour's villains are also larger than life — and, like his heroes, are not very different from book to book. They tend to fall into two categories: good men who went wrong at some point but stand a chance of being redeemed before the novel is over; and powerful, evil figures devoid of any normal emotion.

One example of the first group is Gaylord Riley, the villain-turned-hero of *Dark Canyon*. His father was murdered when Riley was a boy, taking away his sustenance and leading him to a life of crime. He stays alive through a single-minded concentration on survival.

Weaver and Kehoe, two robbers,

argue about Riley's value to their gang:

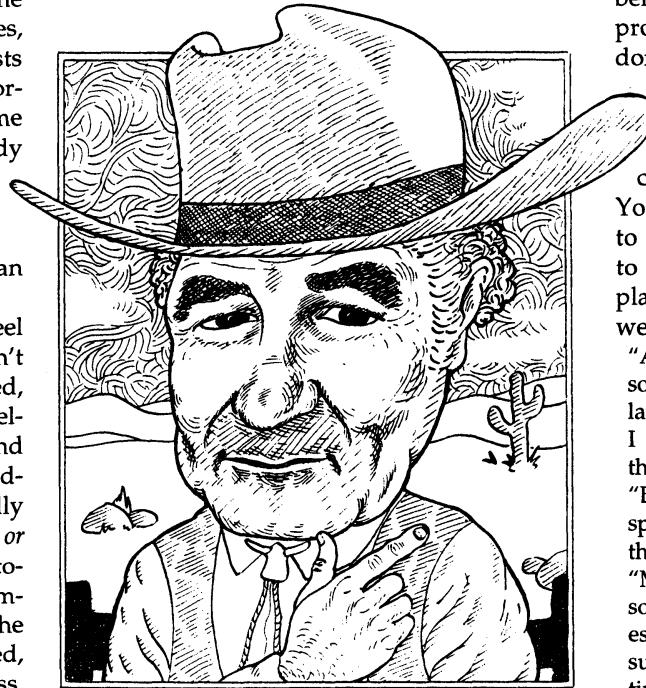
Kehoe brushed the ash from his cigarette. "The kid's a gunfighter."

"Him? For two bits I'd—"

"You'd get killed."

Weaver was angry but curious, for Kehoe was no fool. He was cannier than most, when it came to that. "What makes you say that?"

"Watch him. Nobody makes a move that he doesn't see, and he never gets that right hand tangled up. When he



takes hold of anything, it's always with his left. You watch."

The gang decides Riley is too good a man for the criminal life, so they stake him enough money to buy a ranch, which — naturally enough for the genre — requires him to clean up a town. The tale's dark atmosphere is a departure for L'Amour, and has as much to do with the fading of the Old West as it does with Riley's character.

L'Amour's other villains, the purely evil criminals, populate most of his novels. One of his vilest characters is Porter Baldwin, in *Flint*. Baldwin is an old Bowery B'hoy, was a shoulder striker in New York's political gang wars, and has risen to be a financier himself. He goes west to do people out of their land through legal chicanery and violence. Then there's Pittingel, Bauer, and Lashan in *The Warrior's Path*. Slavers with no shred of feeling

for their fellow human beings, those three may be L'Amour's most depraved characters ever.

With enemies like these, you'll find no pacifists in L'Amour. In New York, Bendigo Shafter is attacked by four toughs in Madison Square Park. He knocks one out cold, then pulls a gun and makes two of the others beat up their leader. Even the children go armed in Louis L'Amour's frontier.

L'Amour's characters live in, and believe in, societies based on private property, where hard work and freedom bring prosperity, and prosperity is valued only because it gives one more freedom. In *Bendigo Shafter*, the eponymous hero discovers gold and, on a visit to New York City, takes some of it with him to sell. When a city lawyer asks him to account for his wealth, Shafter explains that he has a "little mine" back west.

"A little mine? This would seem to be something quite substantial. How large a crew do you have at work?"

I shrugged, very casually. "I mined this myself."

"But surely you'll open it up in the spring? You could get a crew in there. . . . It's worth millions!"

"Maybe. . . . I'm no miner. . . . I have some cattle now and am more interested in building up a cow ranch. I suppose I'll work it from time to time, but I'm not that interested."

. . . "[B]ut . . . this is gold, man. Gold!"

. . . "[H]ow do you put a price on gold? I've only to mine what I want, buy what I want, and whenever I need money, go back and dig out some more."

Frontiersmen, L'Amour once said, "learned to cope. There was no one on whom to lean. A man on the frontier must make his own decisions and act upon them. Consequently, there was no subservience. Those who solve problems for themselves become confident. They trust to their own abilities."

L'Amour's focus is always on frontiers — metaphorical as well as literal. He considered his novel *The Walking Drum*, set in twelfth-century Europe and the Levant, to take place on another kind of frontier: the frontier of knowledge that was then sweeping over Europe from the East. It was in that context that the author set forth what may be his most succinct political statement:

[W]hat the world has always needed is more heretics and less authority. . . . Authority, in this world in which I moved, implied . . . acceptance of dogma, and dogma is invariably wrong, as knowledge is always in a state of transition. The radical ideas of today are often the conservative policies of tomorrow, and dogma is left protesting by the wayside. Each generation has a

group that wishes to impose a static pattern on events, a static pattern that would hold society forever immobile in a position favorable to the group in question.

L'Amour always shied away from stale dogma, and always celebrated the creative edges we call frontiers. No novelist ever propagated that message of freedom farther than did Louis L'Amour. □

Booknotes

The Last Straw — The fall of the House of Romanov and the murder of the last Tsar and his family are events unsurpassed in dramatic interest: the pathetic end of a poor, silly, wrong-headed, courageous, and bizarrely charming group of people, and the strange civilization that they brought down with them. It is appropriate that this should be the theme of a major work by an important Russian dramatist.

Unfortunately, none but the Romanov hobbyist will learn much from Edward Radzinsky's *The Last Tsar: The Life and Death of Nicholas II* (Doubleday, 1992, 462 pp., \$25.00, trans. by Marian Schwartz), because none but the hobbyist will endure to its end. Radzinsky's narrative, overburdened with gasps of emotion, suspended speculations, indistinguishable characters, inextricably tangled bloodlines, and important places you can't find on his map, is one long plea to throw the book across the room and, after throwing it, to jump up and down on it.

If you don't already know more or less what was going on in Tsarskoe Selo or Ekaterinburg, don't try to find out from Radzinsky. If you do know, you may just possibly find it worthwhile to read (when you finally get to that part of the book) Radzinsky's somewhat elliptical summaries of documents, interviews, and physical evidence that shed new light on the doings of the tsar's assassins. There is grim humor in Radzinsky's accounts of murderers stomping

around the countryside trying to figure out how to dispose of their victims' bodies. There are also a few new items of interest about what an imperial family does with itself once it is no longer an imperial family.

Some of the book's many photographs are powerful evocations of a dead past. These pictures provide at least 50% of the book's drama.

—Stephen Cox

Let's Hear it For Democracy

— As a sometime student of the home front during World War II, I could not resist reading the latest one-volume history of the war, William L. O'Neill's *A Democracy at War: America's Fight at Home and Abroad* (Free Press, 1993, 480 pp., \$24.95). Little by little, Establishment historians are coming closer to telling an honest story about this crucial period of world history, and O'Neill pushes the boundaries beyond those of such predecessors as James MacGregor Burns, Richard Polenberg, and John Morton Blum. But he cannot shake free of an obsession with attributing everything — good, bad, or indifferent — to "democracy."

This interpretive panacea never receives conceptual clarification but seems to refer to the aggregate of the culture, institutions, and personalities of our blessed political system. It is simultaneously our weakness and our strength. It explains why the Americans at war committed fewer crimes than, say, the Germans or the Soviets,

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but nevertheless went ahead with only slightly less heinous crimes, such as the indiscriminate bombing of German and Japanese civilian populations. Enscorced behind the barricades of political correctness, O'Neill indicts the white males of America at war for discrimination against blacks and women and callousness toward refugees, especially the Jews. But not to worry: "The great thing about democracy is that it self-corrects, and in all these areas did."

O'Neill faces more squarely than most historians some unpleasant truths: that FDR was a shameless liar, especially in his machinations to get the United States into the war; that interservice rivalry in the Pacific theater squandered thousands of American lives; that most New Dealers "wanted a politically correct war effort more than an efficient one"; that the typical GI was an irreverent guy who spent the war resenting the politicians' bullshit and the military's chickenshit and wanting most of all to get back home in one piece. O'Neill recognizes too that voters "preferred to have any and all financial sacrifices borne by someone else," and he arrives at some valuable insights by examining how Congress would cater to such constituents.

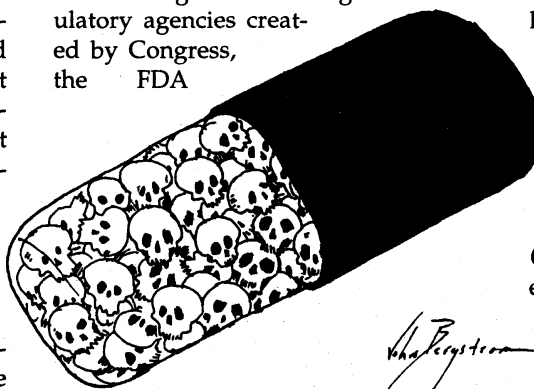
The final sentence of the book makes a stunningly silly conclusion: "Sweet land of liberty," the children sang, and so it was, and so it would remain — thanks to a great generation." O'Neill seems incapable of recognizing the extent to which war fastened durable shackles on citizens of the United States: sweeping presidential powers; enduring economic controls; a heavy tax burden; peacetime military conscription; the various repressions of the Cold War, which extended the Big One for another 45 years with the belligerents rearranged. Why is it so hard to see that in this great war, as in most wars, both sides lost?

Notwithstanding its flaws, *A Democracy at War* contains much that is true and worth knowing. Though no match for Paul Fussell's wonderful but quite different book, *Wartime*, it is at least as good as the comparable alternatives for readers just starting to learn about this awesome conflict. —Robert Higgs

Stifled Words Can Kill You — Defenders of free speech, including the

U.S. Supreme Court, often give short shrift to freedom of commercial speech. After all, how much harm can come from restrictions on advertising and product promotion? The answer is, "Plenty." For support, examine *Bad Prescription for the First Amendment*, edited by Richard T. Kaplar (The Media Institute, 1993, 120 pp., \$19.95), a work that details how the Food and Drug Administration's restrictions on product promotion by drug and medical device firms take a tremendous toll on health and life.

The introduction aptly notes that, "of all the government regulatory agencies created by Congress, the FDA



has been the most expansive and the most punitive in inhibiting speech." The power is effectively unchecked, because firms subject to the agency's sweeping regulatory authority over product approvals and manufacturing practices dare not challenge the FDA in court for denying their first amendment rights. Hence, the agency acts without hindrance as judge, jury, and executioner.

In the guise of enforcing labelling regulations, the FDA now controls not only what the companies may print or say, but also what is said at scientific conferences sponsored by the companies — all part of the agency's stated ambition to become the sole judge of what constitutes scientific knowledge. Hence it suppresses, for example, dissemination of copies of articles from respected scientific journals if the articles suggest that a certain product would be helpful for a use not yet approved by the FDA. For years the agency forbade aspirin companies to tell the public that daily use of the product could

reduce the risks of heart attack and stroke. Earlier it squelched food manufacturers' claims with references to the benefits of reduced dietary fat and cholesterol. The agency's ongoing jihad against health claims for micronutrients such as vitamins and minerals threatens everyone as the draconian regulations framed under authority of the Nutrition Labelling and Education Act of 1990 go into effect.

Relief is not on the horizon. Few people outside the industry are aware of the destructive effects of the FDA's suppression of free speech, and inside the industry the regulated parties have long since been broken to the harness.

As the editor concludes, the agency itself "does not recognize freedom of speech as an issue of concern, and . . . is perfectly willing to operate outside the bounds of the Constitution."

—Robert Higgs

Curious Joe — Joseph Epstein is editor of *The American Scholar*, in which role he has distinguished himself as one of the wisest and most effective critics of political correctness and all the other tedious or tragic phenomena of contemporary literary and academic life.

But his greatest claim to our attention is his membership in a nearly extinct literary species: Epstein is an essayist. He is a person who writes, that is, about subjects that he *essays* but does not *exhaust*, and he writes in terms accessible and interesting to a general audience of intelligent persons, and not just to the unfortunate readers of what is oxymoronically called "professional literature."

As an essayist, Epstein has an appropriate curiosity about other people who have tried to write interestingly. In *Pertinent Players: Essays on the Literary Life* (Norton, 1993, 414 pp., \$24.95), he has pungent things to say about many of them. The list includes Robert Louis Stevenson, William Hazlitt, George Orwell, and H.L. Mencken (whom Epstein defends against recent charges of anti-Semitism). Epstein also takes on people who lived in an interesting, though not always a wise or a pretty way — people such as journalist Joseph Alsop and educator Robert Hutchins.

Epstein's prose is always up to his subject. Often, indeed, the interest of the subject depends in large part on the interest of his prose. Of Hutchins, former boss of the University of Chicago, Epstein writes, "By the time I first met Robert Maynard Hutchins, in 1966, he was 67 years old and, I now realize, intellectually quite dead. He carried around, however, a splendid corpse." Epstein knows exactly what will make a portrait memorable: "Neither greedy nor even greatly money-minded, Hutchins, accustomed as a young man to going first-class, lived as if perfectly unaware that any other class was possible. 'If you have to look at the meter,' was one of his well-known sayings, 'don't take cabs.' Past the age of 25 he probably never paid for a cab out of his own pocket." Of the Center for the Study of Democratic Institutions, which Hutchins headed late in his life, Epstein remarks, "it must have resembled nothing so much as an endless talk show to which no one was tuned in."

That certainly could not be said about Epstein's proceedings.

—Stephen Cox

Formula-Breaker — Supernatural and fantastic tales are older than written literature itself, but the "fantasy" genre, as presently constituted, owes its origins to the sudden popularity in the 1960s of J.R.R. Tolkien's *The Lord of the Rings*. Tolkien was a fine writer; the bevy of clones who have followed him are not. Ideologically, modern fantasy is an extremely conservative genre — and I don't mean that in any honorable,



"When do we get to the Promised Land?
This Sinai is so oily!"

Burkean or Taftian sense. The typical Terry Brooks or Margaret Weiss unicorn-pudding potboiler reflects the feudal values of a European *ancien régime* — hierarchy, lineage, stasis, social class. Individualist and radical fantasists exist, of course, but "fantasy" *qua* publishing category tends to marginalize them.

R. Garcia y Robertson's *The Spiral Dance* (Avon, 1993, 256 pp., \$4.99) is a happy exception. A remarkably libertarian novel, it takes place in late sixteenth-century Britain during the rise of the Tudor state. It is anti-monarchical, anti-feudal, and, significantly, anti-economic-regulation. Inverting feudal-fantastic norms, Garcia y Robertson aligns his witches, werewolves, and magicians on the side of the good; inverting commonplace historical interpretations, he upholds the Scottish clan system as a decentralized alternative to "Tudor totalitarianism."

The book is well-written and its characters well-drawn — Garcia y Robertson is one of the rare male writers capable of writing believably from a female point of view — and the story is well-crafted and absorbing. The ending is perhaps a bit too neat, too easy to see coming, to be as effective as it could be, but the book's careful reversal of genre formulas, creative mixture of history and fantasy, and smooth introduction of fantastic elements to an initially wholly realistic plot make *The Spiral Dance* an admirable first novel. And its anti-political politics make it a gem.

—Jesse Walker

An Economist, Among Other Things — Joseph A. Schumpeter (1883–1950) was one of the great economists and social scientists of the twentieth century. His early vision of the dynamics of capitalism, focused on the entrepreneur and innovation, captured the essence of the process, which he called "creative destruction." A precursor of the public choice analysts, he wrote a provocative book, *Capitalism, Socialism, and Democracy* (1942) that is still in print and worth reading. His posthumously published *History of Economic Analysis* (1954) remains without peer in its scope and erudition.

Long lacking a proper biography, Schumpeter now has several, of which the best is a two-volume work by Rob-

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ert Loring Allen, *Opening Doors: The Life and Work of Joseph Schumpeter* (Transaction, 1991, 314 and 348 pp., \$39.95). Allen, a student of Schumpeter at Harvard in the late 1940s, spent many years tracking down sources, interviewing Schumpeter's surviving friends and acquaintances, and reading thousands of the great man's multilingual manuscript pages, including his astonishing diaries.

Allen's portrait shows Schumpeter as a flamboyant and colorful character in his public persona, but privately a deeply troubled and unhappy man during the final 25 years of his enormously productive life. Limitations of space preclude a full description, but Allen's summary may whet your appetite to learn more about this "inspired student, *enfant terrible*, government minister, bank president and businessman, and above all, professor; pretender to aristocracy, true elitist, and gentleman of manners; public speaker, scholar, writer, and counsellor; art historian, horseman, and traveller; compainer, sufferer from depression, critic, and ebullient entertainer; historian, theoretician, and secret worshipper to a private god."

Looking down from Valhalla, Schumpeter probably wonders why the list does not mention that he was also the greatest lover in Vienna.

—Robert Higgs

Liberty in the 21st Century

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Letters, continued from page 4

struck several years back by the three literary giants' synchronous surnames. They were further bound together by the Nobel Prize speculation that always buzzed around each of them. Each was considered a logical Nobel laureate if he lived long enough to survive a couple rounds of the geopolitical rotation that circulates the prize in literature.

As each of them proceeded to live long enough, and then longer than enough, it appeared that they were being cheated of their due, as their younger and lesser compatriots got the call from Stockholm. Now, with only Mr Burroughs left to accept the charges — and he was always the least likely to *ever* be respectable enough to get the call — I'm reminded of the most important connection they share. Burroughs is, and Burgess and Borges were, libertarian iconoclasts among the great mass of twentieth-century literary collectivist iconophiles.

Burroughs, the homosexual, gun-loving junky, is the perfect embodiment of every good conservative and nice liberal's nightmare of where libertarianism

must inevitably lead. His life work has been an exploration of the theme of deviance versus control; Burroughs never met an outlaw he didn't like or a cop he did.

Burgess' libertarianism was of a more conservative stripe, and his religious fascination was alien to Burroughs (who never met a priest he liked either), but in most respects their political temperaments resonated.

Borges was raised a Spencerian individualist, and his life, art, and prickly persona were a beautiful rebuke to the especially noxious form of statism that took root in his homeland, Argentina. Indeed, Borges was such a striking figure and loomed so large that many felt the only possible explanation for his snub by the Swedish Academy was the unforgivable incorrectness of his individualist politics.

With two thirds of this illustrious trio now gone, I hope American libertarians will claim as our own the still warm and breathing national treasure who resides with his cats somewhere in Kansas.

Tom Brennan
Philadelphia, Penn.

Sorry, Gerry

Having read "First They Came for the Fascists . . ." (January 1994), I would like to apologize for every unkind thing I ever said about Gerry Spence — and there have been many. I never met the man but knew him through other medical professionals who had been the objects of his obviously formidable legal and philosophic talent. In my medical circles he is hated and feared.

I still do not know him personally, but I feel that I know him philosophically. That is enough.

Dr Forrest Smith
Pleasanton, Calif.

Kim Campbell: A Taxing Woman

Scott Reid's "After the Election, *le Déluge*" (January 1994) is the best analysis of the Canadian election I've read. However, Mr Reid did not mention the major cause of the crushing defeat of the ruling Progressive Conservatives: the public perception that they were the party of high taxes and high unemployment.

For those readers who plan to visit

Reflections, continued from page 14

The last Olympics that I followed were the 1960 games, held in Rome and Lake Placid. I saw the miracle U.S. hockey victory, the U.S. slaughter of everyone at basketball, Rafer Johnson and C.K. Yang competing for the decathlon championship, and a hundred other games and contests. (Even then I had little interest in judged competitions and spectacles.)

Shortly after the games, I read an article about Harold Connolly, the world's best hammer thrower at the time. He had competed on the Czech national team at the 1952 Olympics, but had become an American citizen after marrying an American athlete, and now was a member of the U.S. Olympic team. A reporter asked him how he felt about competing as a Czech at one Olympics and as an American at the next. Did he feel mixed loyalties? No, he responded, loyalty had nothing to do with what he was doing. He was a hammer thrower and he was competing against other hammer throwers, not an American competing against a Czech or a capitalist competing against a communist.

At the time, I thought that what he said was pretty terrible. Weren't the Olympics all about nations competing with one another? Hadn't I been told that the U.S. was the best and that the Olympics would prove it? Hadn't my teachers explained that it was only after Germany performed well in the 1936 Olympics that they realized they might be able to win a war against the U.S. and thereby worked up their nerve to start World War II? Hadn't they told me that unless we beat the Commies in the Olympics, the Commies might

start another war? Didn't I know that Russia had an elaborate system to identify potential Olympic champions, segregate those children from their families and train them to be Olympic competitors with a single-minded fervor? And that the U.S. had better show that its free system of self-selection was better, or it would be the same thing as giving up to Godless Communism? Hadn't the news reports on the Olympics concentrated on medal counts sorted by nation, headlining what nation was winning? Just who was this Harold Connolly to say that the Olympics shouldn't be about determining what country was best?

It took me a few years to figure out that Harold Connolly was right and that my elders and the organizers of the Olympics were wrong. A worldwide competition to determine who is best at various games and contests — the sort of competition envisioned by Harold Connolly — would be a fine thing. It would help promote comradery and brotherhood.

The Cold War is over, and with its passing ended the silly ideas about using the Olympics to prove one social system better than another. If those people interested in genuinely promoting world peace and brotherhood among people of different races and cultures are serious about their goals, the time has come for them to work to abolish the Olympics, or to reform it radically, so that the best athletes participate — representing themselves, not their governments — and to eliminate the judged competitions with their political game-playing and prejudices.

—RWB

Canada sometime soon, be aware that the Mulroney government instituted something called the GST — Goods and Services Tax — which applies to just about everything. This is basically a national sales tax of 9%.

In Quebec, the ruling party at the provincial level (the Liberals) thought this was such a good idea, they'd add on a tax of their own. Thus, when visiting Quebec, you pay an effective sales tax of 15 percent on most goods and services.

The GST has made life miserable for just about everybody, though it has not done what Mulroney said it would do — close the gap between government spending and revenues. That's why Kim Campbell lost the election.

Dan O'Neil

Glen Burnie, Md.

The Sage of Chloride

In the January *Liberty*, R.W. Bradford referred to the late libertarian journalist, George Boardman ("Miles from Understanding"). I had the pleasure of meeting Mr Boardman at his home in Chloride, Arizona (not New Mexico as the article stated) in 1963. I was a wide-eyed twelve-year-old boy whose greatest impression of the visit was Mr Boardman's Derringer pistol, which he apparently carried at all times.

Mr Boardman and his family wished to live as much as possible outside the ugly influence of the omnipotent state. Chloride was a mining town that had been largely abandoned in the 1940s. Mr Boardman purchased a little motel in the center of town, located against the hills a few miles off Highway 93 between Las Vegas and Kingman, Arizona. It was not a well-known route.

Upon our arrival Mr Boardman told a story — possibly embellished for the benefit of us children — of shooting a mountain lion two weeks earlier in the courtyard of the motel. We knew then that we were in the Wild West — could a shootout at high noon be anticipated?

We could hardly wait to explore the dilapidated buildings of this ghost town. Mr Boardman admonished us that the buildings were still privately owned, though left unattended and in disrepair, and that property rights should be respected. This was a great disappointment, but we knew trespassing was wrong and respected his comments.

Mr Boardman told my parents about his experiences as a professional photographer and how he enjoyed putting

down politicians (who always assumed he was after *their* picture) by signaling them to sit down or move out of range while he took the picture he wanted.

My mother remembers his reminiscences about teaching at Freedom School near Colorado Springs. One young man stayed after class one day in obvious mental agony. Asked what was troubling him, he blurted out, "Mr Boardman, you've ruined my life!" Many of his former plans could not be reconciled to his newly acquired philosophy. Before, he had even signed up for service in the armed forces. Mr Boardman explained to him that such a commitment could be completed in peacetime without too much damage to his conscience; other plans could be changed.

We left the next day, each wishing for our own reasons that we could stay longer.

David Hendersen
Salem, Ore.

Sleep Soundly, Harry, the Wogs Are Dead

Sheldon Richman ("The Butcher from Independence," January 1994) is right. The Japanese in World War II were so eager to surrender that it took only *two* A-bombs to get them to agree to terms and another 20 years to dig out the last resistors. I wonder where Mr Richman was during the war. I suspect he was not even born.

Harry Truman said he never lost a moment's sleep over his decision to drop the A-bomb. I don't see why he should have.

Earl Nelson
Huntington Beach, Calif.

Who Wrote the Book of Laws?

There are 9,306 pages of the Federal Tax Code. Federal, state, county, and city bureaucracies have exploded in size and scope over the past few decades. It now takes a battalion of lawyers to navigate through a sea of laws, rules, and regulations that threaten to drown the remaining liberties we possess. It is in contemplating this mess, I believe, that Sandy Shaw expresses her desire to sweep it all away and start fresh with the *Book of 1,000 Laws* ("Hammurabi or Proudhon?" January 1994). In fact, Sandy thinks that it would be difficult to come up with even 100 laws, since "there are only a few acts nearly all people would agree should be crimes — murder, rape, theft, a few others."

Consider the following list of questions:

1. Do we have a duty to treat animals so as not to inflict pain, suffering, or harm of any kind?

2. Should a person be allowed to manufacture and store highly explosive materials, such as nitroglycerin, in a residential area?

3. Is there a need for public domain laws for intellectual property? What if someone owned the complete works of Beethoven, Mozart, and Shakespeare, then refused permission to ever let the public see or hear them?

4. Should abortion be legal? If yes, what if a mother decided to terminate on the day of delivery, just as she started to feel the onset of her labor pains?

5. What would be considered the proper punishment for someone who raped, tortured, and murdered a ten-year-old girl? Should there be punishment at all?

6. Are there conditions upon which involuntary euthanasia would be appropriate — e.g., a stroke patient who is unable to communicate but is suffering horrible pain, with no hope of improving? Who should make the decision?

7. What conditions must be satisfied in order for a person to claim ownership to property? Just claiming it? Mixing one's labor with it, like Locke claimed? Can Neil Armstrong claim ownership to the moon or part of it?

8. If North Korea set into place nuclear missiles aimed at South Korea and Tokyo, would it be necessary to initiate a pre-emptive strike, or wait to take action until Tokyo got nuked?

9. A farmer owns property close to an elementary school. There is a very deep well on the property and a short fence surrounds his land. A youngster climbs the fence and falls into the well. Should the farmer be liable for damages?

10. Should there be any limitations on freedom of speech? Libel? Slander? Perjury?

The world is an extremely complex place where right and wrong are not easily established according to a simple principle or short lists of 100 or even 1,000 Thou Shalt Nots. Until libertarians learn this difficult lesson, the movement will remain on the fringe of American politics.

Randy Debber
Santa Monica, Calif.

Armed and Free

Clark Stooksbury offers some good insights about guns and national cultures ("My Heroes Have Always Been Cow-

Notes on Contributors

boys," January 1994). It's too bad he doesn't go into detail about Swiss national heroic myths. As someone who has spent years in Switzerland, I am familiar with several, and they reveal much about Swiss attitudes toward gun control.

Where the other non-American heroes Stooksbury discusses are either "members of a nobility, performing their heroic deeds on behalf of their inferiors," or else mounted "selfless bureaucrats in service to society," the Swiss heroes are armed peasants, on foot, defending themselves and their local hamlets.

Everyone knows about the defiant Swiss archer, William Tell, who stood up to a mounted nobleman. Another early superhero, known to every Swiss schoolboy, bravely took hundreds of spears into his breast, thus disarming the crack assault troops attacking the local peasants and making it possible for the remaining Swiss to drive their attackers off.

Another popular story tells of crafty peasants luring mounted Austrian knights (sent to enforce Hapsburg tax collection) through a narrow defile, where they were pulled off their horses with a long lance, specially designed for the purpose. The Swiss slaughtered the helpless, unhorsed knights without pity.

Such stories stood the country in good stead during World War II, when every able-bodied man was fully armed, ready to fight, and enrolled in two different units — effectively doubling the size of the Swiss army as far as any spies could determine. Furthermore, all tunnels and bridges were mined, and probably still are, ready to be destroyed in an instant. And two assassins, not known to each other, were assigned to kill every Swiss Nazi sympathizer in case of invasion by Hitler's army.

Metternich was right: "Switzerland does not have an army; it is an army."

Jo McIntyre

McMinnville, Ore.

A Hard Rain's a-Gonna Fall

I read Toby Giles's letter ("My Back Pages," January 1994) with a bit of déjà vu. I too withdrew from political interest over 15 years ago, disgusted with the

Chester Alan Arthur is *Liberty's* political correspondent.

Ace Backwords illustrated the book *The Art and Science of Dumpster Diving*.

"Baloo" is cartoonist Rex F. May's favorite pseudonym.

John Bergstrom is an editor at *National Lampoon*.

David Boaz is executive vice president of the Cato Institute.

R.W. Bradford is editor of *Liberty*.

David Brin is author of *Startide Rising*, *Earth*, and other award-winning and bestselling novels.

John Conolley was not shot in Dallas in 1963 — but he was mugged in New York 30 years later.

Stephen Cox is Professor of Literature at the University of California.

Brian Doherty is a journalist who runs an independent record company in Washington, D.C.

Frank Fox is a historian and journalist who writes frequently about

the ex-Communist world.

James Gill is a veteran cartoonist.

Robert Higgs is author of *Crisis and Leviathan* and other works.

Pierre Lemieux is a Visiting Professor of Economics at the University of Quebec at Hull.

Gwynne Nettler is Professor Emeritus of Sociology at the University of Alberta, Edmonton, Canada. His most recent book is *Criminology Lessons*.

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Sgt. J. Clark Stooksbury, USMC (Ret.) hails from Rockytop, Tennessee.

Timothy Virkkala is an assistant editor of *Liberty*.

Jesse Walker is another assistant editor of *Liberty*.

public's inability to embrace or understand the libertarian philosophy. I accepted the crude axiom that "the masses are asses" and took myself out of the world of politics. They deserve whatever they vote for, I reasoned — not realizing that they would drag me into their abyss.

I said nothing as Carter, Reagan, Bush, and now Clinton tell us how they were/are to save us from whatever crises we face. Money was cheapened, laws were passed, and mandates were claimed, eroding my liberty. I sat silently.

Panama, Grenada, the Persian Gulf — "police actions" were fought in my name, sending people to their deaths. I said

nothing. Waco burned, Vicki Weaver died, people were killed, maimed, imprisoned — and I was mute.

Now "health care reform," gun control, Bosnia, Somalia, and God-knows-what-else threaten to dim our future. For ourselves and our children, we cannot remain silent any longer. To avoid our watchdog role would be a form of ideological cowardice. When I hear my friends and my mother (for crying out loud!) say that revolution is inevitable, I know we are heading for trouble.

Thus, I am returning to the fray — weary, yet wise.

Mike Mueller

Bakersfield, Calif.

Unsolicited Aphorisms Dept.

Liberty is directly proportional to communication, and inversely proportional to social uniformity.

Michael A. Pereira

Crinna, Maine

Illustrations

"Pack of Lies," by John Bergstrom, p. 7

"Michael Kinsley," by James Gill, p. 15

"Whitewater Rafting," by Bergstrom, p. 23

"Roger Clinton," by Bergstrom, p. 27

"The Ultimate Harness," by Bergstrom, p. 35

"Pat Buchanan," by Bergstrom, p. 53

"Louis L'Amour," by Gill, p. 62

"F.D.A. Approved," by Bergstrom, p. 64

Terra Incognita

Grand Haven, Mich.

Equality before the law in action, reported in *USA Today*:

After he was cleared of obscenity charges, video store owner David Wingate billed police about \$8,000 in late fees for two tapes they seized in 1991.

Maidenhead, England

Another "Home Alone" case, reported in the *Milwaukee Journal*:

The Society for the Prevention of Cruelty to Animals brought charges of pet abandonment against David Sharod, who left two fish alone in their tank for three days while he was away. He was acquitted after citing the society's own literature, which indicated that the fish could live comfortably on algae in the tank for up to two weeks.

El Real, Panama

Progress in rural electrification in the Third World, reported by the Associated Press:

Panamanians frustrated by a power blackout in their remote jungle village have kidnapped four government electricity workers and vowed to keep them hostage until the problem is fixed.

Red Lake Falls, Minn.

Bilingualism in action, as described by *The Lutheran*:

Glen Proechel's two-week Klingon Language Camp includes a worship service at St. John Lutheran Church. Proechel translated the Lord's Prayer, the Apostle's Creed, and "A Mighty Fortress is Our God" into Klingon for the service.

Wyoming

Aesthetic advance in the Equality State, reported by the *Milwaukee Journal*:

The National Endowment for the Arts awarded \$4,000 to three Wyoming artists who honored an early-twentieth-century feminist by painting words from her journal on the sides of 70 cattle.

Detroit

Progressive politics in America's "Motor City," reported by the *Detroit News*:

Asked what his priorities would be as the newly appointed president of New Detroit Inc., City Water and Sewage Department Chief Charlie J. Williams answered, "I don't really know what New Detroit does."

Houston

Enlightened gun control measure in the Lone Star State, as described by the *Detroit Free Press*:

A Houston high school hopes to keep weapons out of the schools by allowing students to carry only see-through backpacks and purses.

Hialeah, Florida

Creative self-expression among law enforcement personnel, described by the Associated Press:

Five police officers face criminal charges for making kissing sounds and mooing like cows over their police radios.

Washington, D.C.

Culinary note from the defenders of the realm, reported in the *Northern Express*:

The House Appropriations Committee's report accompanying the 1994 defense appropriations bill directed the Defense Department "to increase its purchases of Jumbo, Colossal, Super Colossal ripe olives in future solicitations of olive purchases."

West Virginia

Academic note from *Student Lawyer*:

West Virginia Supreme Court Justice Richard Neely advertised for a law clerk "capable of applying feminist criticism, Critical Legal Studies' technique, and structuralist and deconstructionist textual theory to workers' compensation statutes and Article 9 of the U.C.C." He received numerous applications.

Irvine, Calif.

Protecting the integrity of American banking, described by the *Milwaukee Sentinel*:

The Federal Deposit Insurance Corporation office in Irvine is paying a contractor \$200 to mow the lawn of a house it took over in foreclosure. Previously, a neighborhood kid had cut the lawn for \$15.

Chattanooga, Tenn.

Cutting-edge jurisprudence in the Volunteer State, reported in the *Washington Post*:

Judge Doug Meyer released rape suspect Vincent L. Cousin, advising him to get a girlfriend. The judge explained that violent men "must face why they hate women, and a girlfriend would help him do that."

Washington, D.C.

Secret weapons of the Cold War, revealed by *U.S. News & World Report*:

A classified 1952 study by the U.S. government's Psychological Strategy Board considered the military potential of lobotomy, arguing that "if it were possible to perform such a procedure on members of the Politburo, the U.S.S.R. would no longer be a problem to us," though the "detectability" of the surgical operation would make its use problematic.

Des Moines

Non-sexist observation of Sen. Charles Grassley following the Iowa girls' basketball championship, responding to a reporter's request for his opinion of the Wilton High School cheerleaders, from WHO-TV:

"Well, they're not as sexy as some. (pause) But they're not sexist, either."

The European Community

Progressive pollution control in United Europe, as described by the *London Observer*:

The European Community has ruled that stale bread is "waste," and that it therefore cannot be fed to swans without a \$3,000 license.

(Readers are invited to forward newspaper clippings or other items for publication in *Terra Incognita*.)

Stimulate Your Mind! with *Liberty* back issues

(continued from back cover)

November 1990

- "Smokes, But No Peacepipe," by Scott Reid
 - "Sex, Drugs, and the Goldberg Variations," by Richard Kostelanetz
 - "Why is Anyone Virtuous?" by David Friedman
- Plus articles and reviews by Robert Higgs, Leslie Fleming, Sheldon Richman, and others; and an interview with Ed Crane. (80 pages)

January 1991

- "Meltdown: The End of the Soviet Empire," by David Boaz, James Robbins, Ralph Raico, and Jane Shaw
 - "Gordon Gekko, Mike Milken, and Me," by Douglas Casey
- Plus articles and reviews by Michael Christian, Ralph Raico, Loren Lomasky, and others; plus special election coverage. (80 pages)

March 1991

- "The Myth of War Prosperity," by Robert Higgs
 - "The Life of Rose Wilder Lane," by William Holtz
 - "The Strange Death of the McDLT," by R.W. Bradford
- Plus articles and reviews by Jan Narveson, Jane Shaw, Richard Weaver, Linda Locke, Krzysztof Ostaszewski, and others. (72 pages)

May 1991

- "Christiana: Something Anarchical in Denmark," by Ben Best
 - "Journalists and the Drug War," by David Boaz
 - "California's Man-Made Drought," by Richard Stroup
- Plus writing by John Baden, Scott Reid, Leland Yeager, and others; and a short story by Lawrence Thompson. (72 pages)

July 1991

- "Say 'No' to Intolerance," by Milton Friedman
 - "I Am a Casualty of the War on Drugs," by Stuart Reges
- Plus articles and reviews by David Friedman, Loren Lomasky, Sheldon Richman, Karl Hess, Richard Kostelanetz, and others; and Mark Skousen's interview with Robert Heilbroner. (72 pages)

Volume 5

September 1991

- "Stalking the Giant Testes of Ethiopia," by Robert Miller
 - "GNP: A Bogus Notion," by R.W. Bradford
 - "50 Really Stupid Ways to Save the Earth," by Karl Hess
- Plus articles and reviews by Bart Kosko, Frank Fox, John Hospers, James Taggart, Mark Skousen, and others. (72 pages)

November 1991

- "The Road to Nowhere," by David Horowitz
 - "Women vs the Nation-State," by Carol Moore
 - "Thelma and Louise: Feminist Heroes," by Miles Fowler
- Plus writing by Robert Higgs, Leland Yeager, and others; and a short story by J. E. Goodman. (80 pages)

January 1992

- "The National Park Disgrace," by R.W. Bradford
 - "Clarence Thomas and Zora Neale Hurston," by Bill Kauffman
 - "America's Bipartisan Apartheid," by Brian Doherty
- Plus writing by Leland Yeager, David Friedman, Henry B. Veatch, Jane Shaw, Karl Hess Jr, Richard Kostelanetz, and others. (80 pages)

March 1992

- "Albert Jay Nock: Prophet of Libertarianism?" by Stephen Cox
 - "P.C. or B.S.?" by Meredith McGhan
 - "Acid Rain and the Corrosion of Science," by Edward C. Krug
 - "Who Really Wrote *Little House on the Prairie*?" by William Holtz
- Plus writing by Karl Hess, Jane Shaw, Lawrence White, Randal O'Toole, and others; and an interview with Pat Buchanan. (72 pages)

May 1992

- "Hong Kong: Free Markets, Full Employment," by Mark Tier
 - "Divorce, Czechoslovak Style," by Vojtech Cepl and Ron Lipp
- Plus writing by Eric Banfield, Karl Hess, David Horowitz, Daniel Klein,

and others; and fiction by J. Orlin Grabbe. (72 pages)

July 1992

- "Christians and Libertarians in a Hostile World," by Doug Bandow
 - "Returning America's Roads to the Market," by Terree Wasley
- Plus commentary on the L.A. Riots, and writings by David Kelley, Leland Yeager, George H. Smith, David Brin, and others. (72 pages)

Volume 6

September 1992

- "War on Drugs, War on Progress," by James Ostrowski
 - "If Execution Is Just, What Is Justice?" by J. Neil Schulman
- Plus writing by Martin Morse Wooster, Ethan O. Waters, Jane Shaw, Murray Rothbard, and others; and an index to back issues. (80 pages)

November 1992

- "The First Time: I Run for the Presidency," by John Hospers
 - "Europe's Money Mess: We've Heard It All Before," Leland Yeager
 - "The Mystery of the Missing Detectives," by David Justin Ross
- Plus articles and reviews by Gabriel Hocman, David Kelley, Daniel Klein, Richard Kostelanetz, Loren Lomasky, and others. (80 pages)

February 1993

- "A Feminist Defense of Pornography," by Wendy McElroy
 - "Eastern Dystopia, Western Myopia" by Ronald F. Lipp
- Plus election coverage, and writings by R.W. Bradford, Bill Kauffman, John Hospers, James Ostrowski, and others. (80 pages)

April 1993

- "Clinton and the New Class," by Douglas Casey
 - "How to Cut Your Taxes by 75%," by R. W. Bradford
- Plus writings by Mark Skousen, John Hospers, Bill Kauffman, and others; and an interview with Roy Childs. (72 pages)

June 1993

- "Who Benefits from the Clinton Program?" by Harry Browne
 - "Holocaust in Waco," by R.W. Bradford and Stephen Cox
 - "Understanding the State," by Albert Jay Nock
- Plus writing by Leland Yeager, Jonathan Saville, Randal O'Toole, Bart Kosko, and others; and other reviews and articles. (72 pages)

August 1993

- "The Ungreening of the Media," by Jane Shaw
 - "How Do I Hate NPR? Let Me Count the Ways," by Glenn Garvin
 - "What Happened in Waco?" by Loren Lomasky and R.W. Bradford
 - "Somalia: Operation No Hope," by Jesse Walker
- Plus writing by David Boaz, John McCormack, and others; other reviews and articles; poetry by Marc Ponomareff and fiction by J. Orlin Grabbe. (72 pages)

Volume 7

October 1993

- "The Real Health Care Crisis," by R.W. Bradford
 - "Crackdown on the Electronic Frontier," by Brian Doherty
 - "The Supreme Court and the American Police State," by Stefan Herpel
- Plus writing by Greg Kaza, Stephen Cox, and others; aphorisms by Isabel Paterson; and other reviews and articles. (72 pages)

January 1994

- "First They Came for the Fascists. . ." by Gerry Spence
 - "My Dinner With Slick Willie," by Douglas Casey
 - "The Inevitability of the Welfare State," by Todd Seavey
- Plus writing by R.W. Bradford, Ross Overbeek, Wendy McElroy, Jesse Walker, and others; and other reviews and articles. (72 pages)

March 1994

- "Chaos and Liberty," by J. Orlin Grabbe and Pierre Lemieux
 - "Secession as a First Amendment Right," by Robert Nelson
 - "Partial Recall: Manufacturing Child Abuse," by David Ramsay Steele
- Plus writing by Victor Neiderhoffer, John Hospers, and others; and a short story by Richard Kostelanetz (72 pages)

Information concerning the first volume (six issues) of *Liberty* can be found on p. 58.

Stimulate Your Mind!

There is a world of good reading in **Liberty**! Whether you want to catch up on what you missed, provide intellectual relief to your friends (or enemies!), or complete your collection, now is a good time to buy. Enjoy!

Volume 2

September 1988

- "Scrooge McDuck and His Creator," by Phil Salin
 - "Liberty and Ecology," by John Hospers
 - "Libertarian Rights Justified," by Hans-Hermann Hoppe
- Plus reviews and articles by Douglas Casey, Murray Rothbard, L. Neil Smith, and others; and a short story by Erika Holzer. (80 pages)

November 1988

- "Taking Over the Roads," by John Semmens
 - "The Search for *We The Living*," by R.W. Bradford
- Plus articles and reviews by Walter Block, Stephen Cox, John Dentinger, James Robbins, and others. (80 pages)

January 1989

- "AIDS and the FDA," by Sandy Shaw
 - "Ronald Reagan's 'Revolution,'" by William Niskanen
- Plus articles and reviews by John Hospers, Jane Shaw, Leland Yeager, and others; and a short story by Jeffrey Olson. (72 pages)

March 1989

- "Ronald Reagan: An Autopsy," by Murray Rothbard
 - "Sanity About Safety," by John Semmens and Dianne Kresich
- Plus articles and reviews by Stephen Cox, Jeffrey Friedman, David Ramsay Steele, Sheldon Richman, and others. (72 pages)

May 1989

- "Man, Nature, and State," by Karl Hess, Jr
 - "The End of the Secular Century," by Murray Rothbard
- Plus articles and reviews by Stephen Cox, David Gordon, Justin Raimondo, and others. (72 pages)

July 1989

- "Viking Iceland: Anarchy That Worked," by David Friedman
 - "The Myth of the Rights of Mental Patients," by Thomas S. Szasz
- Plus articles and reviews by R.W. Bradford, Tibor Machan, John Hospers, Jane Shaw, Jeffrey Tucker, Leland Yeager, and others. (80 pages)

Volume 3

September 1989

- "Holocausts and Historians," by Ralph Raico
 - "My Expulsion from the Ayn Rand Cult," by Murray Rothbard
- Plus articles and reviews by David Friedman, Richard Kostelanetz, Loren Lomasky, Gary North, Jeffrey Tucker, and others. (72 pages)

November 1989

- "The Lost War on Drugs," by Joseph Miranda
 - "Life With (and Without) Ayn Rand," by Tibor R. Machan
- Plus articles and reviews by Loren Lomasky, Richard Kostelanetz, R.W. Bradford, and others; and an interview with Russell Means. (72 pages)

January 1990

- "The Greenhouse Effect: Myth or Danger?" by Patrick J. Michaels
 - "The Case for Paleolibertarianism," by Llewelyn Rockwell
 - "In Defense of Jim Baker and Zsa Zsa," by Ethan O. Waters
 - "The Death of Socialism: What It Means," by R.W. Bradford, Murray Rothbard, Stephen Cox, and William P. Moulton
- Plus writing by Andrew Roller, David Gordon, and others; and an interview with Barbara Branden. (80 pages)

March 1990

- "The Case Against Isolationism," by Stephen Cox
 - "H.L. Mencken: Anti-Semite?" by R.W. Bradford
 - "Libertarian Intellectuals on Welfare," by George H. Smith
- Plus articles and reviews by Sheldon Richman, Richard Kostelanetz, John Hospers, Loren Lomasky, Leland Yeager, and others. (80 pages)

May 1990

- "Conservatism in Its Latter Days," by William P. Moulton
 - "A Population Crisis?" by Jane Shaw
 - "Killing as Therapy," by Thomas Szasz
- Plus articles and reviews by Bill Kauffman, Richard Kostelanetz, Robert Higgs, Bart Kosko, Loren Lomasky, and others. (72 pages)

July 1990

- "Conversations with Ayn Rand (part 1)," by John Hospers
 - "If You Believe in Dentistry, Why Should You Mind Having Your Teeth Knocked Out?" by William P. Moulton
 - "The Orwellian University," by Charles Thorne
- Plus articles and reviews by David Friedman, Bill Kauffman, James Robbins, Mark Skousen, John A. Baden, and others. (72 pages)

Volume 4

September 1990

- "Conversations with Ayn Rand (part 2)," by John Hospers
 - "The Pro-Life Case for the Abortion Pill," by Dr Ron Paul
- Plus articles and reviews by Michael Krauss, James Robbins, Richard Kostelanetz, and others; and a *ficción* by Harvey Segal. (72 pages)

(continued on previous page)

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