

Liberty

November 1998

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On the Brink of
Global
Depression

The Unraveling of Bill Clinton

by R. W. Bradford, Stephen Cox, Sarah McCarthy & others

Traitors in the War of Ideas

by Fred L. Smith, Jr.

How Not to Fight Terrorism

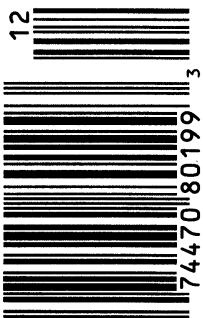
by David Hackworth, Roger Charles & Leon Hadar

Inside the Secret Government

by Jonathan Ellis

Also: *Bruce Ramsey* recounts the war between the minimum wage and the Constitution, *Brien Bartels* pans lame defenses of gun rights, *Jane Shaw* decries land-use planning, *Loren Lomasky* reviews the lucky life of Milton Friedman . . . plus other articles, reviews & humor

"They believe only in the liberty to envy, hate and loot the man who has it." —H.L. Mencken



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Letters

Y, Me Worry?

Harry Browne ("I Believe In Miracles," September) used my declaration ("The Whys of Y2K," July) that Y2K is a "failure of the market" to continue to ignore the fact that numerous repairs will not be completed. By equating "failure of the market" with "market failure" and then jumping to the conclusion that someone is proposing intrusive government action, Browne defeated a straw man.

Perhaps if I had said organizational failure, Browne would have gotten it. According to a recent analysis of federal securities filings, nearly 60 percent of the nation's 250 largest corporations still have not even completed their year 2000 assessments, the first five percent of the effort. Those 250 companies have total year 2000 projected expenditures of at least 33 billion dollars, yet have spent only 20 percent of the total to date. Since some software, e.g. planning and budgeting, looks at least a year into the future, they don't have 17 months left. They have five months until effects become visible! Call this failure to act what you will; it is now too late to finish all repairs. I estimate that between 20 percent and 50 percent of all non-embedded code will go unrepaired into the rollover. For embedded systems the repair rate will be much lower.

Browne's claim about most non-government Y2K problems that "there is too much at stake for them not to be solved" is simply a form of denial. While I share his belief in the power of free markets, I am convinced his faith is misplaced. The image that keeps coming to mind is the priest in the movie version of *The War Of The Worlds*, who marched forthrightly toward the Martians, his cross held high, only to be zapped by their death rays. Mankind had to suffer through the Martian "rollover" before microorganisms deadly to the Martians did them in. Only those who stayed out of the way of the rays during the Martian rampage were around to see the

problem solved. Similarly, those who position themselves for Y2K will be in the best position to survive intact.

Scott Olmsted
Encinitas, Calif.

The Market for Utilities

Harry Browne says the free market will take care of Y2K. What I would like to know is when did public utilities join the free market?

Browne makes good points about the private sector being more successful at overcoming the Y2K challenge than government bureaucrats, but he misses some key points on how this applies to his own thesis. Is Harry Browne saying bureaucratic managers of highly-regulated public utilities will respond as if they were a purely free market institution despite price controls on their products and profit controls on their operations?

Call me a skeptic, but I just don't think this is realistic. Public utilities are at serious risk due to Y2K, and unless they join the free market in the next 16 months, Browne's thesis tells us disaster lies ahead.

Dennis Elenburg
Royse City, Texas

A Toast to the New Millennium

I run a small, home-based mail-order business, accepting credit cards via an electronic terminal. Early last year my credit-card processing company sent a letter instructing me on how to test my terminal to make sure it was compatible with card expiration dates "***/00", "***/01", etc. The whole process took all of about two minutes, my terminal passed with flying colors, and I got on with business.

If the only organizations that suffer in this "crisis" are those of a political sort, then when 12/31/99 rolls around, I'll be waiting not with stockpiles of rations and ammo, but with champagne glass in hand.

Jade Hubertz
Indianapolis, Ind

The Eternal Question

I agree wholeheartedly with Harry Browne (Reflections, September) that libertarians should not use the terms "pro-choice" or "pro-life." Apart from his objections, both terms disguise the philosophies behind them. To demonstrate this, I occasionally refer to myself as being pro-choice on every issue but abortion.

However, his position that we should take a position that will not impose restrictions on abortion because we are "not pro-choice or pro-life; we are pro-liberty" misses the point of the argument. Libertarians are not libertarians simply because we oppose big government; rather, we oppose big government because we oppose the initiation of force.

In his book, *Why Government Doesn't Work*, Mr. Browne says that repealing "victimless crimes" would allow more violent criminals to stay in prison longer, so I must assume that he believes that the government (not necessarily the federal government) has a role in intervening when one party initiates force against another. So the argument is not over whether or not we are pro-liberty, but over whether or not abortion is an initiation of force. In other words, at what point is a fetus human life, who should be protected by government against the initiation of lethal force? This question is very contentious because it sits at an intersection of religion, science, philosophy and emotion, and because there is not likely ever to be an objective, universally accepted answer to it.

So if libertarians believe that human life begins at some point before birth, or simply choose to give the fetus the benefit of the doubt, they would be inconsistently applying their principles if they failed to support restrictions to abortion.

This is not to say that such people should make every political decision based solely on the issue of abortion, or that they should seek to reduce abortions principally through government, but legal restrictions in this case could certainly be justified and supported from a libertarian standpoint.

William H. Everman
Aston, Pa.

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Why "Not Working" Doesn't Work

So Harry Browne figures libertarians can wrap up the abortion question. In Browne's view, there's "an uncompromising libertarian position" for continuing to give abortion the full protection of the law — and that position "doesn't have to offend anyone."

Does abortion kill an innocent human being? Or is the fetus less than human? Hey, we might lose listeners if we talked about stuff like that. "Whatever we believe abortion is," he writes, "we know one thing: government doesn't work, and it is as incapable of eliminating abortions as it is of eliminating immorality or bad habits."

Or theft, for that matter. Or murder, battery, or rape. Or drunk drivers killing folks.

Y'know, I got some acquaintances back home who will be pleased to hear there might be "an uncompromising libertarian position" in favor of legalizing their property-transfer activities. Why get into an offensive debate over this "rights" business? We can just check out the government's enforcement-success ratio.

But what should we do if anti-abortion laws might be more successful than anti-theft laws? Outlaw abortion but repeal the laws against theft? Murder? (Lots of government's licensing laws are winners by comparison.) Would Browne think it was too "compromising" if we dragged in extraneous questions — like whether or not something is aggression?

John Walker
Washington, D.C.

Query

I would like to address Harry Browne's Reflection regarding abortion.

Harry proposes keeping government out of the debate altogether. Okay by me, but answer this: If the pro-life side sees abortion as murdering an innocent person, then should the government intervene?

If a legitimate government function is to protect its citizens and the pro-lifers feel abortion is murder, then maybe the government should be involved. What do you say, Harry?

Jeffrey Kradin
Delray Beach, Fla.

Details, Details

Dylan Carp, in his article "Out of Scalia's Shadow" (September), praises Justice Clarence Thomas's astute inter-

pretation of the Constitution. I ask Mr. Carp, where in the Constitution does it grant the power to the Supreme Court to interpret the Constitution?

Jim Penick
El Reno, Okla.

Walking Around Money

Anyone interested in the views of Clarence Thomas vis-à-vis Justice Scalia, as discussed by Dylan Carp, should read the decision in *U.S. v. Bajakajian*, 118 S.Ct. 2028 (1998). Bajakajian attempted to travel out of the country for legitimate

purposes with \$357,000 of his own money, but did not declare it to the government, as required for amounts over \$10,000. The feds planned to seize every penny.

In a 5-4 decision, Justice Thomas wrote for the majority, ruling that such a seizure would be excessive, in violation of the Eighth Amendment. The dissenting opinion, rendered by Justice Kennedy and joined by O'Connor, Rehnquist, and Scalia, would have allowed the seizure, claiming the cash

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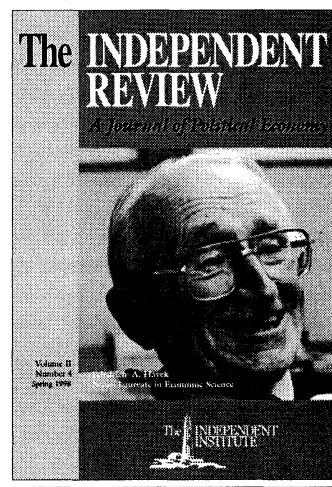
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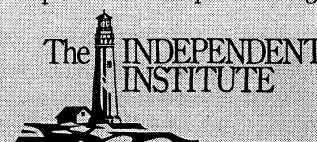


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was like any other smuggled commodity. The angry dissent starts, "For the first time in its history, the Court strikes down a fine as excessive under the Eighth Amendment. The decision is disturbing . . ."

What is disturbing is that it took over 200 years for the Supreme Court to read the Bill of Rights!

Both sides engage in legerdemain concerning the definitions of "fines" and "punishment" in order to avoid barring other extreme property forfeitures. The Ninth Amendment remains dead and buried, neither group considering that it protects a person's right to travel with his own money without declaring it to Big Brother. Despite this, Justice Thomas clearly stood on liberty's side, against his usual cronies Scalia and Rehnquist.

Thomas Giesberg
Rosharon, Texas

The Birth of a Nation

If homeowners' associations ("Costly Liberty?," September) are established by voluntary contract over large geographic regions and their contracts become binding not only on those who enter into them but also their descendants, how is this morally any different from the legal rules of nation-states? Does the method of creating rules make them binding, or is it the very system of rules itself, or both?

Jim Lippard
Phoenix, Ariz.

Principled Reaction

"Big Tobacco Coughs Up" (July) was another depressing chapter in our Neopuritan Revolution, complete with a crusading Attorney General and a judge who carries his children in a pouch. Responsibility is no longer determined by one's actions, but by the depth of one's pockets.

But the states' attorneys general and Chairman Clinton couldn't run a proper Maoist-struggle campaign without the media on board. In a recent National Public Radio story about resistance to Senator McCain's tobacco legislation, (rare) statements from a smokers' rights group were qualified with the caveat that they receive tobacco money. But NPR accepts funding from the zealous Coalition for Tobacco-Free Kids. If tobacco money qualifies the veracity of smokers' rights advocates, why doesn't anti-tobacco money call NPR's objectivity into question?

Answer: this is the new America where health and safety are valued above all else. Where the President seeks

curtailments on the First, Second, Fourth, Fifth, and ignores the Tenth Amendment to the Constitution, but proclaims the need for a Patient's Bill of Rights. Where a woman's reproductive system is her own, but her lungs belong to the state. Where *Mein Kampf* is fearlessly allowed in print, but a cartoon camel with a cigarette in his mouth must be censored.

I managed to quit my 17-year cigarette habit in 1985. But I am thinking of taking them up again as a matter of principle!

Bill Walsh
Rockville, Md.

It Usually Begins With Ho Chi Minh

Jonathan Ellis's editorial "Without a Pot to Piss On" (Reflections, July), was nothing like what I've come to expect from your publication. I think you have an infiltrator in your midst, an agent of the government's propaganda machine. The remarks about communist atrocities were wholly out of context and the writer is completely deluded if he thinks the U.S. isn't the most brutal regime in history.

Ellis has the gall to list Ho Chi Minh and Pol Pot, among others, as mass murderers, and yet leave out the United States (under any administration) as the greatest killer on earth. Nothing can compare to the record of atrocities that place America in the "Butcher's Hall of Fame." In Central America, since the '70s, more than 200,000 people were killed by U.S.-backed forces suppressing popular movements for freedom. Guatemala is still a hell on earth, and has been since the CIA-backed coup in '54. And the U.S. installed Noriega, not to mention Saddam Hussein.

Suharto's 1965 coup in Indonesia, at the cost of 700,000 lives in just the first few months, was most welcome by the U.S., which has always considered him a "moderate." The genocide in East Timor, by a Pentagon-trained and -armed Indonesian army, left a third of East Timor's population, which stood at 700,000 pre-invasion, dead. The 500,000 people left now starve while U.S. companies rob their rich oil fields. Two days prior to the invasion, Suharto was visited by President Ford and Secretary of State Henry Kissinger, undoubtedly to give Indonesia the green light to invade. Indonesia, the fourth most populous country in the world, has bombed the Timorese with American F-16s, shot them with American M-16s, and

received military and economic financial aid, while the U.S. has given asylum to its war criminals.

What is the libertarian answer to all this? Quite frankly, I would support a movement led by a Ho Chi Minh that would create an opportunity for the underclass to attain a decent living standard, rather than fill my head with Ayn Rand's bullshit. I am a Libertarian, but I don't mind tearing down your icon. Her testimony to the House Un-American Activities Committee is the sickest piece of brain-washed blathering I've ever heard. "It's hard to tell you what life is like in socialist Russia because you're a free people," is what I recall her saying. What the hell is that? It's the House Un-American Activities Committee for crying out loud! That's the last place on this earth you would ever find anyone interested in anything resembling freedom. It really disqualifies anything she ever wrote.

Look to Noam Chomsky for a true libertarian perspective. Ayn Rand, Harry Browne, and whoever else you've got up there are a pain in the ass; they stand in the way of real progress.

Jason Kosareff
Pico Rivera, Calif.

Altering the Altar of Egoism

Timothy Virkkala's complaint ("At the Altar of Ego," September) about Rand's use of "selfish" — namely, that it does not conform to dictionary and common parlance — is not all that germane to David Kelley's and my books. In any case, many terms are contested by champions of different ideologies.

"Capitalism," "liberty," "humility," "public," "private," "community," "voluntary," and a host of others, are used differently depending on one's more general stance on the human situation. What is so strange about what Rand did? Nothing — Marx uses "capitalism" to mean a dog-eat-dog, exploitative economic system but Ludwig von Mises and F. A. Hayek do not. Are the latter wrong because most of the people who use the term tend to agree with Marx? That surely is not decisive, nor are dictionary "definitions."

Rand approved of the human animal a great deal and wanted to rescue it, in part by arguing for "a new concept of egoism." She wasn't duplicitous, so why all the fuss? Many disagree with her. Some because they, unlike she, believe in a fundamentally corrosive human nature. Western culture is, after all, pri-

“A brilliant mix of theory and practice, this is a book you will share with your friends.”

—Randy E. Barnett, Boston University School of Law

The welfare state rests on the assumption that people have the right to food, shelter, health care, retirement income, and other goods provided by the government. David Kelley examines the historical origins of that assumption, which, he shows, is deeply flawed. Welfare “rights,” he argues, are incompatible with freedom, justice, and true benevolence, and they have damaged the genuine welfare of those who can least afford to become dependent on the government.

“By explaining the tradition of liberty rights and the economic system of capitalism that accompanies it, Kelley shows welfare ‘rights’ to be both an ethical and an economic sham. Kelley argues that individualism is at odds with neither morality nor community. This is a clearly written work that appeals to common sense.”

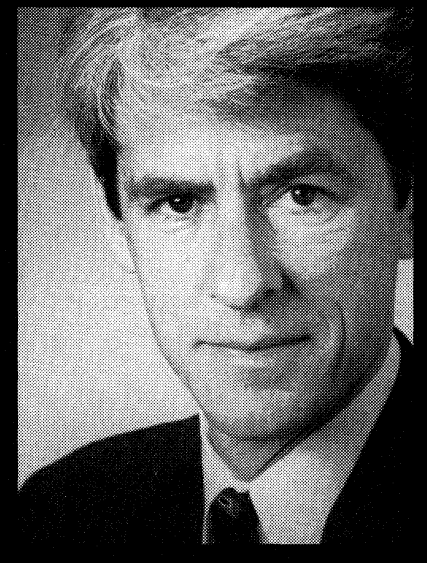
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marily Christian and thus widely embraces the concept of original sin, in terms of which the human self is at its core fallen and needs saving from this. Rand argued against the idea, in part by using "selfish" to indicate that when we serve ourselves we pursue a noble rather than corrupt course.

On altruism, in turn, Rand was correct to think that it means self-sacrifice — to realize this one need only know a bit about the thinking of August Comte, who coined the term. Comte's "religion of society" sees individuals as mere cells of the social whole. The cells can be dispensed with if the whole requires it — just as we can use some portion of our bodies to benefit another, more important, portion. Rand was an individualist; she rejected this as something morally detestable.

Now to some of the laments about my book, *Generosity*. Why did I bring in so many people to discuss and to refute? Because in a scholarly work one needs to engage opponents in civilized argument — it's the old Socratic method, after all, so to be faulted for it is a kind of back-handed compliment, actually.

Why don't I discuss the history of voluntary charity fully (even if my bibliography makes reference to several books that do that job)? Well, I might have done a bit more along those lines, but I hesitated to do so because I am not myself convinced that one can guarantee generosity and benevolence in a free society. Those who chide libertarians for not being able to assure that charity and generosity will always win out are right — but it is not relevant, unless one is a utilitarian about liberty and wants it only if it always results in the best of all possible worlds (with "best" being left to some kind of subjective definition). Free men and women can misbehave and fail to do the right thing and critics of libertarianism will always fault it for not being a formula for a perfect world.

Why didn't I make use of Hume's "most promising avenue," namely, the idea that "morality is a tool that we use to influence our own behavior and that of others?" Hume had, in my view, a bad idea: e.g., for him generosity is a tool, a kind of strategy. Virkkala may share it but I do not, so I argue with it and focus on its fundamental source, namely, that Hume was a determinist and couldn't really get his moral theory off the ground because morality does with what we ought to do and that we could well do otherwise than we ought to do, which is why we are morally blamed and

praised. The Humean — i.e., deterministic — analysis of morality is not relevant in a discussion of the moral virtue of generosity. (When one's ends are determined, given, not a matter of debate, then all that matters is strategy, technique. Morality, then, makes sense only as a tool, not a system of virtues to guide us to what we ought to do.)

At the end Virkkala makes a good point: eudaimonistic egoism — à la Ayn Rand, David L. Norton, et al. — "remains unpersuasive." But so do many things — privatization of social security, selling off the national parks, abolishing the minimum wage law, etc., and so forth. So what? Rand had an answer — one needs to reeducate the culture in basic philosophical topics. And she warned that "it's earlier than you think," meaning, when most believe in the things they do in our culture, there isn't a solid enough foundation for a free society. So we need to change those beliefs, convince folks that they are false and tell them what the right ones are.

This is a difficult task, admittedly, but one wonders what Mr. Virkkala has to offer to improve on this answer?

Tibor Machan
Irvine, Calif.

Timothy Virkkala replies: To answer Prof. Machan's question, in the words from his own book, I believe we need "a reasonable individualism." Very briefly, I do not think that a reasonable individualism is one that emphasizes "ego" at the expense of "other" in its very designation. The good life is not automatic, and we need the toolcraft of ethics to remind us to maintain balance. This includes reminders to deal respectfully with others. Encomiums to Ego do not help in this — though they may help those who, by nature or circumstance, tend to an imbalance *against* themselves, or feel browbeaten by encomiasts for self-sacrifice.

Alas, in his defense of Rand's redefinitions, Prof. Machan does not address any of the actual arguments I made. I do not understand why Machan thinks dictionary definitions are not decisive regarding egoism and selfishness, but August Comte's coinage of the term "altruism" is. After all, another Frenchman, Destutt de Tracy, coined the term "ideology," but his intentions have nothing to do with the meaning of the term as used today.

Yes, I regard moral notions as tools. I also deem "a system of virtues" to be a guide. A guide is a tool. Determinism

seems irrelevant to the question at hand.

By the way, I am puzzled by Machan's contention that David Hume was a determinist. How can one who undermined the idea of causality be regarded as a determinist? I am studiously rereading Hume's *An Inquiry Concerning the Principles of Morals* to find the merest trace of this. Halfway through the book and no evidence yet.

Less Than Honest

Timothy Virkkala's hostile and hopscotching polemic against the Randian ethical argument may succeed in annoying those influenced by Ayn Rand, and if that was the noble purpose, congratulations. But I think there's room in the pages of *Liberty* for more-honest criticism of a body of work and thought that has inspired so many. You can do better.

David M. Brown
Lee, N.H.

A Matter of Necessity

What Timothy Virkkala takes to be a strategic blunder, Rand would have asserted was absolutely necessary. He probably had in mind the title of her seminal essay collection, *The Virtue of Selfishness*, as a choice example of Rand's "literary flare." However, she was not improvidently saddling herself with connotational baggage when she selected that name. Rand would have stipulated that the dictionary definition of "selfishness" Virkkala quotes is accurate — that the term is universally used to mean an excessive concern for oneself. This formulation is embedded in virtually everyone's psyche from toddlerhood. Rand intended to quarrel with the concept itself, which she analyzed as implying that another, higher value scheme always trumps those of the individual. Since the majority of readers will be initially reluctant to venture that deeply into the woods of their own axioms, a quick slap in the face was called for. The slap was delivered on the cover of the book. In the body of her text she used the term "egoism," which should be capable of supporting philosophical precision. If even this term was too emotionally laden for the reader, Rand probably considered that reader lost to her, anyway.

At one point Mr. Virkkala asked "Where does she ever refer to irrational self-interest?" Oh, come on. Irrational as in, say, desiring professional acclaim divorced from real achievement?

continued on page 32

Reflections

The limit — Any lingering thought that ours is a government of limited powers can be thoroughly rebutted by reading *The Washington Post* for a few weeks. Consider just a few *Post* clips that currently litter my desk:

- Congress has decided to pay hospitals around the country hundreds of millions of dollars not to train doctors.
- The Consumer Product Safety Commission moves toward mandating a gap of no more than 3.5 inches between the rails of bunk beds.
- The Federal Communications Commission has launched an investigation into whether advertisers discriminate against radio and TV stations that attract large African American or Hispanic audiences.
- And finally, most recently, in the legal case of *Casey Martin v. PGA Tour*, the Justice Department has — in the words of the *Post* — “declared the official policy of the United States: Golf is fundamentally a shotmaking competition, not a walking contest,” and thus the court should order the PGA tour to let disabled golfer Casey Martin use a golf cart during tournaments.

So there we have it: from the first attorney general, Edmund Randolph, who refused at first to sign the Constitution, fearing that it allowed the federal government too much power, to Janet Reno, whose expansive conception of that power must stun anyone who owns a copy of the Constitution. —DB

Hurt hawks — Last July, the Virginia Department of Game and Inland Fisheries advised Kenneth Selvage, a Virginia Department of Transportation supervisor, not to assist an injured red-tailed hawk that he had observed along Interstate 66. The officials warned that the raptor was protected; any interference would be in conflict with federal law. Before the officials arrived to take charge of the rescue, however, the bird was killed by oncoming traffic.

Coincidentally, in the week that *The Washington Post* carried the story, I witnessed the rescue of an injured osprey, who had suffered a broken wing and was adrift in the Potomac. My wife and I called our neighbor, who immediately took action: he set out in his boat to net the bird. A while later the animal rescue unit took it to the animal shelter in Waldorf. Even in the short time required to launch the boat, the bird had grown very weak. Had we waited for the arrival of the authorities I doubt the osprey would have survived.

A week later we discovered that the osprey, like the red-tailed hawk, is protected under the Federal Migratory Bird Act. That law required us to watch the bird drown. It was very fortunate for the osprey that we did not know of the law; by breaking it we saved a bird whose species was only a few decades ago considered imperiled.

When the desire to protect something places it at risk, it is time for reform. Regulations like the migratory bird act, the

laws that govern wetlands, and the Endangered Species Act have driven a wedge between people and nature. These laws view private action as inherently anti-environmental. That is foolish — laws should encourage and certainly not block creative responses to environmental problems. Stories like this make it obvious. —FLS

Beltway narcissism — Please don't write in about my disrespect for dead heroes. The two Capitol guards who were accorded a state funeral this summer were undoubtedly fine men. They died in the line of duty, and I can think of few duties more important than that of keeping nuts from killing innocent strangers. But I want to ask some questions.

Suppose an old lady who lives in a housing project in Chicago gets shot while trying to protect her grandchildren from a bunch of nuts (excuse me, troubled youths) who like to go around killing innocent strangers. Will she be given a state funeral?

Will her body be displayed in the rotunda of the Capitol, even the Capitol in Springfield? Will people line up in the broiling sun to pay their respects? Will cops from all over the country absent themselves from their vital duties to travel to Washington and give her pseudo-military honors? Will national television stop everything to carry her funeral live? Will public figures hog the media to “ask themselves” what “we’re coming to?” Will congressmen plan to build a hundred-million-dollar visitors center under the parking lot of her housing project so that bad guys will stop in the exhibit area instead of stalking the hallways of the project itself?

Well, no. None of those things will happen. She'll get a one-paragraph item on p. 32 of the Chicago papers, if she's lucky. Her death won't stop a second of happy talk on the 11 o'clock news. No politician will use her for publicity purposes; no governmental organization will implement plans to keep Tragedies Like This From Occurring Again. That's quite a contrast from the results of the Capitol shootings. And why do you think that is? —SC

Supporting the people — In 1887, President Grover Cleveland vetoed House Bill 10203, “An act to enable the Commissioner of Agriculture to make a special distribution of seeds in the drought-stricken counties of Texas, and making an appropriation therefor” on the grounds that he could “find no warrant for such an appropriation in the Constitution.” Cleveland went on, “I do not believe that the power and duty of the General Government ought to be extended to the relief of individual suffering,” declaring “that though the people support the Government, the Government should not support the people.”

On July 24, President Clinton declared an official “emergency” in Texas, and announced that the federal government

would give \$32,722,551 to low-income people in Texas to help them pay for air-conditioning, because it was hot in Texas. Hot weather in July in Texas? Who'd ever think that might happen?

What a difference 111 years make!

—JE

Political selection — Political support for government "safety nets" is higher among women than men, largely because of the strong support among single and divorced women with children. This amounts to a genetic rip-off of immense magnitude.

During most of human evolution, females have had to find males willing and able to provide resources and protection, or find themselves and their children vulnerable to predation and starvation.

Today, because government income redistribution favors unmarried women with children, we now have a system in which some women mate with men who never chose to support or protect their children. Women who support their own children and people who choose to have no children at all also provide unwitting support for freeloading women. This is a great system for spreading lousy genes — there is no need to find support from a willing male, yet you get a reproductive advantage (an increase in fitness) compared with those forced to provide your subsidies. It is no wonder so many single mothers love Bill Clinton and his ilk.

In the very long run, of course, those genes that are represented the most in the population are those that have the most effect on the evolution of the species. In the meantime, the parasitic "free rider" genes get the benefit of reproducing themselves with resources stolen from the reproductive potential of others' genes.

There are, to be sure, many examples in the animal world in which resources obtained by theft and deception may be used to enhance reproductive efforts. The cowbird is a noteworthy example. But even cowbirds carry out their scurrilous practice of replacing others' eggs with their own without the help of government. Some host birds do fight back by pushing the cowbird eggs out of their nests (although they then risk having their own eggs destroyed by those cowbirds that check back). Cowbirds could never convince those birds that "host" cowbird eggs that anybody but cowbirds benefit from this system.

People are different. The government of the cowbirds, by the cowbirds, and for the cowbirds keeps merrily cranking out more cowbirds. We protect human cowbirds because they do not have nests of their own (having failed to provide them) and "need" the resources of other birds.

—SS

'Nuff said — No matter what one thinks of Edward Said's politics, this Columbia literature professor has become an intellectual celebrity — a chaired academic who has exploited his minority moniker, in his case Arab-American, to command larger stages than his classrooms, much as some African-American professors do and certain Jewish professors once did. Knowing that he is more prominent than nearly all other teachers of modern literature, he apparently feels that the slightest changes in his temper

should be recorded and disseminated. So it is scarcely surprising that, in a memoir published in the *London Review of Books* (May 7, 1998), he writes the following about the evolution of his literary style:

The net result in terms of my writing has been to attempt a greater transparency, to free myself from academic jargon, and not to hide behind euphemism and circumlocution where difficult issues have been concerned. I have given the name "worldliness" to this voice, by which I do not mean the jaded savoir-faire of the man about town, but rather a knowing and unafraid attitude towards exploring the world we live in.

What should be made of such a convoluted statement whose style so egregiously undermines the purported thought? With its pomposity and witlessness, its mixing of highfalutin language with financial lingo ("net result") and even its colloquial prepositional conclusion, this passage could have come only from a privileged intellectual professionally insulated from readers less servile than his students and yet smug enough not to heed his own advice. You can imagine him completing such sentences with the exclamation "akerue," which is eureka spelled backwards.

You and I can't write with so much affectation; no one would publish us. Nor can most professors write so badly about their wanting to write clearly, especially for journals whose circulation is, like *LRB's*, more than a few hundred. Once you understand how such otherworldly sentences are written and, wonder of wonders, published (and sometimes even reprinted), you get a glimpse into a privileged world and an insight that becomes the best reason for reprinting them now.

—RK

Flick's flak falls flat — Of all the hype over Steven Spielberg's impressive cinematic achievement, *Saving Private Ryan*, what most intrigued me as I drove to a recent matinee (to avoid the line) was news that this epic was an "anti-war" film. Walking out after the closing credits, I thought, "Wow, that was a great film, but it certainly wasn't anti-war."

I suppose the case for *Ryan* as anti-war is based on the combat footage and on the title mission. Spielberg has taken motion picture combat to a new level of grisly reality. The truly brutal nature of combat certainly turns the stomach, so one might expect unsparingly realistic depictions of combat to turn minds against war, too. But that's not enough. Everyone knows, on some level, that "War is Hell"; no one maintains that war is a bed of roses. But the claim made (or suggested) is that war can be Noble and Worthy. And the more hellish the combat, the more heroic, dramatic, and romantic are the necessary sacrifices.

The unique slant that Spielberg brings to this war flick is the mission. Eight good men risk their lives to save the life of one unknown private for the sake of what might cynically be called public relations. What could better demonstrate the irrationality of war than sending these good men on such a preposterous mission? But proving the value of this mission is really what this movie is about. Of course, the audience knows that if

Liberty's Editors Reflect

CAA	Chester Alan Arthur
BB	Brien Bartels
DB	David Boaz
RWB	R.W. Bradford
SHC	Scott Chambers
SC	Stephen Cox
JE	Jonathan Ellis
JK	Jon Kalb
BK	Bill Kauffman
RK	Richard Kostelanetz
SS	Sandy Shaw
FLS	Fred L. Smith, Jr.

these eight men weren't risking their lives on this mission, they would be risking them doing something else — after all, there's a war on. But most importantly, it turns out that Private Ryan really is worth saving.

Rather than exercise his ticket home, Ryan disobeys his superior officer and insists on staying to defend a bridge that the audience has already been told is the first domino in a line that leads directly to Berlin. The war hinges on this bridge and Private Ryan insists on risking his life to defend it. A major theme of the movie is that Ryan had better be worth it, but Ryan is really a stand-in for each of us. We as Americans had better be worth it because so many men died so heroically to preserve our liberty. You couldn't ask for a more patriotic or less anti-war theme.

In addition, Spielberg uses his mastery of film and story in ways that undercut any anti-war themes. With one exception, we never see anything from the point of view of — or get to know any — German soldiers. They are not people; they are just the enemy. The one exception turns out to be an ungrateful liar gung-ho to kill Americans. We also learn that those who would question the actions of soldiers at war (as the translator does to save the life of a captured prisoner) turn out to be cowards that cost brave Americans their lives.

If Spielberg would like to make an anti-war film, I suggest he tell the story of American service women in Desert Storm raped by their fellow troops while fighting to return to an oppressive ruling family a country stolen from it by a loud-mouthed bully who misread diplomatic signals about the likely American response. I would stand in line to see that film. But I won't hold my breath waiting for it to be made. —JK

Shooting the bull — Doug Henwood, the editor of *Left Business Observer*, is billed as "a journalist who has contributed frequently to *The Nation* and broadcasts a weekly radio show covering economics and politics on New York's [Pacifica] WBAI." An updated edition of his *Wall Street* recently appeared in paperback from Verso, a British publisher with a New York office, that bills itself as "the imprint of New Left Books." Though Henwood claims not to invest in stocks himself, he writes in the book's introduction that he worked briefly in the 1970s as a secretary to the chairman of "a small brokerage firm in downtown Manhattan [that] had been started by a former Bell Labs physicist, who wanted to use his quantitative skills to analyze and trade a then-new instrument known as listed options." Having established a voyeur's authority in the opening three paragraphs of his book's introduction, Henwood then risks a monumental perception in his fourth: "One morning, riding the elevator up to work, I noticed a cop standing next to me, a gun on his hip. I realized in an instant that all the sophisticated machinations that went on upstairs and around the whole Wall Street neighborhood rested ultimately on force. Financial power, too, grows out of the barrel of a gun."

Most of us with a bit more knowledge and experience of stock trading will notice, first, that options were scarcely new in the mid-1970s. I can remember seeing ads for them in the financial pages in the 1950s. Secondly, consider that the armed guard in the elevator was paid for his presence and that he wouldn't do his job unless he were. That perception would prompt the opposite conclusion that the gun reflects a wage, which is to say money. Few of us have much patience

for writers who tell us at the beginning that they patently don't understand their own experience.

Just because the publisher and his editors may be ignorant about Wall Street doesn't mean that a reader is. The former can scarcely be surprised if a book with so much baloney in its opening paragraphs is put aside unread. I was reminded of priests' advising about sex with earnest and putatively thoughtful writings that would persuade only those previously predisposed. —RK

***The Revolutions and the realignment* —**

The May 14, 1998, issue of *The New York Review of Books* opens with an essay by Mark Lilla called "A Tale of Two Reactions." The reactions he examines are those of (1) conservatives to the cultural revolution of "the Sixties" and (2) progressives to the political/economic shift in attitudes sometimes called "the Reagan Revolution." He makes a case that each group has been intellectually blinkered by its own reactionary rhetoric. He's also pretty sure that the reactionary stances of these two groups has put the kibosh on clear and reasonable political discourse in America for the foreseeable future. He even gets to use the term "progressive reaction." What fun.

Lilla concludes with "three uncomfortable facts" that can be paraphrased as follows:

1. Both of the revolutions are over and the revolutionaries won in each case. (He advises both sides to get over it.)
2. The revolutions were not contradictory. They were, rather, two sides of the coin that he tentatively calls "democratic individualism." (He doffs his cap to Paul Berman for thinking the name up.)
3. A "politics of fusion" will emerge that exploits that underlying harmony.

Unlike Lilla, I am not uncomfortable with these facts. That may be at least in part because I'm not as sure as Lilla that they are facts. But let's look a little more closely at that underlying harmony.

Lilla believes, along with many conservatives, that the Sixties resulted in a decline in social authority, a weakening of the family, and a lowering of private morality. Put another way, the burden of responsibility for making moral choices was shifted during the Sixties, and the individual ended up with a bit more of the load, for better or for worse. The government, social institutions, and the family ended up with a bit less. As I recall, people were advised as follows: Do your own thing. Some would say we've been slouching toward Gomorrah ever since. (I can't believe I said that: "the burden of responsibility for making moral



"I know how you feel, but I'm not sure it's possible to keep rocks from falling into the wrong hands."

choices." It sounds like a curse.)

Lilla also believes that the Reagan Revolution has resulted in a majority view that government redistribution of income, micro-management of economic affairs, and creation of massive social programs are outmoded practices that never worked very well, anyway. Practically speaking, it could be said that the burden of making economic choices and accepting the consequences was shifted a little during the '80s and the individual once again ended up with a bit more of the load. The government ended up with a bit less.

Now, I'm not as optimistic as Lilla that we've really put the Great Society behind us, but he's pretty sure that the new consensus is this: The era of big government is over. For the record, it still seems pretty big to me.

In this formulation, the common denominator of the two revolutions, the harmony, is that the burden of choice and responsibility was shifted somewhat to the individual from the collective. (Hence the individualism in democratic individualism, I guess.) The fusion message might be something like: Do your own thing, but don't come whining to the government if your thing doesn't pay the bills.

The third uncomfortable fact, that "some political figure or force . . . will eventually try to exploit that harmony," is the most intriguing. Lilla does a thumbnail sketch of four possible candidates: (1) Anti-Sixties/Anti-Eighties, (2) Pro-Sixties/Anti-Eighties, (3) Anti-Sixties/Pro-Eighties, and, (4) Pro-Sixties/Pro-Eighties. He loosely labels their platforms as Buchananism, Neo-McGovernism, Neo-Bushism, and Clintonism. That's right. Lilla says, "Bill Clinton, whose Sixties morals and Eighties politics . . ." I read the paragraph three times before I got it: Lilla thinks that President Clinton is a political acolyte of Ronald Reagan! From this, I can only conclude that Lilla is, well, a progressive reactionary. I still love the essay and the conceptual frame it provides, but, to my mind, Bill Clinton remains an opportunistic pragmatist whose political instincts are essentially those of a statism.

Sure, he signed the welfare reform bill, but he had an electoral gun held to his head and Dick Morris there to yell "duck." That he has had few occasions to indulge his (political) instincts during his presidency largely owes to the fact that the Reagan Revolution was at least partly successful, just as Lilla says. The ideal fusion candidate wouldn't sign a serious welfare reform bill reluctantly, simply to stay in power. The bill would be signed with enthusiasm, with a flourish. To demonstrate how far things have progressed in a decade, imagine this: Ronald Reagan proposing to Congress that welfare be ended as an entitlement. There would have been talk of impeachment. (I liked using the

word "progressed" that way. It leads to so many possibilities, such as: progressive conservative.)

But let's get back to the main point of the politics of fusion: Individual freedom meets individual responsibility. Sounds interesting. Democratic Individualism? Mmmm. And in the *New York Review of Books*, yet? Mmmm. Please note: not once in the essay does the term *libertarian* come up. But what's in a name?

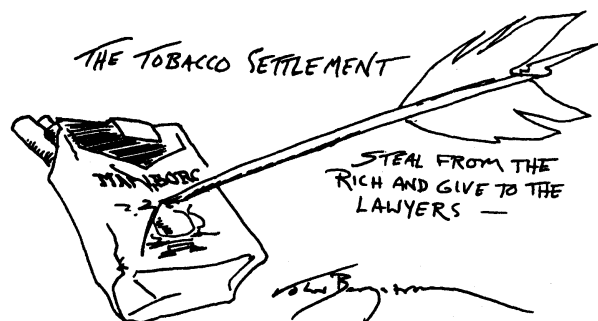
Early one evening in the Spring of 1976, I went to see a dentist in Ocean Shores, Washington. It was, of course, raining. The dentist had his office in his home. He wasn't friendly, he wasn't unfriendly. He was just professional. The primary returns from the South were on the radio. Mumbling through the cotton, I asked how Reagan was doing. He said he thought Reagan had a chance in one of the states, I forget which one. I said something positive. He stopped what he was doing and looked me in the eye. Then he said something like, "I thought all you long-haired types liked Democrats." I said that some of us preferred freedom. After that, he was really friendly. He showed me how to clean my teeth with some soft, flat, wooden sticks. He even demonstrated the technique on his own teeth. He did not, however, reduce his fee. —SHC

Friendly note — My friend John McClaughry is entitled to defend his Beltway pal Gary Bauer in 501(C)(3) land, where seldom is heard a discouraging (or honest) word, but I object to his conjecture (Letters, September) that I regard Bauer a pharisaical weasel because I do "not share any of Gary Bauer's deep religious convictions." For John's information, I attend mass every Sunday — okay, almost every Sunday — as I have since infancy. I do not, however, advertise the fact in smarmy fund-raising letters. —BK

All the world's a stage — If you're like me, you grew up with great stories of the life or death struggles of previous generations. My uncle's escape from a burning B-29. My dad's tales of the depression in farm country. My old literature teacher's stories of hauling howitzers up the hills of the Solomon Islands in the Big One and getting malaria from a mosquito that lied about its sexual history.

No one in my family was rich enough to go broke in 1929, but tales of sky-diving stock brokers still fill me with contentment. And there's nothing better than firsthand stories of great evacuations, migrations and mass flight from certain doom, especially if they're told in the deadpan, minimalist mode of a Hemingway or an exhausted survivor.

August's news filled me with such a feeling of joy and anticipation I can hardly describe it. A presidency moved closer to a premature close. A rich Islamic warrior started a private war on the U.S. with a pair of bombs that made Timothy McVeigh look like a kid with a chemistry set. A hurricane swept the Atlantic coast (they seem to be early this year), and National Public Radio happily reported that the Carolina beaches were safe because the Army Corps of Engineers had dumped hundreds of tons and millions of dollars worth of sand right in the hurricane's path, as a preparation for just such an eventuality. A financial hurricane swept the ruble's value away. An aged, sick Russian president looked for a new prime minister, in much the same way as an aged, sick President Hindenburg looked for a new chan-



cellor for Weimar Germany 65 years ago.

The Quantum Fund took a hit in the ruble market, and George Soros, the man who broke the Bank of England and punished the rupiah, found himself suddenly unable to cover the electric bills for all those foundations he uses to make the world a Popperian paradise. Scientists in Norway, taking extreme aseptic precautions, went digging for the flu bug responsible for 20 megadeaths after WW I. The Asian contagion infected American investors. The Y2K bug and the Eurocrash incubated overseas. The world's two newest and least mature nuclear powers, India and Pakistan, continued to lob conventional shells over the mountains of Kashmir, as they have for the last 20 years. Saddam Hussein geared up for another round of wheedling the U.N. and bleeding the U.S. military, as an American weapons inspector resigned, saying Iraq's unconventional arsenal grows while the U.N. plays politics with Saddam. And there's a good chance we'll wind up fighting the whole Arab world if Clinton's Zippergate scandal goes on any longer.

What's the point of this litany of danger and evil? It's all coming back. Depressions, war, confrontations with enemy superpowers, dread diseases transported around the world in the lungs, blood and semen of waves of refugees. All the stories we heard from our relatives about the ghastly twentieth century. We'll be able to tell our grandkids about how we trudged across all of the Central Asian deserts to fight for world peace, got gassed, nuked and exposed to venereal diseases, came home to find our portfolios in ruins and our wives shackled up with former presidents, used worthless government scrip to roll marijuana cigarettes, and watched the Army Corps of Engineers try to build a causeway of sand to Puerto Rico, the 51st state.

I'm looking forward to it.

—BB

He would've joined the IRS — Buried in Robert Lacey's biography of Meyer Lansky, *Little Man* (1991), is the recognition that veteran gangsters weren't as prosperous as the sometime shysters who, once they accumulated some capital, went straight. The true beneficiaries of Prohibition were the Rosenstiels, the Kennedys, and the Bronfmans, not the former bootlegger who shifted into prostitution or drugs. The Las Vegas gamblers who went straight became multi-millionaire moguls while, to quote Lacey, "Dutch Schultz, Benny Siegel, Joe Adonis, Frank Costello, and Lucky Luciano all died without much money to their names. Charlie Luciano seemed to realize this before the end. Tracked down in Italy before his death in 1962, he was asked by a reporter whether, if he had the chance, he would do the same things over again. 'I'd do it legal,' he replied. 'I learned too late that you need just as good a brain to make a crooked million as an honest million. These days, you apply for a license to steal from the public. If I had my time again, I'd make sure I got that license first.'"

On further thought, consider this an argument against providing the public with the "protection" of licensing. —RK

Willie Loman Junior High — School recently started again in the small New York town in which I live — let's call it "Cadmium Falls," after the defunct local battery factory (now a Superfund site). Along with pencils, books, and dirty looks, the school year now brings with it, curiously

enough, a parade of pint-sized door-to-door salespeople.

The Cadmium Falls Town Council last month passed a school tax bill with no increase in the tax rate. This has left the local schools in the unpleasant position of being unable to pay for extracurricular activities like class field trips and picnics. Teachers now send students door to door selling candy bars and such-things to pay for the annual New York City field trip or Chlorofluorocarbon State Park outing. In the past week, I've spent 15 dollars on chocolate I didn't want and wrapping paper I didn't need. I certainly don't begrudge the little buggers their school-based fun. I know the kids; I like them and I'm happy to do it. I'm sad, though, to see them as they go about this business.

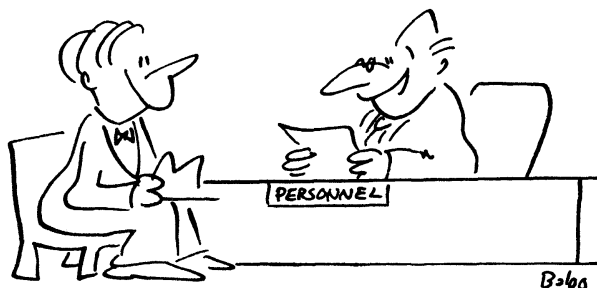
The first canvasser, Margaret, is a 14-year-old who comes by occasionally to walk my dog Rufus. She knocked on the door Saturday. When I answered it, she cast her eyes on the ground.

"I really don't want to bother you with this," she said, "but could you spare a couple of dollars for some candy bars I'm selling for my class?" Though I happily offered her two bucks for the chocolate bars, she blushed when she took the money, ashamed, it appears, to be put in such a position.

The second young saleswoman dropped by yesterday evening. I think Kathy is about ten years old, maybe younger. She was going to each of the houses in our complex, selling wrapping paper and ribbons out of a catalog. Kathy was, perhaps, even more reluctant to take my order for a roll of Christmas paper. Pocketing my money, she slunk off into the night.

These visits gave rise to a variety of thoughts. The capitalist in me cheered — our kids are early on getting the idea that work (going from door to door) to sell things (candy bars, wrapping paper) leads to rewards (a school trip or a picnic). What bothered me, though, was the shame and reluctance with which this task was greeted by Margaret and Kathy. Has the culture so denigrated the roles of work and trade in our lives that our kids can't face them without a sickly embarrassment rising to their countenances? What in God's name are their teachers telling them about these money-raising projects?

But then the Whiggish devil-in-my-ear whispered caveats to me. Given the amount of tax money that schools in Cadmium Falls receive each year, it seems just a little cruel to send the kids out to bow and scrape for a few measly bucks to take them to the Museum of Natural History. While this fund-raising is a good introduction to adult life, I suppose, I feel in the pit of my stomach that maybe a ten-year-old should be allowed to kick back with an episode of *Wishbone* after school instead of being sent into the night to grovel for cash.



"Really? You majored in Federal grant application writing?"

But, for the money I give to Margaret and Kathy, I get some candy and wrapping paper. That's better than the Cadmium Falls School District: through my rent, I pay a not inconsiderable amount of money to the schools, their teachers and administrators. I wish I could be sure Margaret and Kathy were getting a good education for that sum.

—guest reflection by George Hunka

Wyoming dreaming — It's time libertarians — both upper- and lowercase — put down their intellectual pipes and accept reality: the average American is a moron. They care more about what's on TV than they do their freedom.

I don't mean to sound pessimistic. According to the Libertarian Party, an estimated 50 million people in the United States hold libertarian beliefs. Unfortunately, they disappear every time there's an election.

Let's face the facts: (1) We are a very small minority. (2) Our ideas don't excite voters.

We need to quit wasting our time, energy, and money trying to elect a libertarian to the White House. No offense to Harry Browne, but the average American idiot is not going to vote for a candidate that vows to end Social Security, Medicare, and all the other entitlements Republican and Democratic politicians claim hard-working Americans deserve and the federal government should pay for.

And, as more and more Americans line up at the federal trough, we find ourselves even more frustrated. With zoning laws, occupational licenses, and reams of unconstitutional local ordinances, most communities are already more oppressive than the federal government. And yet in most of those same communities, we can't even elect a libertarian to the city council.

We need to change our tactics.

Instead of the piecemeal, disorganized way the Libertarian Party goes about it now, we ought to focus on a single state. I would suggest a state with a small population, such as Wyoming, which ranks dead last. According to the Census Bureau, Wyoming has a population of about 480,000 people. Of those, slightly less than 210,000 voted in the last presidential election, which means we could elect a Libertarian governor and legislature with as few as 100,000 or so votes.

Of course, to do that, we would all have to move to Wyoming. I know, I know, the weather in Wyoming sucks — that's why nobody lives there — but hey, if we truly believe in freedom, we've got to make sacrifices.

Once our candidates are elected to office, we can begin



dismantling the state government and establish the utopian society we all dream of. Welfare would be abolished, education would be privatized, most taxes would be eliminated, and victimless "crimes" like prostitution, gambling and drugs would be legalized.

The economy would flourish, the crime rate would drop, and Wyoming would become a shining beacon of freedom for the rest of the nation. And when the rest of the country sees how happy and prosperous we are, they might be a little more receptive to our radical ideas.

I know, it's a pipe dream, and it will never happen. But then, the way it's going, it's doubtful we'll ever elect a libertarian president either.

Anybody got a light? —guest reflection by Steve Cason

Coil and recoil — Could it be that early baby-boom icons Buffalo Bob, Roy Rogers, and Shari Lewis all shuffled off this mortal coil during the summer of 1998 because they could no longer face the possibility that they were in some way responsible for the moral development of the first baby-boomer to become president of the United States? —DB

George Wallace, RIP — When former Alabama governor George Wallace died on September 14, his obituaries all described him as a "segregationist." Actually, he was no more a segregationist than Bill Clinton is a liberal.

Like Clinton, George Wallace was a politician without principles or beliefs. In 1958, he ran for governor of Alabama as a moderate on racial matters and lost. He vowed to never again make that mistake. In his charming phrase, he "out-segged" his opponents the next time he ran, and began a long domination of Alabama politics. In 1968 he ran for president as an independent opposed to "pointy-headed liberals and forced integration." Despite his rhetoric and hostility toward liberals, the policies he advocated were pretty much standard Democratic fare, except of course on matters of race. Almost 10 million people voted for him in 1968, and he carried five states.

In 1972, he decided to run for president as a Democrat, to shake up the left-liberals who controlled that party. He succeeded, actually winning primaries in some northern states before being cruelly shot down by a lunatic while campaigning in Maryland. He dropped out of the race, crippled for life. He returned to Alabama and its governorship. As popular opinion there changed, he changed with it. By the time he retired, he was an ardent integrationist.

Although Wallace shared Clinton's lack of any clear belief and lust for political office, he lacked Clinton's elitist education and rapacious ideological wife. (Wallace married a dime store clerk, who succeeded him as governor when he was term-limited out. "Bedfellows make strange politics," it was observed at the time.) And while Clinton has always curried favor of the rich and powerful, Wallace preferred to be a thorn in their side.

From 1965 to 1972, he shook up American politics like no one else. The pointy-headed liberal intellectuals he liked to annoy worried about him a great deal, often threatening to move to Canada if he were elected. I never took him seriously. In fact, I voted for him in a primary election in 1972, hoping he'd carry my state and embarrass the Democrats.

—CAA

A Web of Lies

by R.W. Bradford

If Clinton were a great leader, the story might be tragic. But Clinton is a pathetic sociopath, and the story is a farce — though not a very funny one.

On March 11, 1994, I got a call from one of *Liberty's* editors. I had predicted in *Liberty* that the Clinton regime would end either with the president's impeachment or (more likely) his resignation. He wanted to know whether I would care to make an actual bet on the subject. I realized that it was a sucker bet — that the fate I foresaw for Clinton had only previously been suffered by one president, despite the manifest corruption that characterized most presidents — but I put my money where my mouth was.

I was not convinced that any of the charges against Clinton would necessarily be his undoing. After all, he was (and remains) an extraordinarily skilled liar with wonderful "people skills." And his partner (and wife) is a very intelligent attorney, skilled at the sort of casuistry that keeps high-level criminals out of jail.

I took the bet because I knew that his previous politico-criminal career had taken place in Arkansas, a state with no serious opposition press and a small and very marginal opposition political party. These are very favorable conditions for political corruption. Under these conditions, a sociopath like Bill Clinton is liable to get overconfident. So his wife began a career stealing from the public treasury and

he continued his profligate sexual life, using the trappings of his position to attract and reward his "conquests," even to the point of having a personal aide take responsibility for controlling what he called "bimbo eruptions," i.e. reports of his corrupt sexual activities in the press.

Sooner or later, I figured, that supreme confidence that he can get away with anything would be his undoing. Sooner or later, he'd fail to cover his tracks, confident that his skill as a liar and his wife's skill as a shyster would enable him to continue his career in crime, just as he had always managed to do in the past. And I had a certain amount of confidence in the American justice system: sooner or later, an investigator would find evidence that Clinton had failed to hide sufficiently well, and refuse to be intimidated. Sooner or later, a witness would refuse to be bought off, or would find himself in a situation where the cost of protecting the president was too great. The wheels of justice grind exceedingly slow, but exceedingly fine.

The main risk I faced, I figured, was that he might not be re-elected in the coming 1996 election, cutting short the time needed for him to trip up. But the Republicans already seemed determined to nominate Bob Dole, their

worst possible choice as a candidate, so I figured the bet was worth taking.

In the years since, I have seen him survive all sorts of charges. The statute of limitations expired, witnesses conveniently "forgot" important details or died under mysterious circumstances, documents disappeared, spinmeisters spun, the economy boomed and the public didn't seem to care. When Clinton was re-elected in 1996, my editor friend called again, and invited me to pay off the bet. I declined, explaining that I remained convinced that Clinton's fundamental and complete lack of any moral sense and supreme overconfidence would eventually lead to his undoing.

The "Truth" . . .

Last January, when Linda Tripp walked into the Independent Counsel's office and told them that her friend Monica Lewinsky had told her that she intended to commit perjury in the sexual harassment case against Clinton and asked Tripp to perjure herself as well, a chain of events was set in motion that quickly got the president into very deep water. After hearing Tripp's tapes of her conversations with Lewinsky, the Independent Counsel asked Attorney General Janet Reno whether she wanted him to investigate

this matter. She gave her assent, and the Independent Counsel quickly put together a substantial amount of evidence.

Once the press got wind of it, the pundits were almost unanimous in predicting Clinton's imminent departure, and the market value of my bet rose dramatically. Clinton had had a sexual relationship with Lewinsky, an unpaid White House intern. When he was required to testify about it in the civil suit, he perjured himself. And he had induced Lewinsky to perjure herself as well.

The Whole "Truth" . . .

But Clinton did what he'd always done: he looked into the television camera, squinted his eyes to make himself look sincere, and lied. The economy continued to boom and the people continued to think he was doing a swell job as president. And the market value of my bet dropped sharply.

At the time, I opined that if Clinton were wise, he'd resign immediately and save himself from disgrace. This time there was substantial evidence

and an Independent Counsel, Kenneth Starr, with the power to get it. Clinton could spin all he wanted. He could resist the investigation all he wanted. He could lie all he wanted. But sooner or later, this time, the evidence could not be kept from public scrutiny, and no matter how distasteful people found it, they'd have to face the facts.

For months, Clinton's strategy worked in the court of public opinion. A parade of witnesses came forward, attesting to his good character and honesty. The stock market rose even higher. The American people didn't want to believe the sordid story, and continued to hold the president in high esteem.

But the wheels of justice continued to grind. One by one, the president's attempts to keep evidence from the investigation failed. No, the Secret Service could not refuse to testify on grounds that they protected the president. No, the president's advisors could not refuse to testify because they were the president's advisors. Etc. Etc. Etc. And eventually the former intern, faced with the fact that there was ample evidence of her own perjury, agreed to tell

investigators the truth.

By mid-August, it was evident to everyone in the country except the president that the Independent Counsel had hard evidence that the president had perjured himself in his testimony in the Jones case. The president had fought every attempt to subpoena him to testify on the matter, but he could see the writing on the wall. With no other options open, he agreed to testify before the Independent Counsel's grand jury on August 17, and announced he would address the nation that evening.

Judging from what I saw on the television news channels over the weekend preceding his testimony, one thing was plain to his friends and apologists. Whatever had happened before, his only means of survival was to tell the truth. Maybe people would forgive his sexual peccadillos and even his perjury in the Jones trial. After all, who doesn't lie about sex? But to lie again, this time to a federal grand jury, not lawyers suing him in a civil case, simply would not do. Americans would not forgive him that.

These Ain't the Bad Old Days

Woodward and Bernstein (now editing *The Washington Post* and *Vanity Fair*) were interviewed on *Meet the Press* recently, bemoaning, like the good liberals they are, the horrible indignities Clinton and the Presidency have suffered at the hands of Ken Starr. Now, when *we* were young muckrakers, they said, you had Watergate. Now *there* was a scandal! You had secret tapes, you had crimes sanctioned by the president, you had abuse of power. Now you have Whitewater. It's totally different, and not at all the same. It's just about sex. Really. . .

Thus do aging journalists, attackers of the imperial presidency in their youth, fall on their swords and suffer the death of credibility for Bill Clinton.

But they're not alone. Joining liberal journalists, many conservative pundits also wail about the loss of presidential power and grandeur. No future president, it seems, will be comfortable discussing illegal matters in front of the office's general council, to say nothing of the Secret Service. How can

Presidents function, they ask, without being allowed to discuss all the illegal options?

These pundits are especially upset with Bill Clinton for frittering away presidential power by dragging these matters to the Supreme Court. Which is to say, they preferred the situation where a president managed society from behind the trappings of completely unconstitutional power. For the Supreme Court rulings were all 9 to 0. No one suggests the rulings were incorrect but that the Justices just didn't get it. That means the actions of previous presidents who maintained these powers dealt with the public in a grossly unconstitutional fashion. And that seems to suit the pundits quite fine. What's a little unconstitutionality when it comes to running the country properly?

I've often thought that most intellectuals were interchangeable. I'm now beginning to recognize that what you can exchange them with are Prussians.

—Ross Levatter

And Nothing but Lies

Clinton testified as scheduled on August 17, and took to the airwaves as promised that night. The statement he made was brief and to the point. "As you know," he said, "in a deposition in January, I was asked questions about my relationship with Monica Lewinsky. While my answers were legally accurate, I did not volunteer information. Indeed, I did have a relationship with Miss Lewinsky that was not appropriate. In fact, it was wrong. It constituted a critical lapse on my part for which I am solely and completely responsible." Although he claimed that he had somehow not committed perjury, he had misled people: "I know that my public comments and my silence about this matter gave a false impression. I misled people, including even my wife. I deeply regret that." But his motives for "misleading" were noble: he was "very concerned about my family."

Then he angrily turned his fire on the Independent Counsel. "This [investigation] has gone on far too long, cost too much and hurt too many innocent people. Now this matter is between me, the two people I love most — my wife

and our daughter — and our God . . . it is private, and I intend to reclaim my family life for my family. It's nobody's business but ours." It was a minimalist quasi-apology, coupled with a brazen attempt to tell the American people that his past perjury and behavior in the Oval Office was none of their damn business. And so far as a lot of Americans were concerned, it was good enough. But by now, as reluctant as most Americans were to consider the possibility that their president had engaged in such tawdry behavior and had lied about it to them and, despite his protests, probably committed perjury in the Jones case, the reality of the matter was sinking in. The members of Congress who had believed Clinton's denials in January turned critical.

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The wheels of justice continued to grind. The Independent Counsel recalled several witnesses, and said he'd get a full report to Congress in a timely fashion. News organizations reported that it would be turned over to Congress sometime in September, and rumors abounded about specific dates. When it became apparent that the House of Representatives would likely publish the report shortly after receiving it, the president asked for an advance copy, so his spinmeisters could issue a response concurrent with the release of the report.

On September 9, two vans with police escorts pulled up to the Capitol and delivered the report and supporting documents. Two days later, the House voted to release it to the public, and within hours, it was widely available. (Curiously, the president's lawyers and spinmeisters published a rebuttal of its charges while the report was still

under lock and key, seen by no one but its authors.) Within 24 hours, several newspapers had published it in full.

I had a copy in my hands about two hours after its release, thanks to the Internet. It makes fascinating reading, but not for its salacious content. Yes, there is something bizarre about a middle-aged man who has a young employee of his perform fellatio on him, but refuses to climax in her mouth because he does not "trust and not know [her] well enough." But the smutty stuff is a relatively small portion of the report, and is related in a clinical, anti-pornographic style.

What They Did for Love . . .

The first time she was alone with him she hiked up her jacket so he could see her thong underwear, and two hours later he invited her to meet him in George Stephanopoulos's office. They quickly moved to his private office, where he talked on the phone to a congressman while she performed oral sex on him. At first their relationship consisted entirely of stolen kisses, followed by his feeling her breasts with

his mouth and hands, and her fellating him. By the time of their third sexual encounter six weeks later, she was afraid he had forgotten her name. He offered to perform oral sex on her during their next encounter a week later, but she demurred because she was menstruating. After she performed oral sex on him, they returned to the Oval Office (from the windowless bathroom). "He was chewing on a cigar," she told investigators. "And then he had the cigar in his hand and he was kind of looking at the cigar in . . . sort of a naughty way. And so . . . I looked at the cigar and I looked at him and I said, we can do that, too, some time."

Two weeks later, during their next in-person encounter (they'd started having phone sex in the interim), she began to worry that their relationship was one-dimensional: "I asked him why he doesn't ask me any questions about myself, and . . . is this just about sex . . . or do you have some interest in trying to get to know me as a person?" At their next encounter, he talked with her for about 45 minutes, and their "friendship began to blossom."

Liar, Liar

It is a strange thing, finally, to believe something that the majority of Americans believe . . . but not to have changed one's opinion in the slightest.

I have always believed William Jefferson Clinton a liar. He struck me as a palpable liar from the get-go, so obviously a liar that my incredulity has been matched only by the credulity of Clinton's many supporters. His paper-thin "sincerity" may have impressed others, but to me it has looked like nothing other than the pathetic fictions of a hopeless "pleaser."

His lying never reached the awesome evil of an Iago. While other liars told bold untruths, he merely fibbed. That is, he hedged, in a childish version of the lawyerly manner. His circumlocution was little more than the verbal equivalent of crossed fingers. From the earliest campaign speeches to his most recent press conferences, anyone who cared to understand Clinton could. To be fooled merely proclaimed one's own folly, not Clinton's mastery of the art of prevarication.

Bill Clinton is thus the perfect symbol of modern America. Our culture of public hugging and publicized caring couldn't have picked a better man. Who else apes the pieties of the age better? Who else more faddish, more adaptable . . . more empty?

Unfortunately, though everybody now realizes that Clinton is a liar, the required next step will not be taken: there will be no public recognition that his supporters were culpable, that they were so yearning for a baby-boom icon of their own puffed-up "good intentions" that they eagerly saddled themselves with the first shyster to remind them of who they wanted to be. Clinton's supporters can no more blame themselves than Clinton can bear to admit the truth and apologize without a smoking gun to his head. The people who respected Clinton will simply feel betrayed.

The dream must live on, even if the reality is as dead as the soul of a man who cannot tell the truth.

—Timothy Virkkala

Two weeks later, the president abruptly terminated their sexual relationship because he "no longer felt right about their relationship." But six weeks later, he called her to visit him in the Oval Office on the pretext of delivering papers, and the next thing they knew he was inserting a cigar into her vagina. ("It tastes good," he told her after he put the cigar in his mouth).^{*} Before their affair was over, they'd met for ten secret trysts (in the final two he trusted her enough to ejaculate in her mouth) and exchanged dozens of gifts, and people were starting to notice.

The details may be salacious, but the story is mundane, and its effect anti-pornographic. The president comes off as immature, manipulative and, well, a bit silly. Lewinsky comes off as aggressive and demanding. Their whole affair seems ridiculous.

If Clinton were a great leader, the story might be tragic. But Clinton is a pathetic sociopath, and the story is a farce, though not a very funny one.

But the Independent Counsel's report is only incidentally about sex. Its real subject is the question of whether the president perjured himself, obstructed justice, tampered with a witness, or abused his constitutional authority. The report concludes that "there is substantial and credible information" supporting all of these charges.

I don't know enough law to know exactly what "obstructing justice" consists of, or exactly what "abusing constitutional authority" or "tampering with a witness" means. But I have a pretty clear idea of what perjury is, and the report makes a powerful case that he lied under oath in both his civil dep-

osition in the Jones sexual harassment case and in his mid-August testimony before the grand jury investigating whether he had committed perjury in the Jones case.

A Tangled Web

In the Jones case, he denied having either a "sexual relationship," or "sexual relations" or a "sexual affair" with Lewinsky. He claimed he could not remember ever being alone with her. He claimed he could not remember giving her any gifts, although he had given her gifts only three weeks earlier. He denied talking to Lewinsky about the pending Jones case. And he denied discussing Lewinsky's role in the Jones case with his friend Vernon Jordan. There is a mountain of evidence, including in the president's own subsequent grand jury testimony, that these statements were lies.

In his testimony before the grand jury in August, he claimed that he never touched Lewinsky's breasts or genitals.[†] And he claimed that his sexual contact with Lewinsky began in 1996, after she had obtained a paying job at the White House, thus avoiding the embarrassing charge of having sex with an unpaid intern. Again, the report produces a mountain of evidence that these statements are false.

Personally, I cannot see how any refutation is possible. The response from Clinton's attorneys is laughable. It begins by making a patently political charge against a patently legal document:

[I]t is plain that "sex" is precisely what this four-and-a-half-year investigation has boiled down to. The Referral is so loaded with irrelevant and unnecessary graphic and salacious allegations that only one conclusion is possible: its principal purpose is to damage the president.

This is an obvious attempt to play on the Clinton spinmeister theme that the entire investigation has "boiled down" to nothing but a report on the president's sex life. In fact, the investigation has already resulted in 14 criminal

convictions on other matters that the Independent Counsel has investigated, and more indictments are in the works.

In point of fact, the report is more about the president's attempts to keep Lewinsky quiet than it is about sex. The main section of the report, the "narrative," comprises some 42,948 words, of which only 7,472 are about the sexual encounters between Clinton and Lewinsky. The charges made in the report arise out of the president's lying about his sex life, so it is impossible to evaluate them without reporting on

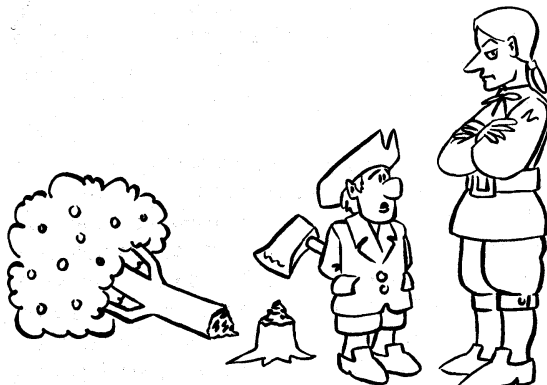
It was minimalist quasi-apology, coupled with a brazen attempt to tell the American people that his past perjury and behavior in the Oval Office was none of their damn business.

those aspects of his sex life that he is accused of lying about under oath.

There is no more merit to the rebuttal's claim that the Independent Counsel inclusion of "graphic and salacious material" was not needed. In his deposition in the Jones case, the president claimed he could not remember whether he had ever been alone with Lewinsky. Evidence that she fellated him in the Oval Office on nine different occasions and that on one occasion he stuck a cigar in her vagina, offers striking evidence that this was a deliberate lie. To believe the president could not remember whether he was ever alone with Lewinsky, one would have to

^{*} Later, Lewinsky wrote (but didn't send) a letter thanking Clinton for giving her a copy of Walt Whitman's *Leaves of Grass*: "Whitman is so rich that one must read him like one tastes a fine wine or good cigar — take it in, roll it in your mouth, and savor it!"

[†] Such an admission would have undermined his goofy definitional argument that his denials that he had had sexual relations with Lewinsky in his Jones deposition were based on his understanding that sexual relations didn't begin for him unless he touched the "genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to arouse or gratify the sexual desire of any person 'Contact' means intentional touching, either directly or through clothing."



"I cannot tell a lie. It was Ken Starr."

SHCHAMBERS

believe either that the president engaged in these acts while others were present, or that his illicit sex life is so extensive that he has forgotten these episodes entirely.

Or consider this argument against the first charge leveled by the Independent Counsel, namely, that Clinton perjured himself in his January 17, 1998, deposition when he claimed that he had neither a "sexual affair" nor "sexual relationship" with Lewinsky:

[T]he terms "sexual affair" and "sexual relationship" are inherently ambiguous and, when used without definition, cannot possibly amount to perjury.

In other words, no matter what the president had done, he could answer this question anyway he wanted without fear of perjuring himself!

The Wizard of Is

Okay. What about Clinton's claim that he did not have "sexual relations" with Lewinsky? Here his attorneys argue that according the definition offered by the judge in the case, the woman Clinton was having sex with was having sex, but he wasn't! An amusing footnote to the Starr Report quotes Clinton's explanation before the grand jury of why he didn't perjure himself when he "said I did not have sex with" Lewinsky:

It depends on what the meaning of the word "is" is. If the — if the — if "is" means is and never has been, that is not — that is one thing. If it means there is none, that was a com-

pletely true statement.

Indeed, so far as the Clinton defense team is concerned, Clinton should not be impeached no matter what he did. At least, that seems to be what Chief White House Counsel Charles Ruff seemed to be saying the next day when he told Tim Russert of *Meet the Press*, "My goal because I represent the office of the president and I believe that there is no basis here for beginning impeachment proceedings is to focus on that proposition and to convince not only

The Starr Report makes fascinating reading, but not for its salacious content. The smutty stuff is a relatively small portion of the report, and is related in a clinical, anti-pornographic style.

the House Judiciary Committee but very candidly you and the American people that whatever they believe happened here, there is no grounds for impeachment" (emphasis added).

Judging from the preposterous arguments offered so far, that will be no easy task. Twice, the president has gone into court, knowing what questions he was going to be asked, and extensively prepared to answer them. And twice he has taken an oath to "tell the truth, the whole truth, and nothing but the truth."

And twice he has lied.

But before we conclude that the president is clutching at straws and that his end is near, we should remember that impeachment is ultimately a political process, not a judicial process. The Constitution specifies that a president may be impeached for "Treason, Bribery, or other high Crimes and Misdemeanors." But in practice, the House may impeach and the Senate may convict for any offense they please. Indeed, the first "Article of Impeachment" against Richard Nixon charged him with "making or causing to be made false or misleading statements to lawfully authorized investigative officers and employees of the United States," which is undeniably less serious than the charge that Clinton lied under oath to a grand jury.

So Clinton's lawyers can argue that his perjury is not an impeachable offense all they want. If Congress says it is, then those arguments mean nothing. By the same token, Starr can argue that perjury is impeachable, but if Congress says it is not, then his argument means nothing. (To his credit, Starr makes no such argument: he merely advised Congress that the president's perjury, obstruction of justice, and abuse of constitutional authority are "possible grounds for impeachment.")

The members of the House will have to make up their own minds about whether to impeach. If a majority of them decide to, then senators will have to make up their own minds about whether to remove the president from office.

I had a dream — When Clinton fled from his Monica-perjury problems to Russia, his host Boris Yeltsin was under just about as much pressure as he. At their joint press conference, I had a sudden fantasy: this would be the perfect time for them to announce that they were both resigning from office for the good of their respective countries, and flying off to Vegas, where Yeltsin will begin his new job as greeter at the Mirage, and Clinton his as emcee of the floor show.

Given the gravity of the economic crisis in Russia and Yeltsin's patent inability to deal with it, and the gravity of the charges pending against Clinton, it is nearly certain both will eventually be forced to resign anyway. Why not go now, when they can leave with a modicum of dignity?

Alas, the addiction of power proved too much for them to overcome.

—R.W. Bradford

Keeping matters in perspective— The array of charges against the president, when considered as grounds

for impeachment or resignation, are unimpressive. If we impeached every president who lied and broke the law, the house judiciary committee would be very busy. That he may have attempted to encourage others, particularly a bystander like his secretary, to subject themselves to criminal charges is more serious. It demonstrates that the president views others as a means to his ends. But, again, that is something that everyone should have known already.

—Clark Stooksbury

Mystery solved — The report of the Independent Counsel solved one mystery that people had been curious about. Lewinsky did not save the semen-stained dress because she saw it as a sort of grotty souvenir. According to footnote 445, "She said she does not ordinarily clean her clothes until she is ready to wear them again. 'I was going to clean it. I was going to wear it again.' She also testified that she was not certain that the stains were semen. She had dined out after [having sex with the president], '[s]o it could be spinach dip or something.'" —R.W. Bradford

So I'm not planning on collecting my bet any time too soon. At least some of the people who want to believe the president will accept the arguments of his defenders, no matter how lame those arguments may be. And the president remains determined to hold on to his office. Just as he was unwilling to tell the truth until he had virtually no other alternative (and even then admitted only part of the truth), so will he clutch to his office until it is manifest that he will be found guilty and removed from office. He knows how to count the votes in Congress. And he knows that the vote will not come for some time.

Holding on to Power

The Republicans hold majorities in both the House and Senate, and the evidence is that they would prefer not to impeach the president. Certainly, they are better off with a Democratic president who is wounded so badly he cannot interfere with their legislative plans, and is so preoccupied with his own survival that he is totally ineffective in setting the national agenda — not to mention the fact that he is liable to be a millstone around the necks of other Democratic politicians.

In contrast, Democrats in marginal districts have every incentive to get the president out. He certainly isn't advancing their legislative agendas, and having him in a position of party and national leadership harms their re-election chances. So it's not surprising that most of Clinton's remaining Democratic support comes from congresspeople from overwhelmingly Democratic districts. They have no fear of losing their next election because of the president's unpopularity, and even a wounded president is able to reward his allies in Congress with pork barrel projects.

Even so, I suspect the jig is up for the president. His behavior was outrageous and felonious. Over time, people will probably overcome their natural distaste for such tawdry character of the charges against the president and conclude that he has to go. Eventually, there will be enough votes to impeach him, and he will resign rather than face the ignominy of being the first president ever convicted by the Senate. And I will win my bet.

But I won't be happy about it, and not just because a wounded and inef-

fectual president is better than an effective and popular one, or because Al Gore is an ideologue committed to an agenda of increasing government power.

During the whole Lewinsky crisis, American voters have told the pollsters that they think Clinton's job performance is good. I think they are correct. Since Clinton's plan to socialize medicine was defeated, he has done remarkably little to harm the country. He's basically gone along with some of the more enlightened aspects of the Republican agenda. He's signed legislation that does away with an individual's "right" to welfare. He's pretty much kept us out of military conflicts. He hasn't raised taxes. This is more than you can say for any Republican

president since Eisenhower.

And how much harm can a president who is an acknowledged liar do? Every time I see that wonderful piece of videotape of him looking into the camera, squinting his eyes to feign sincerity, point his finger at the American people and say, "I want to say one thing to the American people. I want you to listen to me. I'm going to say this again: I did not have sexual relations with that woman, Miss Lewinsky." I rejoice. How can anyone ever believe him again?

Personally, if I were a member of Congress, I don't know how I'd vote. As a lover of human liberty, I'd vote to keep him in office. But as a lover of justice, I'd want him out of office, disgraced and serving a jail term. □

The Defenders of the Undefendable

by Stephen Cox

This summer, I watched a lot of televised discussion of President Clinton's "alleged affair" with Monica Lewinsky. I developed a sick fascination with the Democratic Party hacks who, in their capacity as television "experts," were prepared to deny — volubly, aggressively, confidently, condescendingly — any and all charges and possible charges against the president, no matter how large or small or even microscopic these might be, and no matter what mass of evidence might ever be found to support them.

The climax, for me, was the Clinton flacks' response to the discovery that Monica actually did preserve a cocktail dress that the President did do his business on, and that the dress could be analyzed for DNA spills, which actually supplied scientific evidence that Clinton lied like a dog when he said that he "did not have sexual relations with that woman."

Now, a few short months before, the Clinton flacks were making fun of their foes for believing that there ever was or

could be such a thing as a dress. The existence of a dress was a "gross and obvious lie," a "typical piece of disinformation." But when the dress was produced, what did they say? They said that if there wasn't any DNA on that dress, then Starr's investigation would be over, finished, kaput, because Starr obviously had no other evidence of Clinton's dalliance with the "talented" and "ambitious" Ms. Lewinsky.

They knew that, just as they had known that there wasn't any dress in the first place, just as they had known that Clinton was telling the absolute truth when he sanctimoniously denied the whole affair. Meanwhile, every one of them remained in a perpetual state of outrage that anyone should care whether the president lied or not.

Like most libertarians, I am an extreme rationalist and moralist. I have, as a result, a good deal more than my share of self-righteousness. So the spectacle of so many apparently intelligent people's supreme self-righteousness in the defense of a pathetic liar, phony,

and nincompoop struck me as . . . amazing! Astonishing! Incredible! How, I asked myself, can people act like that?

Trying to answer that question — the kind of question that arises very frequently for rationalists and moralists — I went through a familiar litany of explanatory hypotheses.

First Hypothesis. Maybe, I thought, these people aren't very smart after all. Do you have to be smart to put on a tie and stare into a camera? Do you have to be smart to go to law school? Certainly you don't have to be smart to believe in the principles of the modern Democratic Party; you just have to squint your eyes and inhale. But I had to admit that lack of intelligence couldn't fully account for the behavior. I mean, how much brain power do you need to see that someone is lying when he says that he wants the truth to come out "sooner rather than later," then clams up completely and uses every available stratagem to keep other people quiet, too?

Second Hypothesis. Maybe these people simply lack any sense of morality. I've seen people like that . . . mainly in the movies, granted, but *The Bad Seed* was a mighty good movie, and the Second Hypothesis gives one a very comforting feeling of moral superiority. Maybe we superior folk should make allowances for those who are, somehow, genetically handicapped in the morals department. Of course, a pathological amoralist will also feel superior. He will naturally adopt a condescending attitude toward the poor slobs who are burdened with ethical considerations and who are therefore vulnerable to his accusations about "witch hunts" and "right-wing conspiracies" and so on and so forth. He doesn't believe any of it. He goes home and brags to his wife (who's a pathological case herself) about how he tricked the rubes today. And yet. . . these pathological liars never really look like that little girl in *The Bad Seed*. They never seem to know that they're just acting a part. And they keep it up, day after day, month after month. Perhaps, no matter how ridiculous this may sound, they really believe all the falsehoods they spout. Perhaps they actually believe that they're right.

Third Hypothesis. The president's spokesmen do think that they're right, even when they tell gross, palpable lies. They know that the lies are lies, in a

purely technical sense, but they are convinced that these falsehoods conform to some higher vision of truth. They believe that they themselves are moral heroes because they have the courage to sacrifice all lesser moral principles to a lofty moral ideal, the protection of The Presidency and Modern Liberalism. They lash out at Judge Starr for taking years to investigate the president and spending tens of millions of dollars doing it, even though they understand — as any sane person understands — that Starr had to do that because the President and his janissaries blocked the investigation at every turn. They

How much brain power do you need to see that someone is lying when he says that he wants the truth to come out "sooner rather than later," then clams up completely and uses every available stratagem to keep other people quiet, too?

denounce Starr because they want to preserve the president and his great moral leadership. This, though ridiculous, is at least plausible. Even saints lie to the persecutors of the church; even saints cheat and steal when their cause is desperate enough. But what is the church in this case — the First Church of Clinton? That's what it looks like. If it were really the presidency or modern liberalism, Clinton would be thrown overboard by the true believers, because he is about the worst disgrace that could happen to those two lofty ideals. And why would anybody sacrifice his honor for a person that he knows has no honor himself? The Third Hypothesis is a little hard to demonstrate.

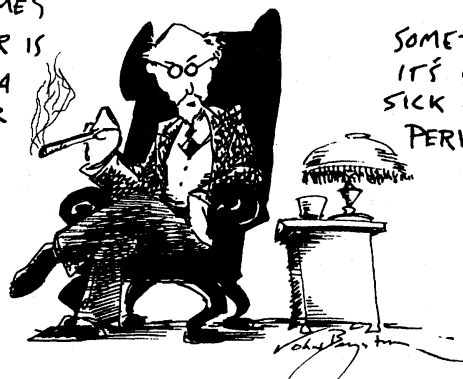
Fourth Hypothesis. To paraphrase the famous words of the Song of Solomon, hatred is as strong as love is. Many people in the Clinton camp (most of them, in fact) believe that all

adherents of the Republican Party are monsters of evil. This belief justifies them in doing to the Republicans every last thing that they believe the Republicans would like to do to them. They defend the cause of Clinton because their own moral identity depends wholly on the conviction that they themselves are not Republicans, and they will defend this conviction with whatever it takes to defend it. Clinton and the rest of Circus Arkansas are just along for the ride. In fact, the whole Democratic Party program is just along for the ride, since it is obvious that none of the Democratic hacks is prepared to defend any part of it with half as much energy as they give to whomping the Republican opposition.

This last hypothesis, I submit, is the most convincing one. Clinton's professional defenders seem self-righteous because they *are* self-righteous. They never have to pretend. They act like believers because they are believers. But they are not believers in the greatness of a president who (according to them) can't even grasp the definition of "sexual relations." They are believers in their own greatness, and that greatness manifests itself chiefly, if not entirely, in their difference from those awful people who went to Ball State University, work for the local savings and loan, worship at the First Baptist Church, and probably subscribe to *Guns & Ammo*. (It's no surprise that when things got hot this summer, Clinton retreated to the Hamptons and got a gushing welcome from the plutocrats assembled there. So much for class superiority as characteristic of people who vote Republican.)

But that returns us to the First Hypothesis. Are these people really intelligent? If so, why are they willing to devote their lives to proving that they are not Republicans? □

SOMETIMES
A CIGAR IS
JUST A
CIGAR



SOMETIMES
IT'S ONE
SICK GODDAMN
PERVERT TOY

Reaping the Consequences

by Sarah J. McCarthy

It's more than a little ironic that so many liberal Democrats have been heard on talk shows recently pleading for a "sense of proportionality" regarding the Clinton-Lewinsky affair. The champions of sexual harassment law — those who crusaded for million dollar punitive damage fines and jury trials for sexual harassers, those who strenuously argued that powerful males having sex with young subservient females was inherently exploitative — are now telling us that it's okay for the president of the United States to be sexually serviced by an infatuated young intern. Liberals, lawyers and feminists who previously demanded that a crude joke or two should result in the rejection of a Supreme Court nominee are now arguing that it's not only acceptable to have power-imbalanced sexual relations in the workplace, but that it's also okay to lie about it under oath in a sexual harassment trial.

Senator George McGovern, quivering with indignation on Fox TV, is incensed about what he calls "the sex police" running loose in our land, invading the privacy of the president. The senator makes an excellent point. How did the United States become the kind of country where the president is subjected to the degradation of having his body fluids and sexual apparatus investigated for "distinguishing characteristics"? Such a humiliating spectacle, in which the entire nation, yea the entire world, have become unwilling witnesses, can be beneficial to no one.

Former New York Congresswoman Elizabeth Holtzman, a legal expert who is currently working on rewriting New York's rape privacy laws and an author of the Independent Counsel Statute, recently asserted that there's something very wrong with our laws when a president can be hauled into court and asked

personal questions of a sexual nature about a consensual relationship that the government has no right to ask.

But those accusing Ken Starr of being some sort of over-zealous keyhole peeper should remember that the avalanche of dirty laundry piling up around the White House is there solely because of the president's reckless behavior in office and a seriously flawed sexual harassment law. The only reason Mr. Starr has the right to ask the president any question whatsoever about his sexual relationships, consensual or not, is that questions about his sexual conduct arose directly from the Paula Jones sexual harassment case.

What the champions of the current sexual harassment laws are now witnessing is the predictable outcome of their overly punitive quest to eliminate all questionable sexuality from the workplace. Investigations by the sex police are inevitably what a country gets when it drags hundreds of thousands of dollars in punitive damage fines for sexual harassment through corporate and political America.

When personal injury lawyers are set loose in the land charged with the job of uncovering "patterns of harassment in the workplace," as they have been since the enactment of the Civil Rights Act of 1991 — the legislation that first permitted jury trials and huge punitive fines in cases of harassment — they are every bit as zealous in pursuing their targets as is Ken Starr. They're authorized to sift through mounds of workplace dirty laundry, and with huge cash incentives, they are meticulous, checking all sexual relationships, including consensual ones, to discover the ones that may qualify as harassment, or simply those that can be used as "perjury traps," or as legal blackmail. The laundry bag will include

not only the sexual histories of the victim and the accused, but that of co-workers, bosses and anyone else who becomes a witness for either side.

In a sexual harassment trial I attended in Pittsburgh, even the bread deliveryman was dragged in and falsely accused of bringing porno magazines, along with hoagie buns, into the workplace. At the very least, the law provides for shakedowns where lawyers demand large amounts of cash to keep all sorts of spillover issues like adultery, alcoholism, domestic violence, video rentals, pornography and drug use out of court and off the front pages.

"Recent Supreme Court rulings on sexual harassment not only increase the burdens on employers, but could well turn the American workplace into the most highly regulated in the world," says *The Economist*. "So much for the land of the free."

For years, lawyers and judges have sat as silent witnesses, watching as these shamefests destroyed the privacy

If there is any good to come from the current presidential scandal, it is that the American people now have had an up-close and personal look at a fairly typical sexual harassment case.

rights, free speech, property rights, workplaces and the very lives of American citizens, and have done nothing to stop them. If the destruction of marriages, reputations, jobs, businesses and privacy has not inspired the legal system into reforming the destructive and brutal process that it has devised, perhaps the destruction of a presidency will.

If there is any good to come from the current presidential scandal, it is that the American people now have had an up-close and personal look at a fairly typical sexual harassment case. If Mr. McGovern and Ms. Holtzman care to find out, they would discover that the president's case is not unlike the scenarios enacted on a daily basis in workplaces and courtrooms across

America, differing only in the amount of publicity. On the grounds of protecting people from humiliation at work, the law now regularly engages in the public humiliation, or the threat of public humiliation, of nearly everyone involved, including the victim of harassment.

Senator McGovern suggests that instead of public debacles such as the current one involving the president,

private ethics committees, such as the ones that Congress has arranged for itself, should be established for the executive branch. A degree of privacy and a "sense of proportionality" is indeed what is needed to restrain the brutal mechanism that American harassment law has become, and that sense of proportion should extend far beyond the presidency and out into the rest of this nation's workplaces. □

Presidential Schadenfreude

Hoisted by his own petard — When we all stop guffawing at the spectacle of professional feminists lining up to support Bill Clinton, despite his vile male chauvinist behavior, let us take a moment to enjoy the poetic justice of his fall. For the law that enabled Paula Jones to sue him and her attorneys to depose him was a law that Clinton himself championed and his critics mostly opposed. And the law that created the Office of the Independent Counsel, and gave it the power to investigate the president, would not have been renewed in 1994 if he hadn't supported it. Dismissing charges that the office was "a tool for partisan attack and a waste of taxpayer funds," he told reporters that the Independent Counsel law is "a foundation stone of the trust between the government and our citizens."

— R.W. Bradford

That was then, this is now — The stiff-necked and sour-mouthed conservatives who passed the Communications Decency Act in 1997 placed the Starr Report on multiple government websites in 1998. Ponder the irony.

—Brien Bartels

Titles of ignobility — I have trouble understanding the psychology of those who believe that it is okay to lie under oath, because his lying was about sex. Do they actually mean that there should be an exception to the law

against perjury? Do they want the oath one takes when one testifies to be revised to "I solemnly swear to tell the truth, the whole truth, and nothing but the truth, except when I'm talking about sex"?

I also have trouble understanding the argument that President Clinton's crimes ought not be grounds for impeachment because he has been elected president twice and such minor infractions should not interfere with him doing the "people's business." Do they mean that the squalor of his behavior makes it excusable? Or that his popularity is a license to commit crimes, so long as they are not very relevant to his official duties? Or that the old adage "rank has its privileges" should apply here, and that being allowed to commit perjury is among those privileges? If the president cannot be above the law, then how can we attract top-quality people into politics?

One of the principles that America was founded on is that rank does not have its privileges. That's why the Constitution prohibits titles of nobility. The principle at stake here is equality before the law. And the same law that applies to the head of your local chamber of commerce applies to the president of the United States.

—R.W. Bradford

When the going gets tough — By the time this magazine hits the

newsstand, Al Gore may very well be president. But I have my doubts. Bill Clinton has amazing survival skills — I left him for dead in 1994 — and is blessed with a rogue's gallery of incompetent and unattractive political enemies. The Republican congressional leadership has repeatedly jousting with Clinton and left him unscathed. The right-wing counter-establishment has publicized a multitude of Clinton scandals but none of them have stuck.

Now, having gone a blow job too far, The Leader Of The Free World is facing his most serious test. I am reminded of Bart Simpson's exclamation: "I've made my bed and now it's time to weasel out of it!" Stand by to witness the greatest example of weaselry of all time.

—Clark Stooksbury

Politics as usual — One of the minor mysteries of the whole Clinton-Lewinsky affair is why Clinton decided to continue to lie about his behavior even after the public had found out about it from Lewinsky's tape-recorded conversations with Linda Tripp. Surely, prudence called for him to confess everything at this point, and hope for the best. How could such a seasoned politician decide to continue to lie?

Like many crises he's faced in his political life, he reacted by talking to political consultant Dick Morris. "You poor son of a bitch," Morris said. "I've just read what's going on." After Clinton explained that there was probably other evidence, Morris suggested confession. "There's a great capacity for forgiveness in this country," he told the president, "and you should consider tapping into it."

"But what about the legal thing?" Clinton asked. "You know, the legal thing? You know, Starr and perjury and all..." Morris suggested they take a poll and see whether the voters would forgive him, and Clinton agreed.

Later the same evening, Morris called the president with the results, which showed they were "willing to forgive [the president] for adultery, but not for perjury or obstruction of justice." When Mr. Morris explained that the poll results suggested that the president should not go public with a confession or explanation, he replied, "Well, we just have to win, then."

—Chester Alan Arthur

Sex and Status

by R.W. Bradford

Last January, a few days after the Monica Lewinsky story broke, my wife happened to discuss it with her mother, who defended the president and condemned Lewinsky. My mother-in-law is a rock-ribbed, church-going Midwestern Methodist, but like many other "liberal" Christians, my mother-in-law sees the president as a promoter of the social doctrine that she believes is implied by the Good Book. Still, I was mildly surprised: I had thought that she'd identify some moral flaw in a middle-aged president who convinces a 22-year old woman, who happens to be his most lowly employee, to perform fellatio on him in his office.

As it happens, I am the same age as the president, and there are sometimes 22-year-old female interns where I work. Would my mother-in-law have defended me if I had got an intern to provide such sexual services to me?

Like so many of the president's apologists, I suspect she was making an exception for him. As president, he deserves in some sense to be above moral laws, to be able to violate common rules of decency with absolute impunity, apparently on the theory that the good he does elsewhere — by trying to impose socialized medicine on the country, for example — justifies his doing so.

Unhappily, the same seems to hold true for many of his critics. They are quite willing to condemn him for lying to the American people, for perjury, and for obstruction of justice. But they remain silent on the matter of the behavior which he lied about.

Well, I am not among them. I believe Clinton's relationship with Lewinsky was not merely "inappropriate." I believe it was wrong. And it was not wrong simply because the president is a married man.

I believe it is wrong for a person to

use his authority over another person to initiate a sexual relationship with him or her. Further, I believe it is wrong for a person substantially subordinate to another to initiate a sexual relationship to advance his or her situation — and for the person in authority to accept the sexual advances of his or her subordinate.

Sexual activity is a wonderful part of human life. It can be engaged in for a lot of reasons that I think are entirely appropriate: for mutual pleasure, as an expression of love, as an adventure, in exchange for money, or just for fun. The psychology of sexual relationships are extremely complicated. Cupid often shoots his arrows in inconvenient directions, and those smitten are susceptible to peculiar behavior.

As a consequence, sexual morality is often murky. There are a great many situations in which the question of whether sexual activity is appropriate is obscure. This is one reason that a prudent person seldom makes moral judgments on the sexual behavior of others. (Another good reason: such pronouncements are generally neither appreciated nor liable to have much effect.)

But there are situations in which the morality of sexual behavior is not obscure. Even the most prudish person will agree that consensual sexual activity between husband and wife is morally appropriate. And even the most libertine individual will agree that it is wrong for a hospital staffer to have sex with patients who are anesthetized. The problem is that between these extremes there are a great many situations in which the issue is more obscure.

A sexual relationship between a 48-year-old president and commander in chief and a 22-year-old unpaid intern falls someplace in this obscure area. But

that does not mean that we cannot explore the question of its appropriateness.

Just as it is generally wrong for a physician or psychotherapist to have sex with a patient or a clergyman to have sex with a parishioner, it is generally wrong for a boss to have sex with an employee. The difference in status creates a situation that is simply too susceptible to exploitation.

We can all imagine situations in which the status difference in such relationships is not too great, or the affection between the individuals is too powerful to overcome. But I see no evidence that either of these conditions applies in this case. Lewinsky was not merely a woman less than half Clinton's age, one who was barely an adult. She was also the most lowly person in his employ; indeed, her status was so low that she was not even paid. And while there has been substantial evidence that she wanted to keep their relationship secret and some indication that he was quite horny, there is little evidence that they enjoyed a mutual affection of such magnitude that one might reasonably ignore the difference in their status.

The president's dalliance with Lewinsky was part of a long-term pattern of behavior that includes at least one episode of his sexually assaulting women in his employ, one episode of his sexually assaulting a woman seeking a job from him, and one episode of his offering a job to a woman with whom he was breaking off a long-term sexual relationship. There is, in addition, considerable evidence these episodes were not unique.

Furthermore, there is substantial evidence that his affair with Lewinsky was similarly corrupt. Lewinsky saw the relationship as a means of securing a job and advancing her career, and the president was glad to accommodate her. In addition, he intimated to her that he might leave his wife and marry her. He seems to have wanted a purely sexual relationship, and was willing to engage in actual conversation with Lewinsky only after she complained. His entire relationship with her was characterized by lies and deception.

If he'd had an affair with Betty Currie or Susan Estrich or some other staffer whose place in the world was fairly secure and did not depend

wholly on her relationship with him, I'd not condemn him. Currie and Estrich have achieved a status in the world that Lewinsky has not; their careers would not end immediately if they broke off relations with him.

If he'd seduced the wives of acquaintances or cavorted with prostitutes (as did Jack Kennedy), I'd not condemn him (or at least not with the same degree of enmity). Prostitutes and the wives of acquaintances enter into the relationship on a much more nearly equal status than a White House intern aspiring to a government job.

I've never suggested that his lengthy affair with Gennifer Flowers was wrong. Flowers was nearer Clinton's age, and was not in any way in his employ. Whether their sexual relationship was a good thing or not — in light of Clinton's status as a married man — is a very different issue. As I've

The law has a coarse and unsubtle hand, and we should all be reluctant to allow it into an aspect of human life as subtle and complex as sexual relations.

written before, his contract with Mrs. Clinton is apparently an unorthodox one, in that it involves very little in the way of what ordinary people call love or affection, and certainly involves no promises of sexual fidelity. But even if Clinton violated his marriage vows by having sex with Flowers, I'd see his action as different — and less reprehensible and less inappropriate — than his having sex with Lewinsky.

Yes, there are gray areas. But Clinton's behavior toward Lewinsky is not in one.

My personal moral code entails condemnation of Clinton's behavior with regard to Lewinsky. But I see no reason to make the law conform to this element of my personal moral code. For a variety of reasons, I believe the law should intervene into relationships between people only when those relationships involve force or fraud (and I have seen no evidence that the Clinton-Lewinsky relationship involved either) or when the difference in status is

between the legally competent and legally incompetent (e.g. between adult and child, between human being and a genuinely incompetent person).

In this particular case, I believe I am in a minority: most Americans seem to support current law on sexual harassment, prostitution, and homosexuality, which specifies that all sorts of voluntary, non-fraudulent relationships ought to be illegal. One of the ironies of this case is that there is little doubt that Clinton's behavior toward Lewinsky constitutes sexual harassment under laws that both Clinton and most of his defenders profess to support.

The law has a coarse and unsubtle hand, and we should all be reluctant to allow it into an aspect of human life as subtle and complex as sexual relations. Plainly, the law should prohibit sexual assault, and sex between a competent adult and a child or an incompetent person. But that's as far as it should go. I do not suggest that all other relationships are morally appropriate. I suggest merely that the law is too clumsy to regulate them in a way that is beneficial, and worse: its intervention is more likely to do harm — often great harm — than it is to do good.

There is one aspect of Clinton's behavior toward Lewinsky that perhaps ought to be illegal: the fact that he committed his actions toward her as an

employee of the U.S. government, using government resources.

When a person uses the property of his employer for his own personal reasons without the permission of his employer, it is theft. But even this case is moot: by custom, employers often allow employees to use the employers' property for personal benefit, within limits. A bookkeeper who makes a personal local phone call during his break, for example, is normally acting appropriately. Making a long distance call from a company phone, on the other hand, might violate stated or unstated company policies. And taking \$1,000 from the till to buy a piece of jewelry for his mother is a criminal act, whether explicitly covered in company policy or not.

While the case can be made that Clinton's behavior with Lewinsky constitutes theft of property from his employer, I don't find it very convincing. In the past, the president's employers — i.e. the American people or their representatives in Congress — have traditionally allowed the president certain perks similar to this. Surely, they'd never complain if he used his office to, say, watch a football game on television, despite the fact that doing so involved using employer's property for personal ends.

A few months back, Katherine

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Where Was Hillary When He Needed Her?

President Clinton certainly violated the law when he lied under oath about his "inappropriate" relationship with Lewinsky. And from the evidence I've seen, it appears likely he obstructed justice when he choreographed the testimony of Lewinsky and others in the Paula Jones case and before the grand jury called by the Independent Counsel.

But these are fairly small transgressions, at least in comparison to his apparent theft of millions of dollars in the Whitewater fraud, his use of FBI files against his critics, his accepting donations from the Chinese communists in exchange for releasing technology to help their military, etc, etc, etc.

The question naturally arises: why has he come a cropper on this issue?

The answer, I suspect, is that he worked alone on this particular scheme. In his other schemes, his life-

partner was his partner-in-crime. Hillary Rodham Clinton may have fat legs, big hips and a cold heart, but the evidence shows that she is a very clever attorney, skilled at obstructing justice, obscuring evidence, and managing a defense against investigators. Under other circumstances, one can easily imagine her the clever "mouthpiece" that keeps a Mafia chieftain out of the slammer.

But while Bill might generally bring her into his criminal schemes early (or, as seems to be the case, she might bring him into her schemes early), he understandably seems to have felt a little uncomfortable bringing her into the coverup of the Lewinsky dalliance. Without her involvement, he blundered: he told an outright lie that was provably false. He's already paid for it with his reputation, and soon he may pay for it with his job. —R.W. Bradford

Leave the Poor Guy Alone

by Richard Kostelanetz

Not unlike other mature adults, I can't get upset about the president or anyone else having wholesome consensual oral sex with someone old enough to vote — someone not a virgin who had probably practiced this craft on someone else. To recall a percipient slogan from the 1960s, I'd rather have my president (and even my generals) make love than war. To expect politicians to eschew seduction is to deny their nature.

Nor can I get upset about anyone fibbing, when pressed about such private encounters. Deception of this sort is not as ominous, say, as the invasion of a foreign country or any of the other more consequential matters about which a president can dissemble. Clinton's errors aren't a fraction as serious as Richard Nixon's persistent lying about the Watergate break-in. Anyone who thinks otherwise should reexamine his or her values. To censure or, worse, impeach a public official for personal matters is an insult characteristic of the politically correct mentality, which typically makes a whale of a sin out of a guppy of a mistake.

As an anarchist libertarian, I can't condone any state employing its agents to investigate anyone's sex life. What does upset me — what makes me angry, what exemplifies trashiness — is all the attention that has been paid to Clinton-Lewinsky-Starr (CLS).

The hallmark of libertarian criticism is to ask who benefits economically from activities of the state, or in this case of officers of the state. The obvious answer in this case is the commercial media, including newspapers, television networks, and book publishers. It is not for nothing that some of the last group are reportedly calculating the largest advance ever for Lewinsky's memoir (ten million bucks I heard, and whoever hooks this author expects to

earn at least twice as much). Now, if so much beneficence from no less than book publishers isn't a measure of cultural decline, then nothing is.

Consider this latest media balloon to echo Joseph R. McCarthy's discovery nearly a half century ago that modern news outlets feast upon incomplete information — unsubstantiated charges, "leaks," and politicians' prattle — whose implicit function is to generate a need for additional, similarly incomplete, information. When history repeats itself, Karl Marx once said, the repeat becomes more of a farce. The truer story of Joe McCarthy was necessarily told in books, which are intrinsically more definitive than deadline-conscious newspapers and television shows, in part because book publishers sell products rather than attract greater audiences for advertisers. Why don't critics of the media find more significance in this fundamental economic difference?

The image of Clinton as a rapacious seducer might include a good deal of myth. Given the number of reporters and partisan investigators looking for past girlfriends, why haven't more warm bodies turned up? Perhaps there aren't any others. Kathleen Willey was scarcely violated. (My own sense is that she was a double agent — a Clinton supporter who volunteered to tell a story that could be swiftly discredited, thereby undermining the reputation and confidence of *60 Minutes*.) One theme of Seymour Hersh's *The Dark Side of Camelot* is that even an unhealthy president-on-the-make can score with many more women than the handful allegedly violated by Bill Clinton.

Another fault typical of the mass media is keeping an old lead story alive until a new one arrives to replace it on

the front page of a tabloid or at the top of a newscast. In this respect, while Clinton should be commended for not initiating a military action when the purported scandal first broke last January, it is clear in retrospect that the later gratuitous American bombing in the Sudan and Afghanistan was not enough to turn media attention elsewhere.

Can I be alone in thinking it is not the business of government or its employees to provide free fodder for commercial media?

I won't read the Starr report, which was released to Congress the day I wrote this. I prefer real pornography to any government-issued surrogate produced by a team of bureaucrats. Thankful that my computer lacks a modem, I don't have easy access to the Internet. There is too much trash in the house already, and mental hygiene is more important to me than second-rate prurient pleasures. I write this primarily to persuade others to forget about CLS, just as you should forget about the fake "War on Drugs," which I guar-

I won't read the Starr report, which was released to Congress the day I wrote this. I prefer real pornography to any government-issued surrogate produced by a team of bureaucrats.

antee will be no more successful than any protracted War on Marital Infidelity. This is a free country. You needn't buy newspapers or watch TV's "news magazines" that download junk.

The news media benefit economically, but who benefits culturally from all this brouhaha? Obviously, America's enemies, whether they be conservatives out to discredit American social freedoms or lefties who feast on any pretext to denigrate America. Somewhere among the enthusiasts for keeping this scandal hot are people who vehemently hate America. What would we gain from becoming the first Western country to lose its leader to a scandal based not on consensual bribery, which prompted Spiro Agnew's departure, but on consensual sex?

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The Collapse of the New World Order

by J. Orlin Grabbe

For the news media, 1998 is the Year of Clinton's Collapse. But future historians will remember it as the year the world's economy toppled.

The public media has always been ahistorical, rushing toward the nearest flame like a moth oblivious to the surrounding darkness.

So it was when the TV networks pointed their cameras at the mesmerizing spectacle of President Bill Clinton perfecting his grovel and mounting a contrition offensive against the threat of impeachment in the wake of the Starr Report. Silently, in the background, momentous changes worthy of vastly more attention were occurring around the globe.

It was written of the Emperor Nero that he fiddled while Rome burned. It will be remembered of Clinton, provided he is remembered at all, that he fiddled an intern with a cigar while world events accelerated down a treacherous path of deflation of stock and asset prices, devaluation of political reputation, and destruction of the New World Order.

There is something deliciously ironic in watching the collapse of a regime whose reputation has been largely a set of media props, camera tricks, and Hollywood illusions. For in this case the special effects crew seem as mystified as everyone else as to what has gone wrong. The president had surrounded himself with a slew of financial stars, academic luminaries, and national security jujuists whose basic incompetence was exceeded only by their arrogance, and whose sycophantic loyalties were secured by the unifying notion that they themselves constituted the heirs and standard bearers of a new vision, a bridge to the 21st century, a New World Order. The only tasks of the cognoscenti were to party, to get rich, and to whip the renegades into line around the world.

The End of History

The basic vision is described in Francis Fukuyama's 1992 thinkpiece, *The End of History and the Last Man*. After the collapse of the Soviet Union and the fall of communism in

Eastern Europe, the argument went, the struggle for freedom had been won in both the political and economic spheres. There was now philosophical unity. All civilized people had accepted the idea of the twin pillars of liberal democracy and the market economy.

Fukuyama, a student of the deconstructionist Jacques Derrida, is a Hegelian. And, like Hegel, Fukuyama wondered if history were at an end because it had reached its logical conclusion. After all, the struggle for freedom and recognition had been won, at least in principle.

The international elites associated with the Trilateral Commission, the Council on Foreign Relations, and the annual Bilderberg conferences broadly concurred. Fundamental disagreement among nations with respect to political ideology and economic organization had disappeared. All civilized people wanted peace, prosperity, and economic growth. And now they could have these, the vision said, as long as there was international stability. Stability meant that civilized nations would join together to contain rogue states like Serbia, Iraq, and North Korea. (George Bush's invocation of the "New World Order" in the crusade against Saddam Hussein prior to the 1991 Gulf War was an example of the emerging view.) International terrorism would likewise be thwarted by international police surveillance mechanisms, which would raise population monitoring to a fine art.

With broad agreement on the outline, the principal task was filling in the economic boxes, it was thought. This meant working with the international economic organizations such as the IMF and the World Bank to bring the former commu-

nist countries and the peons of the Third World into the prosperity orbit, so they would count their blessings, shut up, and cease causing trouble. Important for accomplishing this economic growth would be international capital flows from the center to the periphery. These would, of course, occur naturally as the market economy spread throughout the earth.

The vision was quite analogous to elite conceptions of macroeconomics in the 1960s. The broad outline of the science of economics has all been worked out, MIT economist Robert Solow told his students, back then. Now it was only a matter of filling in the boxes. But then came the 1970s, and a U.S. presidential crisis, along with a drop in the stock market to nearly one-half its previous value over 1973–74. There was a worldwide “inflationary recession,” along with a crisis in economic theory, and political upheaval as leaders of major nations were replaced one by one over a short period of time (Kohoutek was responsible, the astrologers said), and, not least, the proclamation of a “New International Economic Order” at the 1976 IMF annual meeting.

Today we are viewing a similar confluence of events, but on a much greater scale. Within little more than a year, in countries as diverse as Russia and Thailand, the middle classes and their moderating political influence have been

The apocalypse that is now underway cannot be managed and contained and driven away by collectivist voodoo, for it represents a collectivist breakdown. That's good news for those who value individual sovereignty, but bad news for the New World Order.

financially destroyed through banking crises, currency devaluation, and recession. Indonesia's economy is expected to contract 15 percent this year, while that of South Korea and Thailand will be down 5 to 7 percent. Economic crisis has driven from office Hashimoto in Japan and Suharto in Indonesia, as well as lesser figures such as Anwar Ibrahim in Malaysia. Elections have brought about new governments in South Korea and Thailand. In Russia the puppet-figure Yeltsin barely holds on, while the oligarchs have replaced Prime Minister Chernomyrdin with Kiriyenko, then Kiriyenko with Primakov, all within the space of a few months. In the U.S. the Dow Jones has plunged 17 percent from its peak in the course of a few weeks, and Clinton suddenly finds himself (at the time of writing) still clinging to his office only through a barrage of crocodile tears. Meanwhile, those financial pundits in the U.S. who thought they could solve the Social Security crisis by investing retirement funds in the stock market, are already having second thoughts. As nuclear India faces nuclear Pakistan, Iranian troops gather at the Afghan border, and Turkey threatens the whole stability of the Middle East because of Russian missiles being delivered to Cyprus, the very notion of a harmonious “New World Order” has likewise come under attack. It's *déjà vu* all over again.

Now, all this doesn't mean it is necessary to head for the hills, to run screaming off into the night like the worst of the “post-tribulation” millennialists and the Year 2000 kooks. While some self-defense is in order, it is important to keep in mind that an apocalypse now and then is good for us, however uncomfortable it might be to live through. For the alternative is a universally-imposed gray global bureaucracy that relentlessly squeezes the last iota of individual initiative and freedom out of the system.

But the apocalypse that is now underway cannot be managed and contained and driven away by collectivist voodoo, for it represents precisely a collectivist breakdown. That's good news for those who value individual sovereignty, but bad news for the New World Order.

The Image of the Future

The coincidence of economic, political, and social deflation should come as no surprise once you consider the unifying roots. Neither the economic nor the political nor the social crisis is really the “cause” of the other two, but rather all stem from something else. Most human actions, and human decisions, are molded by an overarching image of the future. Economist Kenneth Boulding described the process this way:

A decision is essentially a choice among competing images of the future. . . . and with the development of complex images of the future, decisions become an increasingly important element in the dynamics of the individual human being and his society. . . . The human race is not merely pushed by past events or present circumstances, but it is also pulled by its own images of the future into a future, which may not be the same — and in fact is not likely to be the same — as its images of it, but which is nevertheless powerfully affected by those images. (*Ecodynamics: A New Theory of Societal Evolution*, 1978)

It has always been thus in recent millennia, as far as we can tell. Such future images do not have to be true in order to be powerfully influential. One prominent example is noted in the handbook of Western Civilization, the Bible, and occurred during the 1st century A.D. In the Olivet prophecy of Matthew 24, Jesus relates to his disciples the signs of his “coming and the close of the age”: false messiahs, wars, famine, pestilence, the abomination of desolation, and so on. He is asserted to have said, “Truly, I say to you, this generation will not pass away until all these things take place.” Jesus is thus quoted as saying he would return within the lifetime of those hearing his words that particular day. “The normal meaning of this generation would be ‘men of our time,’ and the words would refer to a period of 20–30 years” (footnote in *The New Oxford Annotated Bible*).

This image led Jesus' disciples to evangelize the surrounding nations after his death, in the expectation of his imminent return. “Jesus did not teach His disciples to pray, ‘Thy Kingdom come,’ in references to a far-off ultimate event. It had the implications of a total reversal soon to be revealed” (Fred Polak, *The Image of the Future*, 1973, p. 199). Jesus may have been wrong about his return, but the impact of his vision was unmistakable.

People do not behave differently today. The post-Soviet image of a New World Order was a catalyst for the global adoption of a vision of the “market economy.” There is, of

course, often a divergence between what people preach and what they practice, between the teachings of the prophets and the interpretations of the audience. And the economic message that seems to have accompanied the diffusion of the New World Order throughout the electronic village was the notion of a Global Free Lunch: We are all investment bankers now. Prepare yourself for quick riches via financial sleights-of-hand.

Free-lunch strategies have a habit of self-destructing. The Swiss economist Eugene Bohler had the context of such false and unsustainable images in mind when he noted that the "modern economy is as much a dream factory as Hollywood." It is based only a small part on real needs, and for the greatest part on fantasy and myth, he claimed. The stock exchange, far from ruling economic life, is at the mercy of tides of collective make-believe. Depressions come about when there is a loss of economic myth (Eugene Bohler, "Der Mythos in der Wirtschaft," *Industrielle Organization*, XXXI, 1962).

Bill Clinton, with his "policy team" intervening to buy up Dow Jones and S&P futures in an attempt to maintain a pumped-up pre-election stock market, understands what Bohler was saying perfectly. So do Hong Kong, and Malaysia, and all the other places where the disease of stock market manipulation — once unthinkable — has now become rampant. That such efforts are doomed to ultimate failure does not prevent their earnest practice. Yet nothing about the Hollywood dream factory could have been any more hokey than the popular interpretations of "market economy" that accompanied the spread of NWO ideas.

The Asian Flu

China had not yet adopted the New World Order's liberal democracy, but the Chinese wanted a market economy and a booming business sector just like everyone else. That was obvious, right? So in nearby Hong Kong there was a clear appetite for red chips.

"Red chips" were stocks issued by mainland Chinese companies in the Hong Kong stock market. Everyone wanted red chips in May 1997, shortly before the transfer of Hong Kong from Britain to China. There was red chip mania, especially for a company called Beijing Enterprises. Chinese

An apocalypse now and then is good for us, however uncomfortable it might be to live through.

companies like it were considered a sure bet, as they had political connections to the Communist Party hierarchy in Beijing. The Beijing bureaucrats would look after the company's welfare and would protect its share price, investors were saying. It would look bad if stock prices fell after the Chinese takeover of Hong Kong, the same investors whispered. Buying shares in Chinese companies was not only a good investment, it was good insurance. Everyone knew that.

There is nothing quite like the sight of capitalists exercising their faith in communism. For Beijing Enterprises was

only three months old. It was the investment arm of the Beijing municipal government. And it owned, well, some McDonald's restaurants in Beijing. But never mind all that: the not-yet-issued shares had been oversubscribed by a factor of 1,200. In fact, the issue attracted investment capital of about HK 200 billion, or about twice the Hong Kong money supply. People withdrew so much cash as a consequence of the issue that Hong Kong banks asked Beijing Enterprises not to cash the checks it received — at least not until the banks can deal with their shortage of vault cash. That presumably would happen when 1199 of each 1200 would-be investors, who were not lucky enough to be awarded shares,

Capital — whether from the IMF or from international investors — does not become productive when most of it is stolen, and the rest is employed inefficiently.

redeposited the money in their Hong Kong bank accounts, and disappointedly awaited the arrival of the next new red chip.

What could be more capitalist, more consonant with the New World Order, than buying stock in China? Get a piece of the world's largest consumer market! The road to riches was paved with stock certificates. And the shares of Beijing Enterprises performed as required: the price quadrupled in just the first day of dealing. But stocks that can quadruple in a day can also plunge to a quarter their previous valuation. If we jump ahead just five months, to Black Thursday, October 23, 1997, we find Hong Kong's Hang Seng index falling over 1,200 points in a single day, plunging below 10,000. That was the largest point drop in the index's short 14-year history. The red chips were down 50 percent for the month. A new red chip, China Telecom, making its public debut on Black Thursday, failed to meet its issue price. There was no free lunch, it seemed, after all. This realization arrived as a gruesome shock to many.

Similar stories can be told for Thailand, Indonesia, and South Korea. Today, less than a year and a half later, the economic crisis has generated widespread political and social unrest in Southeast Asia. Stock markets have declined between 70 and 90 percent in U.S. dollar terms, while GDPs on the same basis are down 50 percent (80 percent in the case of Indonesia). Starvation has emerged in parts of the Philippines and Indonesia. War in the region, unthinkable a year ago, has now become thinkable. The main question is political risk, according to Hung Tran, the chief economist of Rabobank International. Governments have a huge problem, and their reactive instinct is political repression, including the imposed social regimentation that a war footing allows. Another Asian expert, Jean-Pierre Lehmann of the Swiss Asia Foundation in Lausanne, notes, "You're talking about haystacks which could go up in flames at any time" (*Financial Times*, September 7, 1998).

Japan is the economic key to the region, of course. The New World Order calculations had considered what was occurring in Japan as temporary. In 1989 the Nikkei 225 had

reached 39,000. At that time, the Tokyo stock market was valued at more than ¥500 trillion (\$3.6 trillion), or about 30 percent higher than the listed value of all U.S. companies. From that peak, it fell 64 percent by mid-1992. Each dollar invested had turned into thirty-six cents. (An equivalent fall in today's Dow Jones Industrial Average, say from its July 17, 1998, peak of 9338, would leave it around 3362. The carnage on Wall Street would be something to behold.) But everyone expected Japan to recover quickly. They didn't envision a recession continuing on and on for eight years, and worsening all along the way. That was only supposed to happen in the uncivilized peripheral economies of the Third World and the former Soviet Union.

Today it is clear there is nothing that can be done about Japan, from a New World Order standpoint. For eight full years, there has been continual "reform" and continual Western advice-giving, and essentially nothing has happened, despite all the gimmickry of macroeconomic policy fixes. Japanese assets, institutions, and habits are being relentlessly ground down to their barest essentials of default, reorganization, and change. The most recent pathetic gesture was the Bank of Japan's cutting its discount rate from .5% to .25%. Where next? Zero?

At some point the Japanese will make all the necessary decisions that bedrock reality forces them to make. What

The coming Russian fascism is visible. Out of the melting pot of Communists, nationalists like Zhirinovskiy, and oligarchs protecting their monopoly theft rights, surely something odious is in the offing.

these will be, I don't know. But I suspect they will restructure their society, and in the process separate themselves politically and militarily from the U.S.. The recent North Korean missile test (satellite launch) over Japanese territory comes at a fertile moment.

Meanwhile, as a side blessing, those of us in the U.S. will no longer have to endure the sight of Deputy Treasury Secretary and international-finance illiterate Larry Summers lecturing Japan on the value of the yen, for he will likely be at home explaining why his own house is in such a mess.

Russia: All This Calm Reasonableness

In the New World Order scenario, since we all agreed on basic premises, and since the U.S. had emerged as the only superpower, it followed that everyone would be happy with U.S. leadership, including Russia. Russia, like everyone else, would warmly welcome U.S. political input, as well as economic advice from the likes of the U.S. Treasury, Credit Suisse First Boston, Goldman Sachs, MIT, and Harvard. Sure, Russia was a problem child in the emerging order. But it was too big and too nuclear to fail.

The architects of the New World Order apparently never read Fyodor Dostoyevsky. More than a hundred years ago the Russian novelist had one of his characters describe a new (rational) economic world order:

"Then," (this is all of you speaking), "a new political economy will come into existence, all complete, and also calculated with mathematical accuracy, so that all problems will vanish in the twinkling of an eye, simply because all possible answers to them will have been supplied. Then the Palace of Crystal will arise. Then [blah, blah, blah] . . ."

Well . . . why shouldn't we get rid of all this calm reasonableness with one kick, just so as to send all these logarithms to the devil and be able to live our own lives at our own sweet will? . . . One's own free and unfettered volition, one's own caprice, however wild, one's own fancy, inflamed sometimes to the point of madness — that is the one best and greatest good, which is never taken into consideration because it will not fit into any classification, and the omission of which always sends all systems and theories to the devil. (*Notes from Underground*, 1864)

Russia started out its NWO economic reform by turning state assets over to the Russian "oligarchs" or "tycoons." From the beginning, "market economy" largely meant enrichment for a few of those same oligarchs. Capital — whether from the IMF or from international investors — does not become productive when most of it is stolen, and the rest is employed inefficiently. Hard currency loans to Russia, to the extent one can tell, have been largely recycled by the oligarchs into their personal accounts in international banks outside Russia. Within the country itself, ordinary business commerce is hardly possible because there is no contract enforcement.

All this did not prevent Goldman Sachs from telling investors they should gather round and partake of the free borscht. It sold them Russian bonds with attractive interest rates. Government securities at times bore yields of 100 percent, even 200 percent. Since the Russian economy was not growing at 100 percent per year, nor government revenues doubling at an annual rate, how the government would pay back these loans wasn't clear. But such lending was patriotic: Russia was an essential part of the NWO strategy.

The IMF arrived in July 1998 with a rescue loan of \$22.3 billion. This would give them "breathing room," declared Stanley Fischer, First Deputy Managing Director of the IMF. But the first allotment of IMF cash was quickly exhausted in foreign exchange intervention to shore up the ruble's fixed exchange rate. "The ruble will not be devalued," Boris Yeltsin declared. But almost immediately it was, and his Prime Minister was also sacked. Tellingly, the orders came from the French Riviera, where Boris Berezovsky was vacationing. (Berezovsky, executive secretary of the Commonwealth of Independent States, and holder of extensive oil, airline, auto and media interests, generally serves as oligarch-in-chief.) The government also effectively defaulted on \$33 billion in short-term debt. Now there is a new Prime Minister, Primokov, who was trained as an Oriental scholar by the KGB. The Goldman Sachs bonds trade at a steep discount.

The coming Russian fascism is visible. Recent weeks have seen a resurgence of the Communists, the largest party in the Duma, and calls for the return of state planning and wage and price controls. The non-Communist General Lebed, while saying "forget Moscow," is implementing exactly the same policies in his own territory. One doubts that there will be, or can be, a return to the old-style

Stalinism of the past. But out of the melting pot of Communists, nationalists like Zhirinovsky, and oligarchs protecting their monopoly theft rights, surely something equally odious is in the offing. Where are the New World Order's logarithms now?

U.S. Stocks

For a number of years, as analysts have sought to justify the mysterious rise in U.S. stock prices, the "globalization of capital" has been brought forth as one of the most frequent explanations. But now, after the Asian crisis, and after the Russian crisis, and in the midst of a Latin American crisis — well, talk of global capital interconnectedness has disappeared. Suddenly, all these problems are said to be isolated occurrences with local causes. Surely what's happening in the NWO periphery will not feed back to the center. Yet, in the background, one keeps hearing the same whisper. The dreaded D word: Deflation.

Deflation is the ultimate subversive force, because if there is one thing the New World Order is supposed to know how to do, it is how to pump up demand. "This expansion will run forever," wrote MIT economist Rudi Dornbusch in the July 30, 1998, *Wall Street Journal*. Why? Why won't there be a recession for years to come? Because, he says: "We don't want one, we don't need one, and, as we have the tools to keep the current expansion going, we won't have one."

During the U.S. Depression of the 1930s, wholesale prices fell 32 percent. The current fear, for those who do not share Dornbusch's arrogant feelings of omnipotence, is that a deflationary spiral may have already begun, and is gathering momentum. In a deflationary spiral, falling demand causes prices and sales to drop, which causes profits to fall and business inventories to pile up. This, in turn, leads companies to cut back on investment and employees, which causes demand to fall further. Back in 1931, John Maynard Keynes wrote that in "the fall of investment . . . I find — and I find without any doubt or reserves whatsoever — the whole of the explanation of the present state of affairs" ("An Economic Analysis of Unemployment," 1931).

Whatever the economic consequences of deflation may be (and sources as various as the *Wall Street Journal* and *Business Week* have assured us it's no problem — "we're all non-Keynesians now"), the world in 1998 is clearly on a deflationary course. This is evidenced by simultaneously falling wholesale prices, commodity prices, stock prices, and interest rates. Gold has fallen from \$383 an ounce in late 1996 to

around \$275 now. In August 1998 U.S. wholesale prices dropped 0.4 percent as measured by the Producer Price Index. Over in China, retail prices have fallen more than 20 percent in six months. An ultimate drop in the U.S. retail price level, while hard to imagine, is not unthinkable.

The loss of confidence in one's image of the future can bring about sudden dramatic effects. What was once believed to be obviously true (steady or increasing real growth rates of GNP, record corporate earnings, low inflation, steady commodity prices, stable and sound financial institutions, and widespread peace under the New World Order) is suddenly viewed as obviously false in light of the "facts" (declining real GNP, falling corporate earnings, inflation in some sectors accompanied by deflation in others, wildly gyrating commodity prices, extended problems in the banking and insurance sectors, and "old world chaos" in Southeast Asia, the area of the former Soviet Union, and the Middle East). Not because reality has necessarily changed that much, but because perceptions of what is happening are suddenly radically different.

Just for fun, consider the stock market declines of 1929–1932 and 1973–1974. On September 3, 1929, the closing high

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on the Dow Jones Industrial average was 381.17. Three years later, on July 8, 1932, it reached a low of 41.22, or 10.81 percent of its previous level. In January 1973, the Dow Industrials reached a closing high of 1061.14. Less than two years later it closed at 572.20, or 53.92 percent of its previous level. Using a July 17, 1998, closing figure of 9338 for the Dow Jones Industrials, these same percentage drops imply Dow Industrial levels of 1009 by analogy with 1929, or 5035 by analogy with 1973. The first would imply a total drop of over 8329 Dow points, while the second would only imply a drop of 4303 points. Either would be serious.

A 90 percent drop in the Dow Jones? While we would all prefer to believe such an occurrence is impossible, and to rule it out *a priori*, such 90 percent drops have taken place in Russia and in some countries of Southeast Asia with ferocious rapidity. Namely, within the span of a year. That, too, was considered impossible.

Such a view of the stock market is, of course, at variance with the prevailing doctrine of "rational expectations." Rational expectations began as an extremely useful view of price equilibrium created by John Muth ("Rational Expectations and the Theory of Price Movements," *Econometrica*, July 1961). But it grew into a cult view that all economic and financial decisions were "rational" in a quite different sense than originally proposed by Muth. Ultimately "rational expectations" turned into the mystical belief that images of the future were always formed in a particularly mechanistic way.

The essence of rational expectations can be grasped by imagining a long line of cars waiting for a traffic signal to turn green. When the light turns green, the entire line begins moving at once, uniformly accelerating through the intersection. And why not? After all, each person waiting in the line knows the light is about to change from red to green. Each person knows that each other person in the line knows this also. And they all know they will get through the intersection faster if they all move together. So each expects the other to rationally act as he himself does, and they all make

it through the light before it turns red again.

People with these expectations are called "rational" in economics. In real life, they are known as "fender-benders." Because in real life, traffic doesn't behave this way, and neither do people. There will always be the curmudgeon who has just broken up with his girlfriend and is staring out the side window at the marquee of a topless bar, oblivious to the horns blowing behind him.

Current stock prices, which (except for a severe downturn in the first half of 1994) have been rising ever since the Gulf War, have ridden the vision of the American-led New World Order, of America's resurgence as the world's policeman, putting down the evil Saddam Hussein, and bringing lasting peace to Bosnia. With the demise of the Soviet Union, the vision saw the U.S. leading an enlightened United Nations to a political solution of all the world's ills. But this has only been an idea, a voluntary con, much like the precepts that led to the mania for red chips in the Hong Kong stock market.

In the U.S., the recent rise in stock prices has been fueled by a shifting of household assets into stocks and stock mutual funds. The average household exposure to stocks is the largest it has been in U.S. history — larger than before the 1929 crash. Clearly the stakes in the New World Order vision are high.

Speculative excess, referred to concisely as a mania, and revulsion from such excess in the form of a crisis, crash, or panic can be shown to be, if not inevitable, at least historically common. (Charles P. Kindleberger, *Manias, Panics, and Crashes: a History of Financial Crises*, 1989)

But Kindleberger has been considered old hat in the New World Order scheme of things. Things like he wrote about only happened back then, before history reached its logical conclusion. So maybe Dornbusch is right. Maybe this expansion will last forever.

But I wouldn't count on it, any more than I would count on Bill Clinton being around to lead us out of Egypt, and across the 21st century bridge into the Promised Land. □

Letters, continued from page 8

power over other people? Mr. Virkkala himself refers to one of Rand's novels, *The Fountainhead*, which is full of relevant specimens. It was not a worthy question.

Discussing Rand via argument rather than hysteria and rhetoric is very refreshing, and one of the special rewards of reading *Liberty*. I regret that the Objectivists I know do not stoop to reading your magazine, due to its doctrinal impurity. This is an after-effect of what Virkkala calls Rand's ungenerous attitude toward her opponents.

Charles Flink
Prairie Village, Kan.

Government That Works!

I was pleased to read Harry Browne's rebuttal of R.W. Bradford's

ludicrous assertion that we owe some debt of gratitude to the GOP for its self-serving and duplicitous chicanery and lip service to liberty. However, I disagree with Browne's contention that the IRS hearings "achieved absolutely nothing." Those hearings achieved three goals important to the federal government.

By uncovering a myriad of crimes committed by IRS agents and not submitting a single case to the Justice Department for prosecution, Congress intentionally sent this message to all IRS agents: "Do whatever you need to do to collect the money and you won't be prosecuted."

Second, Congress sent a potent message to all Americans: "These horror stories could happen to you if you

don't do everything the IRS asks."

Third, the IRS hearings and most other discussions presented by the mainstream media all serve to perpetuate the myth that a liability for income tax can actually exist without any statute establishing such a liability.

James Chambers
Old Saybrook, Conn.

The editors of *Liberty* extend a special thanks to Jim Switz for his valiant efforts helping to produce this issue.

Why does the government want your guns?

From the Conservative Book Club:

Our Founding Fathers knew, over 200 years ago: the biggest threat to the safety and well-being of a citizenry lies not with some foreign government but rather with its own government. "To preserve liberty," wrote Richard Henry Lee, "it is essential that the whole body of the people always possess arms, and be taught alike, especially when young, how to use them."

"But our government is a democracy. It would never do anything to harm us." Now, the book that explodes this myth, and a good many others as well. In 14 lucid chapters, here's the case for gun sanity, from The Future of Freedom Foundation. Major themes:

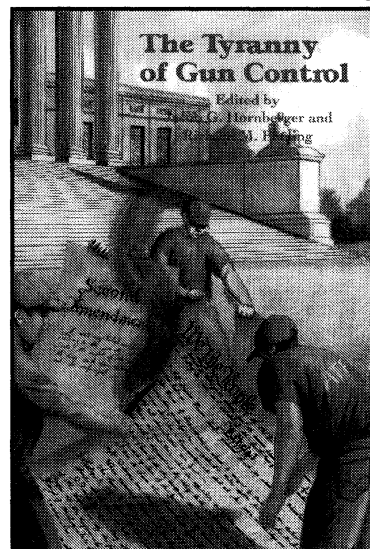
- ✓ Why unrestricted gun ownership is absolutely necessary to a free and safe society
- ✓ The right to life — equal to the right to possess firearms
- ✓ America's emerging Nazi mindset
- ✓ The history of gun control: a story of hidden agendas
- ✓ Gun ownership: an essential right under the principles of private property
- ✓ The little-known but tragic story of a people who disarmed for the sake of peace
- ✓ Waco and the cult of the omnipotent state
- ✓ The final destruction of the Second Amendment — closer than we think

President Clinton has condemned Americans who criticize their government: "There's nothing patriotic about hating your government or pretending you can hate your government but love your country." Does Clinton occupy the moral high ground? Not after he confronts Jacob Hornberger, president of The Future of Freedom Foundation:

"President Clinton is wrong. Throughout history there have been courageous and honorable individuals who have loved their country and hated their government."

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Swatting a Hornet's Nest With a Baseball Bat

To get the newspapers off his case for one day, Bill Clinton struck back at "terrorists." The costs: \$200 million, one medicine factory destroyed, a campsite cratered, and every American a target.

How Not to Fight Terrorism

by David Hackworth

Cruise missiles lit up the skies over Afghanistan and Sudan last week. Seventy-five fell on terrorist training camps and on the bad medicine factory in Khartoum. The going rate for a Cruise these days is a million bucks. Throw in what it cost to launch and follow up on the strikes, and you get a \$200 million bonfire of the vanities.

You can declare war on terrorists with missiles. They make the kind of noise the whole world can hear. And there is no question that the message we sent needed to be sent. The problem is that while we can declare war with our Tomahawks, we can't fight terrorists with them. Worse, we won't win if we do.

The counterstrikes last week killed 50-odd terrorists in Afghanistan at a huge dollar cost, leaving who knows how many tens of thousands to go. You don't have to be H&R Block to do the accounting. Reach for the Tomahawk every time and you'll go broke long before the bad guys belly up.

Various reports put Osama bin Laden's personal fortune at anywhere from \$250 million to \$5 billion. That's all he's got to spend. If we agreed to limit ourselves to the same assets — credit him with the whole enchilada — and make it his \$5 billion against our \$5 billion, who do you think would win?

Right. Bin Laden is being a lot sharper than we are. That's what guerrillas and terrorists do. They don't outshoot us. They outsmart us.

Here are the basics. In the war that both sides have now declared, the United States presents a very big, fixed target. The terrorists present very small, very mobile targets. As soon as the President and Secretary of Defense, both of whom dodged the draft in Vietnam and have no first-hand

knowledge of the basics, get over congratulating themselves on the strike, they are going to have to take a harder look at the truth: what we've done is try to wipe out a bee's nest with a baseball bat because one bee stung us badly.

The terrorist strikes on our embassies in Tanzania and Kenya were an outrage that demanded retaliation. And the missile strikes did make our intentions clear. That's not the question. The question should be: *what's the smartest way to wage this war?*

And the record shows that the sledgehammer seldom works against terrorists. Israel has been fighting terrorists for

Reach for the Tomahawk every time and you'll go broke long before the bad guys belly up.

50 years. When a bomb explodes in that tormented land, bet on it, the suspected perps' home bases get clobbered.

Has all this firepower worked? Nope. A month seldom passes when a terrorist bomb doesn't explode on the streets of Israel. In 1986, Libyan terrorists blew up a Berlin disco, killing U.S. soldiers. Ronald Reagan responded with bombs. Reagan's security advisors did attaboys for several years. Until Libyan terrorists struck back, killing 270 people over Scotland on a Pam Am flight.

The Cruise missiles did four things: batted the bee's nest; gave the terrorist's cause the world-wide propaganda coup that's always their end game ("Just look at what that bully, the Great Satan, has done to us now — look at all the innocent dead"); unified Arab anti-American feelings around the globe; and made a ton of money for the missile makers while justifying all those expensive ships.

The Brits, who've been under siege since the invention of gunpowder, take a different approach. While they take the occasional hit, their primary goal is to catch terrorists through detective and intelligence work. Yes, they believe in punishing the terrorist, but they learned a long time ago that traditional military solutions don't work. So they use a scalpel rather than a sledgehammer, brains over brawn.

We should ask our British cousins to show us their way. For fighting terrorism is not about whoever makes the most noise. The smart way is through deterrence and prevention — through clever intelligence, well-trained people and a strong proactive plan.

I hope our generals and admirals change their "bomb them back to the stone age" mindset. Sure, the sledgehammer worked in WWII. But it didn't in Vietnam, and it is a recipe for failure in our newest war. □

Tarnished Brass

by Roger Charles

In the days following the U.S. missile strikes on Afghanistan and Sudan, nearly all Inside-the-Beltway pundits have discussed the issue as a wag-the-dog scenario that had been transferred from the silver screen to the spin machine at 1600 Pennsylvania Avenue.

It's been amazing to note how many pundits, even conservative ones, bought into the line that we can rest easy knowing that Gen. Henry Shelton, Chairman of the Joint Chiefs of Staff, would never be party to such manipulation by the White House.

Excuse me? Where have these people been for the past 40 years?

Gen. Shelton is in that job precisely because he has *proven* himself to be Politically Reliable. He is there *because* civilian political hacks have had him under an electronic microscope for Political Reliability during his entire tenure as a flag officer.

Before that, his Service had a lower-powered but still effective optical version to detect any dangerous signs of free thinking or tendencies to be skeptical of his seniors' orders.

Had Gen. Shelton shown the slightest tendency of questioning the policies of the inbred careerist political culture that controls the National Security Establishment, he would have finished his career at the grade where these dangerous tendencies were first noted.

"Go along to get along" is the operative term.

Want some evidence? Read H.R. Master's *Dereliction of Duty* and note the role of Gen. Earle Wheeler. Look at the role of Adm. Tom Moorer as Chief of Naval Operations in carrying water for the LBJ White House on several national security scandals before he was proclaimed fit to do the same at a more senior level as Chairman.

Look at the tenure of any Chairman beginning with Maxwell Davenport Taylor (and read Anton Myrer's great roman à clef, *Once An Eagle*) and you'll see the very clear pattern of submissive conduct that merits the characterization of "craven" in too many cases.

Taylor's and Wheeler's roles and influence during the Vietnam war are almost in a class by themselves due to the death and destruction their lies inflicted.

This enthusiastic eagerness to "dance with the one that brung them" — or whatever rationalization is used — goes far beyond the legitimate subordination of the military to civilian authority. What I'm referring to is conduct when the Chairmen betray their oath of commissioning and the oath taken when sworn into the office as "principal military advisor to the President, the National Security Council and the Secretary of Defense."

And if you want proof in the case of Gen. Shelton, look at where he served from 1987–1989. Shelton was assigned to

Like children at a circus, commentators completely forget that they are being entertained with carefully rehearsed performers whose reward is an extra dog biscuit and a pat on the head for a job well done.

the Operations Directorate of The Joint Staff, first as a Colonel (Deputy Director for Operations on a watch team in the National Military Command Center), and then as a Brigadier General (J-33, Deputy Director for Current Operations). Both billets made him privy to the most sensitive operational information.

Then ask why he did not speak out when his uniformed and civilian bosses lied to the American public and the Congress about the circumstances surrounding the shoot down of an Iranian civilian airliner and the death of 290 innocent civilians.

This case of bald-faced falsehoods was much more serious than the current one where attention is focused on cigars and navy-blue cocktail dresses. If you don't believe me, ask some of the families who lost loved ones on Pan Am 103.

Lies have consequences, but in the mutated culture of the Pentagon, dissemblers, artful dodgers and even liars, or those who are a party to the lies, get promoted. The better they fudge, obfuscate or "blow smoke," the more useful they become to their political bosses.

There's even a farm team — the majors, lieutenant colonels and colonels who troop up to brief Congress are referred to as "designated liars." The best ones at this sordid game — those with the most pronounced facility to look a staffer or Congressman directly in the eye, or directly into the lens of a television camera, and tell a convincing lie — are destined for special duty and higher rank. They will enter the "talent pool" from which future Chiefs and Chairmen will be drawn.

So, when Gen. Henry Shelton stands up and defends the indefensible, am I surprised? Not in the least.

He's had 30-plus years to perfect his "act" so that when his White House handlers whistle for him to get up on his hind legs and dance around the center ring, he does so with an ease and grace that dazzles his audience. But the finale comes when he mounts the back of a prancing white pony, and takes several laps in front of the astonished audience.

At this point even rational and skeptical commentators lose it and start cheering wildly at the scene. Like children at a circus, they completely forget that they are being enter-

tained with carefully rehearsed performers whose reward is an extra dog biscuit and a pat on the head for a job well done. □

Natural and Unnatural Responses

by Leon T. Hadar

It was kind of pathetic to watch on television all those Reagan Republican lawmakers and *Weekly Standard* neocons accusing President Clinton of coming up with a wag-the-dog strategy; that is, distracting attention from his political problems at home by killing some dark-skinned "terrorists" abroad. Now, who do the neocons think gave Bill that crazy idea? Remember Reagan & Company's "liberation" of Grenada and the "freeing" of those American medical students, conveniently diverting the public and the media from the mess his administration got us into in Lebanon, including the bombing of the U.S. Embassy in Beirut by those Shiites who (surprise, surprise!) didn't like Americans bombing their terrorist sites and defending the interests of the Christians and the Israelis there?

Conservatives seem to prefer that the president screw Iraqis, Afghanis or Sudanese militarily rather than engage in recreational sex in the Oval Office. Thus, the commitment by leading Republican lawmakers to "stand behind" Clinton if he sticks a missile in the behind of Osama bin Laden, and their condemnation of him for using his personal joy-stick and cigars (which, mind you, are much less expensive than those cruise missiles) to entertain Monica Lewinsky. (Well, I always suspected that the Republicans' infatuation with those long and powerful missiles was probably a symptom of latent homosexuality. Liberal Democratic presidents, it seems, like to do it with full-figured Jewish babes; conservative

their advice, seconded by Madeleine ("I'm not Jewish!") Albright, to "go all the way" as far as Saddam and Milosevic are concerned.

While Clinton's foreign policy rhetoric has exuded some notions of multilateralism and interventionism, the totality of his diplomacy has been characterized by the idea that Washington can maintain the post-Cold War/Gulf War status quo in the world through a form of cost-free diplomacy. This "deluxe hegemonism" allows the United States to have its cake (maintain its position as the "only remaining superpower") and eat it, too (avoid both the use of military power in any substantial way and also a lot of diplomatic wrangling: A missile on Saddam here, an IMF package to Indonesia there, and we'll make the world safe for Clinton's business buddies).

Well, that was a lot of wishful thinking, a make-believe foreign policy.

Case in point: the Middle East. On the one hand, the United States has been trying to impose diplomatic and economic sanctions on both Iran and Iraq, so-called "dual containment." On the other hand, it has been trying to broker a deal between the Israelis and the Palestinians, the so-called "peace process." Those have been the two foundations of Pax Americana in the Middle East in the aftermath of Desert Storm and the Madrid Peace Conference. But under Clinton it became obvious that in order to maintain them, he would have to pay a very high price in the form of using military power against Iraq and imposing a diplomatic solution on Israel. But picking a fight with Saddam Hussein would have antagonized the Europeans, the Russians and the Arab allies, and a war with casualties could have produced a backlash at home (recall that CNN "town meeting" in Ohio). Grappling with "Bibi" Netanyahu would have pissed off the pro-Israeli lobby, Jewish extremists who rule Israel and its repressive empire in the West Bank. Meanwhile, letting Netanyahu have his way has ignited anti-American hostility among Palestinians, Arabs and Moslems in general, who want to know why America is hugging "Bibi" and helping build Jewish settlements in the occupied Arab territories while continuing to punish Saddam and starve Iraqi children. That not only provides a diplomatic opening for the French and the Russians, but also creates an environment conducive to anti-American violence. Thus terrorists like Osama bin Laden find sympathy, if not active support, and the corrupt Arab regimes that rule Saudi Arabia and the other oil states find themselves under attack.

In short, anti-American terrorism is not a natural phenomenon, à la El Niño. It is a natural reaction to American action, to the kind of U.S. intervention that America has been practicing in the Middle East through its alliance with the medieval monarchs in the Persian Gulf and with the Likud government in Israel. Sure, some form of anti-American terrorism would continue even if America were to withdraw tomorrow from the Middle East, bid farewell to the oil sheiks and tell the Israelis that it's time for them to make peace with the Arabs and take care of themselves. But a U.S. policy of "constructive disengagement" from the Middle East that would permit the region to start developing its own military and economic alliances (and in which Israel could be integrated as a successful trading center) would reduce anti-American sentiments in that area of the world. Instead, our

In short, anti-American terrorism is not a natural phenomenon, à la El Niño. It is a natural reaction to American action.

Republicans apparently are into lean Muslim studs. Yes, as evolutionary psychologists remind us, it is all about sex . . .)

In fact, "wagging the dog" — exploiting and even inventing foreign policy crises (including real and alleged terrorist acts) as a way of building up domestic political support — was the *modus operandi* of the Nixon, Reagan and Bush presidencies. It's just that in the case of Bush and "Desert Storm," that magic formula didn't seem to work. In the post-Cold War era it's becoming more difficult to persuade the American people to go abroad in search of monsters to destroy, bombing innocent foreigners and getting killed along the way, all in the name of defending undefined "national interests." In a way, Clinton's decision to bomb Afghanistan and Sudan was (another) case of plagiarizing a Republican game plan. After all, Clinton has been resisting for years pressure from Republicans and neo-conservatives to bomb the Iranians for allegedly orchestrating the attacks on U.S. military troops in Saudi Arabia and the terrorist act at the World Trade Center in New York. And he has spurned

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current approach could bring about the "Israelization" of U.S. policy in the Middle East, in which America, not unlike militant Israel, would find itself isolated and moving towards a confrontation with the Arab and Moslem people. That is clearly the long-term strategy of the neocon intellectuals at *The Weekly Standard*, *Wall Street Journal*, and *Commentary*, who would probably dominate the foreign policy apparatus of the next Republican administration and whose main criticism of Clinton's recent missile attack is that the guy hasn't done it more often.

And, indeed, I doubt that Clinton could have long maintained his half-pregnancy approach to the Pax Americana project in the Middle East. There are bound to be retaliations against the attacks on Afghanistan and Sudan, which will lead to new American military actions, and so on and so forth. It's a vicious circle based on the use of brute military force without a viable strategy, and it gives birth to Vietnam-like quagmires. In that respect, the neocons do at least have a clear vision. Their notion of a global confrontation with Islam is more honest than Clinton's wishy-washy approach. Clinton can get away with those cost-free (in terms of American lives) half-measures. But I doubt that the American people would rally behind a full-blown, long-term U.S. military intervention in the Middle East, which would only help produce millions of new Osama bin Ladens and force the United States out of the region for good.

Here's a prediction for you: If Clinton is dumped, we are doomed to suffer two years of pure Gore. We will have another splendid little war in the Middle East, which always happens when you have sexually repressed men occupying the White House. Fasten your seat belts! □

Fort Pinnocchio and Its Soldiers

by David Hackworth

The White House, the Pentagon and CIA headquarters must have more professional liars per square foot than any other buildings in the world! To many liars, like the commander in chief, lying is second nature. But most have been specially trained at Public Affairs Liars School.

This school churns out hundreds of government-trained liars each year. Upon graduation, the newly certified Pinocchios join the world-class fabricators' club, right up there with Pentagon Head Liar Kenneth Bacon, an absolute master at shading and evading and spinning and thinning the truth.

This bunch of liars — from Bacon to the newest flack PFC in the field — is about the strength of an Army light division with an annual budget that could keep an Air Force fighter/bomber wing running for a year. Sadly, many of these liars are soldiers who have sworn on a Bible to serve their country faithfully.

Their primary targets are the very citizens they serve. We give them our tax dollars so they can snow us, in order to get more tax dollars. Get it? I've been lied to by these dealers of deceit for years. Most of the time, I catch 'em because of great sources — serving soldiers who care about our country and the truth.

Here are some recent Pentagon lies:

Lie: The U.S. Navy fired 75 Tomahawk missiles at terror-

ist targets in Afghanistan and Sudan on 20 August.

Fact: The Navy fired 132 Tomahawk missiles. It lied about the number because they used a sledgehammer to swat a fly and because Tomahawk missiles cost between \$1 and \$2 million a pop — sticker prices vary depending on which Pentagon liar you ask. They don't want you to know that the cost of Tomahawking a terrorist ran \$5 million a corpse.

Lie: The reason there was a rush to attack the mostly CIA-built targets at the very hour Monica Lewinsky was providing graphic testimony concerning President Clinton's "inappropriate behavior" was that — coincidentally, of course — Terrorist leader Osama bin Laden was meeting with his chieftains in Afghanistan at just that time.

Fact: Bin Laden knew of the attack at least 24 hours before the first missile thumped down, while sources tell me the commanders' meeting was made up to justify the urgency/timing.

Lie: Tomahawks were used to destroy a secret chemical plant in Sudan that was making a key ingredient for a lethal

The White House, the Pentagon and CIA headquarters must have more professional liars per square foot than any other buildings in the world!

nerve gas. The liars described this plant as a high security facility, guarded by armed soldiers.

Fact: Intelligence sources say there's not one scrap of evidence that this plant produced any precursor chemicals for nerve gas. American and British engineers who built and subsequently ran the plant report it produced medicine and veterinary drugs and was guarded by one night watchman with a habit of sleeping on the job.

Lie: Terrorist leader bin Laden financed the chemical plant.

Fact: Our intelligence community can't find the slightest money trail to prove bin Laden bankrolled the plant. When all's shaken out, besides our having spent several hundred million to punch a few craters in terrorist training areas that can be quickly replaced for a few thousand bucks, we'll probably end up coughing up another \$100 million to replace the "lethal weapons factory" that wasn't exactly lethal.

Lies got us into Vietnam: we were told that our ships in the Tonkin Gulf were attacked by Red PT boats in 1964. Now, after all the death and destruction, we know this isn't true. But it doesn't remove the pain that lie brought to millions of innocent people.

The Gulf War was one big lie from beginning to inconclusive end. Smart weapons weren't smart, nor were the politicians and generals who lied about how and why the war ended the way it did.

There's an old saying that truth is the first casualty of war. It's about time we the people demanded that the lying stop. And it should start with the president of the United States, who — protest though he and the Military Industrial Congressional Complex may — clearly was not a straight shooter when he tried to eliminate bin Laden with extreme prejudice last month. □

Inside the Secret Government

by Jonathan Ellis

The Federal Emergency Management Agency, FEMA . . . The Secret Government . . . a seemingly benevolent agency charged with disaster assistance, lies in wait for The Executive Order that will unleash its swarms of black helicopters to seize our firearms, impregnate our dogs with extraterrestrial sperm, and yoke us to a global government ruled by a Marxist peasant from some Third-World shithole.

FEMA conspiracy theories didn't start with *The X-Files* movie. But, like stealing smack from a junkie, the movie hasn't helped calm things down, either.

Since its creation by Jimmy Carter, the innocuous agency has grown into a mythical beast. Conspiracy-oriented literature just doesn't cut it unless it devotes a few pages to the "true," nefarious purpose of FEMA alongside claims of staged moon landings, weather control gadgets, UFO abductions, shadow governments, and rehashed tales of JFK's slaughter.

Not surprisingly, FEMA is concerned about its reputation. Threats and intimidation from "right-wing nutballs," as they're called, aren't uncommon.

No doubt that's why the guard barricading the front door to FEMA's disaster headquarters in Sioux Falls, South Dakota was skeptical of my story. "I work for the state government," I told him. "I've been assigned to the FEMA community relations field team. They're expecting me."



The worst winter in, oh, several years, had left the state buried in more snow than usual. When it melted, rivers rose, lakes swelled, and Governor Bill Janklow howled for divine

intervention from Washington, D.C. And it came to pass on April 7, 1997, that President Clinton declared South Dakota a federal disaster area. Shout hosanna, federal greenbacks were on their way! And to "administer" that hoard of taxpayer largesse, our caring government requisitioned a horde of bureaucrats.

That's where I came in.

It simply would not do to have the feds dispersing money like dandelions in

the breeze and reaping all the credit. State employees would have to help. As an intern, my appointment to FEMA struck me as odd at the time. Looking back now, it all makes sense; there's no reason to uproot a regular employee — probably a petulant union member — for five weeks when cheap intern fodder would do nicely. When I arrived in Sioux Falls, President Clinton's disaster declaration was a week old. About a hundred FEMA personnel from around the country had descended upon the state, dedicated to combating the pestiferous effects of Mother Nature, and making a little money for themselves.



The guard had a fierce, Neanderthal look, and appeared perfectly capable of blasting a man with three hollow-points

one minute and devouring a cheese-steak sandwich the next. He phoned someone to verify my identity, issued me a security badge and motioned me into the building with a look that said "welcome to the fraternity, boy." I went upstairs to the community relations office; it was deserted: everyone was at lunch. I strolled through the building and learned just how difficult it is to get a field HQ operational. Miles of phone wire connecting broken phones were taped meticulously to the floor. Leaky cups were available at the water machine. Paper signs taped every few feet along the walls directed people where to flee in the event of fire. In one room, FEMA bureaucrats squabbled over a floor plan for temporary cubicles. After agreeing on a plan and setting up several rows of cubicles, the walls fell over.

This isn't the operational expertise you'd expect from an outfit that's going to enslave the nation. A thought flit into my head: maybe FEMA feigns incompetence so people don't get wise to its globalist ambitions. But I doubt it. The FEMA people in Sioux Falls were a sorry-looking crew, as far as storm troopers go. Many were plump, middle-aged mothers working as FEMA reservists. Others looked like refugees of a 1960s love-in. Many more appeared to be nursing-home fugitives so old that I made a worried note to review my CPR training.

Conspiracy buffs, relax. These bureaucrats couldn't mount a successful offensive against Disneyland.



There were five state liaisons assigned to work with FEMA's community relations team. Representing the government in an emergency is a most serious responsibility; it would be bad form to have government agents spreading bogus information about disaster assistance programs. With this in mind, FEMA decided we needed some instruction. The briefing lasted less than two hours.

Community relations teams have one cardinal rule: promote FEMA's telephone registration number. A disaster victim calls the number and applies for disaster aid by phone. In seven to ten days, FEMA sends an inspector to evaluate the damaged property. For those with suitably damaged property, a check arrives shortly after. Under no circumstances do community relations officers actually promise a disaster victim free money.

As with most government agencies, FEMA measures success by how much money it spends. The more people registering for aid, the more success a community relations team is having. And this means getting people to register for aid who shouldn't. ("Why, yes ma'am. If you have a puddle in your basement, we urge you to apply for disaster assistance.")

Fully briefed and deemed fit for duty, each state liaison was paired with a FEMA officer and each pair assigned a territory. It was time to hit the road with FEMA. My partner (whom I'll call Jane) and I blasted out of Sioux Falls that afternoon in our government rental car for a town meeting in Watertown. Jane manages a home and four children when the president isn't buying popularity with disaster declarations. In four years with FEMA Jane had explored more of the U.S. than Lewis and Clark, including an assignment to the U.S. Virgin Islands ("pleasant," she said). She loved her job.

In Watertown, hundreds of sullen people who were condemned to answering the call of nature in Port-A-Potties crammed themselves into an old auditorium to hear what the government planned to do for them. Loitering among the crowd were dozens of bored-looking FEMA bureaucrats whose job was to make a strong presence — a psychological strategy that supposedly enthralls disaster victims. Wearing dark blue windbreakers with the FEMA acronym printed on back, they stuck out like goofy targets. Maybe this is one reason for the threats from "right-wing nutballs."

The meeting got started with minor league politicians and bureaucrats spewing platitudes about the importance of community and the magnanimity of government. The grim-faced audience quietly endured it all, waiting for FEMA's ranking officer for the disaster, Federal Coordinating Officer David Grier, to begin dispensing the loot. For his part, Grier showed a keen understanding of the South Dakota psyche — outsiders and government are viewed with mild suspicion at best and down the barrel of a shotgun at worst.

In a pleasant and reassuring voice that would guarantee any used-car salesman a six digit salary, Grier praised the people of South Dakota for their self-reliance and pioneering spirit, stopping just short of admitting that *Little House On the Prairie* made him cry. But, he continued, there are times when individualism is no match for the collective effort of the nation. Then he lunged for the throat — "Disaster assistance is not welfare, but a chance for you to get back some of your hard-earned tax money."

It worked. A few in the audience nodded, convinced that the money sitting in FEMA's vault was theirs, by God. About that time I noticed my workday was well past eight hours. Overtime. Grier didn't mention anything about hard-working taxpayers funding the time-and-a-half for dozens of bureaucrats to stand around.



The next day Jane and I moved on to Aberdeen, finding its pleasant hotels, eclectic bar life, and first-rate restaurants well-suited as a base of operations. But perfect Aberdeen wasn't. Senator Tom Daschle, Minority Leader and demagogue, calls Aberdeen home, and we had to deal with his political staffers stalking us for information. Our first week in Aberdeen was marred by a nasty meeting with staffers for Daschle and Senator Tim Johnson, South Dakota's Siamese senators, which took an ugly turn when Daschle's lead staffer — known affectionately from that day on as The Dragon Lady — bit into us for not giving them enough information. Spouting fire and clawing the air, The Dragon Lady demanded our meeting schedule and ferociously ordered me to provide her with copies of my notes and the daily reports I faxed to FEMA's headquarters in Sioux Falls. My protests were met with malevolent glares.

As the only male in the room I feared the Amazonian staffers had it in mind to jump me, hack me into hundreds of pieces while screaming about thousands of years of oppression, and bury me under the floor. My flight instinct kicked in. Popping out of my seat I declared the meeting over and thanked her for her hospitality. "I'll get those notes and schedules to you," I said. My abrupt show of force stunned her slightly. I pulled Jane out of her seat and we made a

break for the front door and freedom.

It didn't take long for us to slide into a daily routine. Meet in the hotel lobby at 7:00 a.m., head to a greasy spoon for an omelette and coffee, and hit the road before 8:00. Most mornings we met with county emergency managers. These old-timers didn't like federal employees rooting around in their counties just because a little water was on the ground. To them, "disasters" were things like Pearl Harbor, the Great Depression, and Prohibition.

If we didn't have meetings, we busied ourselves with an intensive and extremely technical public information campaign — i.e., hanging flyers — to publicize FEMA's teleregistration number. We hung enough flyers to wallpaper a medium-sized city; we never rested until every store, church, bar, grain elevator, post office, gas station, and any other public place two or more people had gathered in the last 50 years were plastered with these Day-Glo eyesores.

Another greasy spoon for lunch, then an afternoon spent repeating our morning routine. Around 8:00 we usually pulled up to our hotel in Aberdeen to eat dinner and write up our daily report. Another day, another two days' pay, thanks to time-and-a-half.



Most of the money spent by FEMA goes directly to disaster victims and rebuilding infrastructure. But fielding an army of bureaucrats isn't cheap. State employees like myself got \$18 a day for food — plenty for three meals and a before-dinner vodka gimlet. That's \$630 just to feed one state employee for five weeks. Federal employees like Jane, of which there were about a hundred at the height of the South Dakota disaster, raked in a whopping \$35 per diem — \$1,225 in five weeks. A sumo wrestler couldn't spend that much on restaurant meals in South Dakota. The rental car that carried us luxuriously over thousands of miles of prairie cost \$375 a week, and it was one of dozens hot-rodding around the state. Hotel accommodations ran from \$45 to \$50 a night for each employee. If stories about after-hours fornicating are true, plenty of these rooms weren't even used much.

Then there are the salaries. Shoe shiners probably make more than I did as an intern. Even so, counting the overtime I worked — nearly 40 hours one week — I did all right. FEMA employees do better than all right. Several reservists

Shout hosanna, federal greenbacks are on their way!

bragged they made more money in a few months working for FEMA than they would in year-round private-sector jobs.

Many had worked with each other on previous disasters and spoke as freely as mobsters at a family reunion. One guy wanted the South Dakota disaster to drag on long enough for him to make enough money to buy a new car. With a little rain, he said, they could be there throughout the summer. It would be a good year for disasters, they agreed: flooding in North Dakota and Minnesota; loads of snow in the

Rockies just waiting to melt; clean-up from flooding in the Ohio River Valley; the potential for a good hurricane season; the chance for a colossal West Coast earthquake. Commiserations for disaster victims were less than convincing.

Lots of little expenses get overlooked. FEMA officers spend more time chatting on their cell phones each day than they spend all month on the toilet. Airline tickets — to get FEMA's experts to each disaster — aren't cheap. Nor is *Disaster Times*, FEMA's glossy newsletter published for each disaster area. More copies of *Disaster Times* were printed

Grier showed a keen understanding of the South Dakota psyche — outsiders and government are viewed with mild suspicion at best and down the barrel of a shotgun at worst.

than South Dakota's entire population. Nor was our private plane.

Private plane? When \$375-a-week cars aren't good enough, FEMA takes to the air. The twin-engine, six-seat Aztec and pilot were used mainly by Grier and other upper level FEMA people to barnstorm from meeting to meeting. But even lowly interns like me got an official joyride over the disaster area.



The plane picked up Jane and me at the Aberdeen airport. Three other FEMA officers were already on board. We flew east over Day County, then circled back west and over the Missouri River. Lakes had devoured roads, farmland, and homes. Normally insignificant rivers suffering delusions of grandeur imitated the great Mississippi. The sight of western ranching country broke my heart. Dead cattle dotted the fields as if some great battle had just taken place — once-promising prime rib and veal rotting away under the sweltering sun.

Our flight plan included flybys over Indian reservations, but we only managed one of these before turning back for Aberdeen. A violent case of airsickness had seized one of the FEMA officers and, having no parachutes on board, we had to cut our joyride to just four hours. Indian reservations are best viewed from the ground anyway.

Although Native Americans possess an uncanny affinity for Mother Nature, they get flooded too. The tribes wanted their share of disaster assistance, so fearing that all political hell was about to break loose, FEMA wisely scheduled several disaster-aid meetings on reservations.

The Standing Rock Nation lies just west of the Missouri River, straddling the North and South Dakota border. Jane and I drove into Wakpala early on a soupy gray morning and came eye-to-eye with collectivist philosophy at work. A few children trudging to school and packs of muddy dogs scavenging among overflowing dumpsters were the only signs of life. Wakpala's small, box-like homes, mostly government-owned, sat rotting in the morning gloom. Satellite

dishes capable of receiving God-knows-how-many television channels sat next to boarded-up windows and disintegrated houses. Residents decorated their yards with rusting car hulks, mosquito-housing tires, and refuse. Garbage covered the landscape like a layer of wild flowers — stained mattresses, car parts, soiled diapers, shards of glass, broken furniture — all the makings of a fine dump.

The squalor shocked Jane, who complained that the government had ignored these people. The total hopelessness of Wakpala shocked me even more than the squalor. What horrible thing could have beaten these people down?

We were to meet with disaster victims at 9:00 a.m., but tribal headquarters changed the meeting time to noon without telling us. Two women assigned to coordinate the meeting had decided to hang out with a friend instead. The Great Leaders hadn't told anyone we were coming. The Indians

Jane and I drove into Wapala early on a soupy gray morning and came eye-to-eye with collectivist philosophy at work.

straggling into the community center for their collective feed were startled to find government employees camped out at their tables. Our stacks of Day-Glo flyers may have brightened the day somewhat, but can hardly be rated as ideal dining-room decor.

More FEMA specialists arrived in Wapala as the day dragged on, some driving more than four hours to get there. You can't have a FEMA meeting until at least a dozen bureaucrats are standing around. Grier and a party of top FEMA officials and tribal leaders kicked off the show sometime during mid-afternoon. By then there were more coffee-swilling disaster administrators than disaster victims. None seemed to be doing anything remotely resembling what honest people call work.

The meeting provided FEMA with a chance to burnish its image and an opportunity for tribal leaders to dazzle their people so they'd get reelected to their cushy jobs that call for frequent travel to Washington, D.C., on Important Tribal Business, but it's hard to see anything else they accomplished. Wapalites eagerly signed up for aid — and who the hell could blame them?

While Jane and I were explaining the application process and letting them use our cell phones to make disaster aid applications, Del Brewer, a FEMA officer from Grier's entourage, brought a woman to us. "This woman's daughter was killed in the disaster. We're going to take care of the funeral expenses. Can you guys see she gets registered?"

His story smelled like raw sewage. Flooding hadn't killed anyone in the state. The woman herself said her daughter had actually frozen to death in a January blizzard, months before the floods had started. Jane cornered the FEMA officer, Del Brewer, who brought the woman to us and told him the situation. "It's okay," he responded, "I talked it over with Dave [Grier] on the way here, and he said we're going to take care of it anyway."

So we registered her. Wiping the tears from her face, she

thanked us. But no matter how high and mighty, bureaucrats don't have the power to change the law, and after we left Wapala, we learned that FEMA wouldn't cover her expenses. Somebody — either Del Brewer or David Grier — had intentionally deceived the woman, knowing all along that the woman's application would get denied. Apparently, the only thing that mattered on that day was for FEMA to look like a heroic savior in Wapala. After FEMA was gone, who would listen to a dirt-poor Indian woman?



In its fifth week, FEMA's operation in South Dakota began winding down. The rain my FEMA buddies hoped for never came. A good number of the FEMA people I worked with were packing it off for North Dakota where a surging Red River guaranteed a steady income throughout the summer. As a last hurrah for South Dakota's disaster, FEMA director James Lee Witt dropped in for a quick lunch on his way to inspect North Dakota.

Witt's sexy little jet landed in Watertown where he and his staff were whisked away by a Minnesota National Guard helicopter for a brief tour of that state. They returned to Watertown for lunch, greeted by a waiting throng of government employees, reporters, and dozens of Kentucky Fried Chicken box lunches. The chicken was my idea. Witt's a Clinton pal from Arkansas, and everybody knows they love chicken.

They dined in FEMA's Watertown office with congressional staffers, senior FEMA bureaucrats, and politicians. There weren't enough lunches to go around, and a table stacked high with dried-out jelly doughnuts and stale cookies was mercilessly ravaged by bureaucrats and reporters. Reporters carrying heavy cameras waited patiently for a press conference to break out. Small fry like Jane and me didn't get lunch; we stood around doing nothing. Edgy guards, not accustomed to so much activity at the Watertown office, eyed the doors for suicide bombers. Nothing got done until Witt and his courtiers emerged from lunch and announced that they would hold a press conference as soon as a suitable piece of disaster could be found as a back drop.

Disaster specialists went flying for their cars. Witt and his crew climbed aboard a beefy four-wheel drive, the lead car of more than twenty. Jane and I fell in behind Witt's behemoth in time to spy The Dragon Lady's desperate attempt to flag down a vehicle near the front to catch a ride consonant with her status. As the convoy snaked through the streets of Watertown, some of the vehicles in the rear were cut off by red lights. Unwilling to miss their chance at glory, their drives ran the signals to stop, gunning their engines like Daytona stock car racers, oblivious to the fate of Watertown's children.

The convoy made a couple stops before the ideal spot was found — a lakefront restaurant flooded a few weeks earlier but scheduled to reopen that night, a suitable success story of man overcoming the ravages of nature. Reporters asked the expected questions and Witt gave the expected answers. Ten minutes later, Witt's press handler clapped his hands and shouted something like "Okay, folks. That's it." □

Traitors in the War of Ideas

by Fred L. Smith, Jr.

Why liberty is not in the interest of the intellectual class.

Waging the war of ideas is critical, but it is not enough. Classical liberals have long realized that humans are largely motivated by self-interest, that intellectual arguments alone are not likely to persuade people to act against their own interests. Unfortunately, we've failed to apply that lesson to our own efforts. Intellectuals (the combatants in this war) have a strong self-interest in policies that support a large and ever-expanding state. Libertarians are now, and are likely always to remain, a minority in the intellectual class. Our occasional intellectual victories alone will, thus, be of little consequence in the real world. We must do more.

Why Intellectuals Favor Statism

In his essay, "Can Capitalism Survive?" economist Joseph Schumpeter argued that capitalism would create a powerful and resentful intellectual class that would first undermine the moral legitimacy of the entrepreneurial class and then destroy it totally. Schumpeter's argument is straightforward: capitalism produces great wealth, allowing an ever-expanding class of individuals to survive without incessant work. Some in this middle class use their extra time to focus on the unmet needs of the people and take some specific action to advance the public welfare. In other words, some become entrepreneurs or doers, creating even more wealth and an even larger middle class. Other individuals, by taste or temperament, focus instead on the more abstract aspects of society — its institutions and its outcomes — and seek to reduce what they perceive as its imperfections. They become intellectuals or thinkers, viewing the world in abstract terms, blindly reluctant to participate in it.

Schumpeter suggested that, while the doer class tends to pay little attention to the intellectual class, the opposite is not true. It was only a matter of time before intellectuals turned from their studies to view entrepreneurs enviously: "If we are so smart, why are *they* so rich!" But envy is not admirable, so intellectuals naturally seek more self-flattering expres-

sions of their resentment. Envy they craft into "social justice," which trumpets expanded political control over the economy, strict policing of the entrepreneurial sector, and a wholesale swap of private for political institutions. The focus of resentment, the doer class, they malign in familiar tones:

- Entrepreneurs do not really create wealth, rather they gain wealth by exploiting the poor or disadvantaged.
- Business does not really address human needs, but rather creates, through advertising, artificial demands for wasteful consumption.
- Entrepreneurs draw on the finite common resources of the earth in a futile attempt to preserve a non-sustainable way of life and unfairly use their market power to destroy competitors or to deny worthwhile inventions.

Such intellectual attacks are not trivial. They undermine the core institutions of a free society — individual autonomy and freedom, property rights, contracts, the rule of law — and weaken its moral legitimacy.

Not entirely coincidentally, expanding the state delivers considerable economic benefits to the intellectual class. Indeed, who better than the intellectuals (the "best and the brightest") to play the Mandarin role necessary in the modern welfare-regulatory state? As a result, as the state has grown, the intellectual class has evolved into a new priesthood, securing handsome salaries to provide advice and wisdom to political (and, increasingly, private) leaders. Under the activist state, the hitherto under-appreciated intellectual

procures the economic and psychological rewards denied him in the entrepreneurial society. These economic rewards reinforce the more abstract anti-capitalist bias of intellectuals. More importantly, their influence on state policy provides a reward far beyond that of mere economics. No wonder nearly all intellectuals find statism to be in their best interest!

The incentives for intellectuals to be statist are so powerful that we have to wonder: why aren't *all* intellectuals statist? The real mystery is why there are so many free-market types in America, not why there are so few.

The Growth of a Pro-Capitalist Traitor Subclass

In the aftermath of World War II and the Depression, the intellectual arsenal of liberty was virtually empty. To be an intellectual was to favor the expansion of the central state, the substitution of technocratic leadership for individual freedom.

The first step for libertarian intellectuals had to be the replenishment of our intellectual reserves. So, it is neither surprising nor distressing that F.A. Hayek urged libertarian-minded dissidents to focus on ideas rather than seek political victories. Hayek advised a young Englishman, Anthony Fisher, not to enter politics. Hayek saw no reason to allow another good mind to be corrupted by an inherently flawed institution. Instead, he advised Fisher to create a classical liberal center of intellectual excellence. Fisher took that advice

As the state has grown, the intellectual class has evolved into a new priesthood, securing handsome salaries to provide advice and wisdom to political leaders.

and created the Institute of Economic Affairs in London, which triggered a flowering of free-market think tanks throughout the world.

Hayek's motives were straightforward: ideas determine policy. He adopted (as many other intellectual warriors have since) Keynes's quip that "madmen in authority, who hear voices in the air, are distilling their frenzy from some academic scribbler of a few years back." Hayek was conscious that Keynes's comment was highly ambiguous, in that it provides no insight into how we might ensure that good ideas prevail over bad ones. Hayek's implicit assumption seems to be that superior ideas will somehow triumph, that in this arena Gresham's Law will not prevail.

Hayek was not alone in emphasizing the intellectual battlefield. Leonard Read, founder of the Foundation for Economic Education, attracted many business leaders with his moral defense of entrepreneurship and the market order; but Read neither required nor encouraged business leaders to challenge directly the growth of the Leviathan State. Both Hayek and Read seemed to see their task not as winning a war but rather as keeping alive the flame of economic liberty in a world grown very dark.

And indeed a frontal assault on the State in the early post-World War II era would likely have been suicidal. The statist dominance in those days was almost absolute; dissi-

dents were treated ruthlessly. Even Hayek's well-mannered intellectual assault on modern liberalism, *The Road to Serfdom*, published in 1944, made him a non-person for almost two decades. Thankfully, the effectiveness of the intellectual hostility toward classical liberal ideas eventually lessened. The IEA was soon followed by other policy groups; today conservative, free-market, classical liberal and libertarian scholars challenge their more numerous statist counterparts in almost every country, in almost every field.

Yet, it is increasingly apparent that these intellectual gains have led to few significant policy changes. Virtually no laws have been repealed or agencies terminated, and the share of national income consumed by government continues to grow. Tax rates have crept back up after the small decreases of the Reagan era. Indeed, both Republicans and Democrats are inclined to retain any "surplus" revenues to address society's neglected needs (that is, to increase federal spending) rather than return these monies via tax cuts to the people. The deregulation gains of the late 1970s and early '80s have been swamped by the more recent massive expansion of social health, safety and environmental regulations. Moreover, in recent years, the UN and other global political entities, once safely impotent, have gained power.

The Establishment Strikes Back

Many of the gains libertarians have made since the time of Hayek are more the result of the complacency of the left than of the power of our ideas. Indeed, old-school leftist philosopher Richard Rorty laments that the left within the university has become so fixated on the theoretical sophistication of "victim studies" that it has traded political activism (and thus effective power) for cloistered hibernation. For many decades, the intellectual dominance of the statist intelligentsia was so massive that intellectuals could disregard us completely. But that dominance also encouraged an element of graciousness among the elite. Professors, conference organizers, and even editors often sought out our amusing views; we were invited to debate and requested to contribute to journals and conferences. At that time, we defenders of economic liberty were viewed as the dying remnant of a romantic but flawed past. Being powerless, we were allowed to enter the temples.

But, as we've occasionally toppled an establishment pillar or so, we've become less welcome. Gracious liberal values have given way to a fierce defense of privilege. (Aaron Wildavsky predicted this long ago, suggesting that the ACLU would eventually oppose free speech, a result now evident in its objections to "hate speech.") Today, libertarians are rarely invited to left-liberal policy conferences. Increasingly, we are denied any opportunity to challenge establishment views. They control the cultural microphones of the policy debate, and deny us a platform.

Moreover, even when we are present and when our views appear to prevail, our victories are rarely allowed to influence the policy climate. Consider the recent campaign finance reform debate. The reformers' intellectual case was shallow, amounting to little more than an argument that interest groups should not be allowed to influence the political process — a return to the utopian progressive dream of taking politics out of politics. This argument ignores the fact that such "reforms" would further weaken the prospects for

challengers. Moreover, reducing the economic role in elections would strengthen those already powerful economic interest groups whose influence is already pervasive. It would also strengthen the relative power of ideological interests, a sector now dominated by activists such as the Naderites, the environmentalists, and the Christian right. That campaign reform threatens basic American constitutional liberties has aroused almost no concern. Instead, anyone learning of this debate from afar (that is, most Americans) would conclude that a heroic effort to open the political process to challenge, to weaken the power of incumbency and special interests, to move toward a more representative legislature — all this has again been frustrated by special interests and their intellectual lackeys.

The ability of established intellectuals to squelch and misdirect public opinion is awesome. The experience of the late Julian Simon illustrates this well. Simon wrote extensively on the Malthusian fallacy both in its original form (there are too many people) and its modern version (we consume too much and rely too heavily on technology). His massively documented books (*The Ultimate Resource*, *The Resourceful Earth*, *Population Matters*) prove that progress, while uneven and fitful, is real and substantial. His work undercuts the whole logic of the modern environmental movement. He even won a famous wager with doomsday eco-nut Paul Ehrlich. But so what? The Malthusians still triumph in the popular press and in public policy, as demonstrated by the results of the recent Kyoto Global Warming Conference and the tenets of even influential groups like the World Business Council on Sustainable Development.

What difference does it make to wage — or even win — the war of ideas if these victories are never communicated to the American citizenry? The intellectual class has overwhelming incentives — and the power — to suppress dissent, to muffle opposing voices, and to cover up losses. If the people never learn about an intellectual triumph, how can we declare victory?

What Can Be Done?

We cannot expect the intellectual battle to be decisive. We have too few friends in that world and our opponents cannot

The intellectual class has overwhelming incentives to suppress dissent, to muffle opposing voices, and to cover up losses.

be expected to play fair. Still, the intellectual game is important and it remains one of the most important games in town. Moreover, free-market think tanks are becoming an ever-more effective force within the intellectual battlefield. That progress is not valueless; we shouldn't despair.

But what *else* can be done? There are several possible directions.

Seek political power directly: The case here is straightforward. While the original problem may have been a lack of intellectual ideas, there are now far more ideas than champions. Classical liberals should enter the political fray, either *en*

masse or as individuals. The wisdom of the Libertarian Party approach has been argued elsewhere; suffice it to say here that unless some wealthy individual can be persuaded to finance a Perot-style campaign, victory seems unlikely. Recruiting and electing individuals favoring economic liberty through the machineries of the established, major parties is possible, but neither party has any strong ideological preference for such candidates (they seek electable candidates, which biases them toward establishment value candidates — not libertarians). Still, direct political action should not be dismissed, and may some day pay off.

Major structural/constitutional reforms: Much of the success of the left over the last century stemmed from a handful of key historic changes in the American

Since self-interest considerations suggest that we are unlikely to win over any large fraction of the intellectual class, perhaps we should seek allies among the doer class.

Constitution: the constitutional amendment allowing direct election of senators, the New Deal cases allowing the growth of the regulatory state, the income tax amendment. In light of these "successes," not a few dissenters from the modern state see in Initiative and Referenda a safeguard against expanded government, while others favor term limits or balanced budget amendments, cutting off state funding of liberal causes, enacting school voucher programs, privatizing Social Security, supermajority requirements for tax increases, and so forth. Such ideas may well have merit, but they face two problems. First, it is not obvious how they can be enacted in the face of intellectual class opposition. Second, such measures only partially address the lust for big government that now drives the political process.

Seek an alliance with the entrepreneurial class: Since self-interest considerations suggest that we are unlikely to win over any large fraction of the intellectual class, perhaps we should seek allies among the doer class.

Finding Allies in the Business World

This task will not be easy. Business is a rational enterprise; principled, ideological arguments don't easily appeal to those focused on the bottom line. After all, the task of the corporation is to make money, not to improve public policy. Moreover, some statist policies (corporate welfare, trade protection, tax breaks, even regulation) will benefit some businesses some of the time.

In the entrepreneurial phase of a business, managers are so busy they can scarcely read the paper, much less strategize on broad policy reforms. Larger firms can (and to some extent must) adapt to the state — the state shows no signs of melting away quickly, and it can do great damage. Thus, the modern corporation has many high-level staff slots focused on working with government. Many holding these positions "go native" and begin to represent the outside world to the corporation, rather than the corporation to the outside world. Corporate philanthropy officers often view their role

as funding enemies of the company — to “bring balance to the debate.” EEOC officers, environmental vice presidents, directors of regulatory compliance, directors of government and public affairs — all earn good salaries because of their knowledge of the intricacies of the modern regulatory state. If the state were ever to wither away, the intellectual capital and therefore salaries of these people would drop precipitously. Thus, the modern corporation faces a serious principal-agent problem in managing such corporate quislings; yet corporate CEOs rarely question their policy recommendations.

Though most people unthinkingly regard libertarians as the natural allies of business, not a few businesses see libertarians as enemies. “We thought you were our friend” charges are all too frequent when we oppose some corporate welfare policy. In this twisted environment, perhaps the best

Freedom is too important to be left to the intellectuals alone.

first step is to develop links to pro-market intellectuals within firms (a group that, despite all the incentives they face to favor the state, is still likely to be somewhat larger than in the non-business world) and work with them to clarify the value of waging the war of ideas, the value of reform alliances.

Unfortunately, intellectuals, no matter what their political bent, communicate poorly with businessmen. Doers and thinkers don’t speak the same language. Moreover, unlike the statist, we can’t offer the doer class much. The left can provide positive press coverage, libertarians largely cannot. Thus, we must rely on that much smaller percentage of businessmen who have some antipathy to the excesses of the state and do not need the approval or adulation of Café Society. This is not a large pool.

But there are some special inroads that can be made into the business community.

Aaron Wildavsky argued that opinions on most policy issues derive not from facts, but from values. Based on this notion, it may be possible for libertarian intellectuals to develop a service that businesses would find useful in the modern political environment. At the Competitive Enterprise Institute, for example, we have been working for several years to hone a communications strategy that business might use to defend itself. The idea: design a value-based communications strategy that addresses the “only government is fair” argument relied upon so heavily by the left. If businesses could clarify the moral value of capitalism, the virtue of economic liberty, the legitimacy of their activities, they would be far less vulnerable to legal plunder and bureaucratic suppression. A more sophisticated use of corporate advertising might achieve this result. American firms now spend some \$200+ billion annually in selling soap. Yet, any message designed to sell soap, also says something about the moral legitimacy of selling soap. Today, that message is normally neutral. Businessmen sound like the narrator in the old Tom Lehrer song: “‘Vonce the rockets are up,

who cares where they come down? That’s not my department,’ says Werner von Braun.” Even worse, in many cases, corporations accept their pariah status and adopt a “*mea culpa*” approach: “We know we’re destroying the planet but we’re sorry and are working hard to destroy it less quickly!”

An informed corporate message could play a much more significant and positive role. Automotive firms could illustrate that their products have democratized mobility. Computer firms might dramatize how their products have made it possible for the handicapped to enter the workforce. A deregulated airline should proudly note that they have made it possible for the poor finally to “get off the bus.” Energy firms should clarify the virtues of affordable energy, by noting that a world starved of energy would be a world of starving people. Chemical firms should advertise that plastics and pesticides offer major hope of saving both our planet and our people.

Classical liberals have done much to develop the moral and intellectual case for liberty. Wealthier is healthier. The risks of innovation are far less than the risks of stagnation. Economic liberty provides the only path to a more egalitarian society — at least, the only path not ending in uniform poverty.

The massive advertising investment of business provides the means of allowing the American people to consider our findings.

Some firms have already begun to move in this direction. AT&T’s recent ad campaign illustrates well how the cellular phone eases the tasks of the working mother; GE ads provide an important antidote to the Al Gore view that energy use is nothing more than a source of negative externalities; the American Plastic Council ads have begun to reverse the pariah status that the movie *The Graduate* assigned this most important material. Imagine a world where these results were not random, but rather a part of a strategic plan developed jointly by business and pro-market intellectuals. A hostile intellectual class may well be able to filter out our message; they cannot stop advertising.

On All Fronts

As the success of libertarian organizations like the Cato Institute and the Competitive Enterprise Institute illustrates, the Schumpeterian prophecy that all intellectuals will become statist is overly pessimistic. For various reasons, some intellectuals prove resistant to statist temptation, or soon abandon it (after all, I was once a knee-jerk liberal). Certainly libertarian intellectuals are far more numerous today than a few decades ago. As argued above, while we may be traitors to our class, we are still influential enough to challenge the statist in the war of ideas. For that reason, it might be useful to analyze the circumstances that lead some to abandon statism. Market research might well improve our market share.

But whether we battle in the academy or the media, within the boardrooms of corporations or in the halls of Congress, we must also in all things challenge the moral pretensions of the statist. The left has had great influence and power because it linked its ideas with the core values of many Americans. President Clinton and others announce proudly that the era of Big Government is over — and therefore appeal to the individualist

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“A Naked, Arbitrary Exercise”

by Bruce Ramsey

The minimum wage *v.* the U.S. Constitution . . .

These days, battles over minimum wage are fought almost exclusively in terms of economics: jobs lost versus workers helped. Earlier in the century, the battles were fought over law and principle. Was *any* minimum wage fair? Was it constitutional? Twice the Supreme Court made major rulings, and in different ways.

In 1923, in *Adkins v. Children's Hospital*, the court declared the minimum wage an illegal interference in private contracts. Writing for the court, Justice George Sutherland said the measure was “simply and exclusively a price-fixing law,” and “so clearly the product of a naked, arbitrary exercise of power that it cannot be allowed to stand under the Constitution of the United States.”

Adkins was overturned 14 years later, and today is dismissed as a dead branch of constitutional law. It still has its defenders, though. Hadley Arkes, professor of jurisprudence and American institutions at Amherst College, writes, “Sutherland’s opinion was a model of force and clarity” — particularly, he says, in comparison with the New Deal decision that replaced it.

Freedom of contract did not begin with *Adkins*. It was an old principle of English and American law, and a principle of the Founders. But they did not specify it in the Constitution. The closest they came to it was to say that “no state shall pass any law . . . impairing the obligation of contracts.”

John Marshall, chief justice from 1801-1835, argued that this rule applied to all contracts, existing and future, in recognition of a natural right of contract. But in an 1827 case about state bankruptcy laws, Marshall lost the argument. Ever since *Ogden v. Saunders*, the Contracts Clause has applied only to “impairing the obligation” of existing contracts, such as farm mortgages during the Depression.

A battle lost over one clause of the Constitution can often be re-fought over another. After the Civil War, the right of the individual to negotiate on his own behalf returned to the high court through the creative jurisprudence of Justice Stephen Field. Appointed by Abraham Lincoln, Field built

upon the anti-slavery doctrines of free labor to articulate a principle that every man had a right in his own labor. He expanded this “right to choose a calling” to the broader principle of freedom of contract.

This, he argued, was required of the states by the 14th Amendment, passed in 1868, which said, “nor shall any State deprive any person of life, liberty or property, without due process of law . . .” Due process, argued Field, meant more than merely following the *process* of the law; it meant that the *substance* of law had to be reasonable, and accord people their rights.

This doctrine came to be called “substantive due process.” Field pushed it for decades in dissenting opinions. The year he retired, 1897, a majority of his colleagues finally accepted it. In *Allgeyer v. Louisiana*, newly appointed Justice Rufus Peckham sounded positively Spencerian when he declared that due process “is deemed to embrace the right of the citizen to be free in the enjoyment of all his faculties; to be free to use them in all lawful ways; to pursue any livelihood or avocation, and for that purpose to enter into all contracts which may be proper, necessary and essential . . .”

This was the beginning of “laissez-faire constitutionalism,” also called “the Lochner era.” In the 1905 case of *Lochner v. New York*, the court used its new doctrine to strike down its first piece of social legislation, a New York law setting a ten-hour day for bakers. If that law were needed for safety and health, wrote Justice Peckham, it would pass muster; but a bakery was not such a hazardous place to work. In the court’s view, the bakeshop law was outside state government’s rightful purview of “safety, health, morals and general welfare of the public.” It was a “meddlesome interference” in the rights of “grown and intelligent men.”

Justice Oliver Wendell Holmes penned a famous dissent, declaring "The 14th Amendment does not enact Mr. Herbert Spencer's *Social Statics*." Spencer's law of equal freedom had always been violated by the states — by "the school laws, by the post office, by every state or municipal institution which takes his money," Holmes wrote. Regulating bakeries was no big deal. This argument was to be repeated again and again in the fight over laissez-faire constitutionalism.

Holmes also argued that the court was deciding *Lochner* "upon an economic theory," and one that "a large part of the country does not entertain." This, too, would be a repeated charge. But strictly speaking, it was not true. The crucial arguments in *Lochner*, and later, *Adkins*, were about morality, fairness and rights. This was not economics, but natural-rights theory.

From the first, the court found it difficult to define the newly recognized freedom of contract. In 1908, it approved an Oregon law limiting factory work to ten hours, on the paternalistic grounds that it applied only to women. The same year, the court struck down a federal law banning labor contracts in which the worker promised not to join a union. Even a "yellow-dog" contract was still a contract, the court said. In *Adair v. United States*, Justice John Harlan wrote, "The right of a person to sell his labor upon such terms as he deems proper is, in essence, the same as the right of the purchaser of labor . . . Any legislation that disturbs that equality is an arbitrary inter-

Justice Oliver Wendell Holmes penned a famous dissent, declaring that "The 14th Amendment does not enact Mr. Herbert Spencer's 'Social Statics.'"

ference with the liberty of contract which no government can legally justify in a free land."

In hindsight, it was amazing that freedom of contract remained doctrine as long as it did. Even in the first decade of the century, as Holmes had pointed out, many Americans did not agree with it. The socialists, then the radical part of the labor movement, did not. Nor did the progressives — middle-class, bourgeois reformers who trusted government to create a world free of gambling, "sporting houses," saloons, quack medicine and bad meat. The minimum wage, which applied only to women and children, was their cause.

In 1912, the year Teddy Roosevelt ran as a Bull Moose, Massachusetts passed the first U.S. minimum wage law. It was followed in 1913 by California, Colorado, Minnesota, Nebraska, Oregon, Utah, Washington and Wisconsin. In the next decade came Arizona, Arkansas, Kansas, Texas, North Carolina, the Dakotas, Puerto Rico and the District of Columbia.

The District of Columbia's law of 1918, passed overwhelmingly by Congress, was typical. Its aim was to protect women and minors "from conditions detrimental to their health and morals" — a formula designed to pass muster with the court, and to please progressives rather than unionists. "Morals" was a reference to widespread stories of women driven into prostitution.

The law did not set a minimum wage. It set up a three-

person wage board with the power to subpoena witnesses and business records, and take testimony. The board set the wage, and it could be different for each line of work.

The board set the wage for Willie Lyons at \$16.50 a week. Lyons, 21, was employed by the Congress Hall Hotel as an elevator operator. She earned \$35 per month plus two meals a day. Said the court, "She alleges that the work was light and healthful, the hours short, with surroundings clean and moral, and that she was anxious to continue it for the compensation she was receiving, and that she could not earn more."

Faced with nearly doubling her wages, the hotel discharged her. She sued the District of Columbia wage board.

The wage board was represented at the Supreme Court by a Harvard law professor, Felix Frankfurter. Progressive opinion expected him to win. But the court ruled for Lyons, 5 to 3. Justice Sutherland, a former Republican senator from Utah, wrote for the court.

A minimum wage, in Sutherland's view, went further than the kinds of intervention the court had approved. It interfered with all businesses, not just those "affected with a public interest." It claimed authority over all occupations, not just those that posed unusual hazards.

The case was about the law's reach to adult women. The court had supported special protections for women. But Sutherland, who had been an outspoken advocate of women's suffrage, argued that the passage of the 19th Amendment in 1920 had changed all that. In 1923, he wrote, women were "legally as able of contracting for themselves as men."

He added, "It cannot be shown that well-paid women safeguard their morals more carefully than those who are poorly paid. Morality rests upon other considerations than wages."

Opponents argued that a minimum wage was needed to bolster employee bargaining power. Sutherland wrote, "The law is not confined to the great and powerful employer but embraces those whose bargaining power may be as weak as that of the employee."

The real problem with the minimum wage, he argued, was that it had "no causal connection with the business, or the contract or the work the employee engages to do." The minimum wage "need have no relation to the capacity or earning power of the employee, the number of hours which may happen to constitute the day's work, the character of the place where the work is to be done, or the circumstances or surroundings of the employment."

The wage board was supposed to be guided by the employee's need. But who knew how much Willie Lyons needed? People have different habits. "To those who practice economy, a given sum will provide comfort," Sutherland wrote, "while to those of contrary habit, the same sum will be wholly inadequate." Was Lyons living with her parents? Her husband? Alone? Did she have children?

The wage board, which could make none of these distinctions, drew them instead by lines of work. Where food was served, the minimum wage was \$16.50 per week; in printing shops, \$15.50; in a laundry, \$15; and for beginners in a laundry, \$9.

How did that reflect need? And why should it? The employee's needs "arise outside of the employment, are the same when there is no employment, and are as great in one occupation as in another," Sutherland wrote. "Certainly the employer, by paying a fair equivalent of the service ren-

dered, though not sufficient to support the employee, has neither caused nor contributed to her poverty. On the contrary, to the extent of what he pays, he has relieved it."

In the midst of his argument, he wrote, "The ethical right of every worker, man or woman, to a living wage may be conceded" — a sentence that his opponents would hurl back at him. But Sutherland argued that this ethical right did not create an obligation of an employer to pay more than an employee's worth.

"If one goes to the butcher, the baker or the grocer to buy food, he is morally entitled to obtain the worth of his money," Sutherland wrote. "If what he gets is worth what he pays, he is not justified in demanding more, simply because he needs more."

Labor was bound by the same principle. To demand more "amounts to a compulsory exaction from the employer for the support of a partially indigent person," he wrote. Such a person is "no particular responsibility" of the employer; if the responsibility "belongs to anybody, [it] belongs to society as a whole."

Again, that admission. "Society as a whole" was not supporting indigent persons in 1923, at least not through a federal dole. But it would be, 14 years later.

The central issue remained that the minimum wage was based "wholly on the opinions of the members of the board," without any necessary connection to the business, the worker and the work to be done. That was the "naked, arbitrary exercise of power." If it were allowed to stand and the government could set minimum wages, it could also set maximum wages "when the public welfare is thought to require it."

Justice Holmes, who had dissented 16 years earlier in *Lochner* and again in *Adair*, dissented again. He didn't buy the liberty of contract. "It is merely an example of doing what you want to do, embodied in the word 'liberty,'" he wrote in an oft-quoted passage. "But pretty much all law consists in forbidding men to do some things that they want to do, and contract is no more exempt from law than other acts."

He also zeroed in on a contradiction. The court had admitted in earlier cases the government's right to limit

The New Republic called the decision "the legal right to starve." The Nation called it "nothing short of shocking."

women's hours of work. What was so different about wages? Sutherland had argued, not entirely convincingly, that an overtime law was not as onerous as a minimum wage because it "leaves the parties free to contract about wages."

As for the women's-rights argument, Holmes wrote, "It will take more than the 19th Amendment to convince me that there are no differences between men and women."

Progressive opinion was outraged — and not at Holmes. The *New Republic* called the *Adkins* decision "the legal right to starve." The *Nation* called it "nothing short of shocking." It asked how a woman making \$35 a month could afford taking a case to the Supreme Court, "unless possibly some benevolent employers' association generously helped her out."

Gov. Al Smith of New York threw back Sutherland's line

about an "ethical right . . . to a living wage." Smith said, "I believe that every effort should be made to give effect to that ethical right which the Supreme Court itself concedes." Washington governor Louis Hart vowed that his state's law "will continue to be enforced."

Critics sneered at Sutherland's bookish claim that setting of minimum wages could lead to maximum wages. (Two decades later, during World War II, government was setting maximum wages, as it would in peacetime under Richard Nixon.)

For the rest of the 1920s, *Adkins* was precedent. The court struck down Arizona's minimum in 1925, and Arkansas' in 1927. Laws in other states were often not enforced.

Then came the Depression, with its relentless economic pressure to cut wages, and political pressure to sustain them. The unions, moribund in the 1920s, revived. In 1933, the year Franklin Roosevelt took office, six states enacted minimum-wage laws. In 1936 the old majority barely held: The court threw out New York's minimum wage for women by a squeaker vote of 5-4.

The court had already unanimously struck down Roosevelt's experiment in corporativism, the National Recovery Administration, and by an 8-1 ruling, his Agricultural Adjustment Act. The 1936 New York case, Roosevelt complained, had made wages a "no-man's land" subject to regulation by no level of government.

Said the *Christian Century*, "The worker who seeks to sell his services must venture out on the economic battlefield into a legal no-man's land where neither federal nor state law can protect him." The old free-silver populist, Sen. William Borah of Idaho, said the decision condemned "millions of Americans to economic slavery."

The mid-1930s was the high tide of the left in America. In 1934 labor leader John L. Lewis had called for a 30-hour-week, six-hour days and a minimum wage of 50 cents per hour. A poll in 1936 showed that 70 percent of Americans supported a constitutional amendment for a minimum wage. In 1936 Sen. Howard Costigan of Colorado proposed a constitutional amendment: "Congress shall have power to regulate hours and conditions of labor and to establish minimum wages in any employment and to regulate production, industry, business, trade and commerce to prevent unfair methods and practices therein."

These proposals failed, along with the egalitarian crusades of such messiahs as Upton Sinclair and Huey Long. But Roosevelt did win his struggle with the "nine old men." He put unprecedented pressure on the court by asking Congress for authority to "pack" it with an extra justice for each one who was seventy years old and who had been on the court for at least ten years. In the first half of 1937, that battle was on the nation's front pages day after day. The break came not in Congress but in the court itself, in yet another case on the minimum wage.

Elsie Parrish, a hotel chambermaid, sued for back wages under the minimum wage law of Washington. Dating from 1913, Washington's law was much like the one struck down in *Adkins*, and should have been thrown out 14 years before. But the Evergreen State, which had been a stronghold of unionism, prohibition and public power, had refused to follow *Adkins*. Its minimum wage required Elsie Parrish to be paid \$14.50 per 48-hour week.

In *West Coast Hotel v. Parrish*, the Supreme Court lined up

continued on page 48

About Them Cops . . .

by Paul Rako

*Paul asks his
Washington, D.C.
buddy for a little
help with the local
police.*

Dear Mr. President:

Well, it's Darrin again. I told you trouble can find Darrin the way a camel finds water. The only trouble is that Darrin's oasis has bars. Yup, Mr. President, one of our own has been jailed, and for no good reason to boot. I'm sure you can sympathize with innocent people being thrown into jail since so many of your pals have had this happen to them. Let's just hope we can keep the whole Foster thing under wraps until your retirement. So anyway, I wouldn't be writing if Darrin didn't need a hand and by the way, thanks for everything since we know you must have put a word in to your generals and everything since Darrin didn't have to go to Iraq and kill women and children and by the time you read this Darrin will have an honorable discharge and who would have figured a wild and crazy happy go lucky guy like Darrin doing something so responsible? I know you and me couldn't have pulled it off, hey Bill?

I guess I should start at the beginning. See Bill, Darrin and Preacher go to work together in Preacher's car, a really cool '68 Ford Ranchero with a nice blue paint job and a boffo white fiberglass tonneau cover that keeps people from messing with anything in the truck bed. Preacher don't have to give Jersey Darrin a ride, but since the state took away Darrin's license it would be real tough for him to get to work if it wasn't for Preacher giving him a ride. Them Marines are always pulling the tough duty and I've yet to hear Preacher complain about anything. It's kind of funny when you think about it Bill, how the State of California doesn't think Darrin should drive a car and how the U.S. government wants him driving around Iraq killing women and children. Like I was saying, Preacher and Darrin were in Preacher's car and it was 8 o'clock in the morning on a Friday. They were down by the warehouse of their construction company on the east side of San Jose. Now Bill, I've lived in a lot of money grubbing towns including Detroit in the '70s, but one thing the cops always seem to respect is that a man's got to get to work in the morning. No matter how low taxes fell, the cops would keep off your back at least if you was on the way to work. Well Bill, I guess the tax collection in San Jose knows no bounds. It certainly has no dignity as the story I'm gonna tell you will prove.

Preacher and Darrin are on the east side of San Jose and minding their own business and not messing with anybody, when the police pull Preacher over for — get this — a crack in the windshield. Now as a Harley rider for 30 years, Preacher is used to this kind of harassment, but in a stone legal car going to work at 8 a.m. on a Friday, even Preacher is a little amazed.

Interestingly enough Bill, I know the DMV Code real good, and I know that a crack in a windshield has to extend to the edge of the glass to be citable and Preacher had just a little stone chip that I defy anyone to see from behind the car. Darrin figures they pulled them over because they were two white guys in the Hispanic center of town, but we can only guess. It might have been Preacher's bumper sticker that said "I'm the person your mother warned you about."

Well Bill, for whatever reason the cops were in a "let's see who we can mess with next" mode which, as I'm sure you can appreciate with this special prosecutor deal, is a real scary place to be. Now bad enough that they pull Preacher over for no reason when he's just going to work so he can pay his taxes and make his house payment and keep his Harley on the road. But then when all of Preacher's license and registration and insurance check out and it wouldn't surprise me if the cops are checking if you floss between meals and rotate your tires and all every other kinda thing about Preacher. Anyway, when all this stuff checks out A-OK and you would think they would just give a fix-it ticket for the windshield which would be bogus anyway since the crack didn't go to the edge of the glass, just when you think they would say

"thank you and have a nice day."

Oh no, no way baby, since they couldn't get any money from Preacher they start jackin' Darrin around which is wrong since there was nothing about the car, Preacher or anything else that constituted probable cause to mess with Darrin but no — the little jackbooted Nazis that watch reruns of those *COPS* shows had to violate every principle of decency and law enforcement and mess with Darrin and I'm sorry I'm gettin a little worked up here Mr. President, but it's only that Darrin is the nicest most lovable guy ever produced by the state of New Jersey and these, these, yeah Bill I'm gonna say it, these PIGS have gotta go mess with him when a complete computerized background investigation on Preacher already showed him to be a stand-up guy, and who are these candy-assed cops messin' with Preacher anyway since he was getting his ass shot off in An Wa in 1969 in the kind of action that would have these punk Nazi cops crapping their pants and crying for mama. Hang on, I need a drink.

OK OK. Bad enough Preacher gets pulled over for no reason. Bad enough the cops violate Darrin's constitutional rights by calling for his ID. But what happened next will really blow your mind. So Darrin, who knows he's been in trouble before and who knows he has nothing to fear since he's doing the whole program and paying his fines and hasn't violated one tiny little bit of his probation, hands the ID over to the cops. The cops use more of our tax dollars to radio in a check and believe it or not, Darrin has a warrant out for his arrest. Now Darrin is not exactly shy so when the backup car arrives and the handcuffs come out, he explains that this is all a big mistake and all they have to do is call the treasury department on the 6th floor at Hedding street and everything will be OK. Of course Darrin is also real smart, so when they "Cuff him and Stuff him," he don't get physical or bring anything down on Preacher, he just gets in the car and goes for a ride. This is when the real horror begins. They get downtown and put Darrin through the humiliation of "processing." This is where a bunch of bullies take your clothes, search you naked and give you an orange jumpsuit to wear. At no time is any opportunity missed to degrade you or treat you like an animal. This insures a lot of repeat business and since the CDC (California Department of Corrections) is unionized they always do everything in their power to insure there will be plenty of jobs for their pals. You know Bill, if you wanted to do some good, you could stop the old Republican idea of giving lots of money to people who have a vested interest in putting people in jail. A special-interest group that likes to see people's lives destroyed to provide cushy civil service jobs is not the best thing in the world. Of course, welfare does the exact same thing but at least we thought we could help the poor giving them free money Maybe we shoulda known better that it would destroy the family and cause teen pregnancy and make poor people permanently poor, but at least it didn't start out that way and I can tell you, this whole thing is rotten from the start.

So Darrin's in processing at Main Jail and everybody knows he's getting railroaded cause like I said, Darrin ain't shy, except apparently all those cushy civil service union member employees never learned how to use a telephone, 'cause rather than use the eight available hours during Friday when the entire San Jose government is available and taking calls, they just keep telling him to shut up and wait in

line. Then they transfer him to Elmwood Rehabilitation Center which is kinda funny since he don't need rehabilitating and even if he did the only useful skills I've seen there is how to use a paper clip to make a free long distance call on a pay phone and how to trade a baloney sandwich for a bag of tops and some rolling papers. Being a government operation Elmwood is real orderly. One of the orderly things is that commissary comes on Wednesday. This means Darrin can't get any toiletries, cigarettes or food until Wednesday. Now I told you how Darrin loves the ladies and you can imagine his mental state in a place where there are no ladies, not even Saudi Arabian ones wearing veils, but the other thing about Darrin is he loves to talk and you can imagine the effect on him when he's in an environment where he doesn't know anyone he can talk to.

Well Bill, I'll spare you the gory details, but Darrin spends all Friday without a soul to talk to. Then Saturday comes. Then it goes, but very very slowly. Then Sunday comes. Then it goes, but very very very slowly. And the real thing grinding on Darrin is that all of us took our Harleys on this big run up into the Redwoods and Darrin knows we're havin' a great time riding and dancing and drinking and listening to really great bands and camping out and just having a really great time and we told him he could ride up with the beautiful women in the chase truck on Friday, but he said he had to be responsible and go to work Friday which of course never happened because of those Nazi pigs.

So Darrin had used his one phone call to get ahold of Shovelhead Bill and told Bill to go to the room Darrin was renting from FM and get all the receipts and records that showed that Darrin was keeping with the program and was paying all his fines. Darrin was really hoping that Sue the owner of the bar would come represent him since Sue was a big time corporate lawyer who could straighten a mess like this out while she was sleeping. Then the riot happened. Some 14 kids found a 13 in the second floor of Barracks Five and threw him out the window. Now Bill, I can understand if the the last sentence has you scratching your head, so let me explain. It's one of the most successful programs the CDC has ever pulled off. See Bill, a "14" is a Mexican American from Northern California. They are called Norteños. The letter "N" is the 14th letter of the alphabet. A "13" is a Mexican American from Southern California. They are called Suraños. The brilliance of the CDC is to foster and encourage a fierce hatred between these groups, getting these kids so busy hating each other it takes their mind off the fact that it's the rich white European guys in Sacramento that are screwing them both. If the CDC keeps up its success with this program the tough hard-working Hispanics of Los Angeles and San Jose may never march on Sacramento and kick the ass of the real gang of scumbags who are oppressing them. If only every government program were so successful, hey Bill?

So anyway, the Norteños throw this kid out the second story window and needless to say, the cushy civil service union CDC guys freak out and all of Elmwood goes on lockdown, where you can't get out of the barracks and worse yet for Darrin you can't use the phone. Now Darrin can't call anyone and find out if Sue can come to court for him on Monday.

Now Bill, before I describe the altercation that Darrin got into with a young Hispanic lad, I want to recap Darrin's

emotional state so you don't think he's some kind of troublemaker or hard ass looking for a fight. First and foremost remember that this whole incarceration is a big mistake and Darrin wasn't supposed to be there in the first place. Then remember there are no women in Elmwood. Now consider that there was no one for Darrin to talk to for 4 days, the crowding and that the bunks are stacked three high in the barracks. Then remember the fact that Darrin had not shaved or showered or used deodorant or brushed his teeth for the same amount of time since the government feels Wednesday is the only day to buy personal hygiene products. On top of this the riot has caused the entire facility to go on lockdown and Darrin had no idea if anyone would be in court to straighten this mess out for him. So Bill, I think you can understand the emotional state of Darrin the Monday he was scheduled for court when he's sittin' at breakfast minding his own business when a young Hispanic fellow looks at him and says "Give up those eggs SA." (Which is kind of funny since SA stands for Spanish American and Darrin at least don't look Spanish American but who knows with New Jersey being such a cosmopolitan place, but anyway it's still kind of funny.) So anyway Mr. President, I guess you can understand Darrin's emotional state when he looks up at this kid and says: "What?" And then the kid, real brave because he'd throwed someone out the second story window earlier that morning says: "I SAID, give up those eggs SA." Well, Darrin just let loose. He says to this kid that he's been there four days and hasn't bothered anyone and he ain't supposed to be there anyway and he ain't had a shower or shaved cause commissary comes on Wednesday and he can't even use the phone to see it Sue will be in court and: "You know what mother (Darrin used an "inappropriate" word at this point), if you want these eggs your gonna have to take 'em from me!" And the whole cafeteria gets real quiet and you could see those cushy civil service union CDC guys freak out all over again cause a riot in the cafeteria is real trouble because there's lots of forks and knives and things that can hurt cushy civil service union CDC guys which is why they keep their distance because basically they are just a bunch of middle class guys who get their kicks treating people like crap and when the balloon really goes up the CDC guys will be the first to hit the road and then the young Hispanic kid starts to mouth off and I myself know Darrin would have kicked the crap out of one kid but the kid would have gotten all his buddies to help because they haven't watched enough westerns to learn *maño a maño* is the right way to solve problems but thank God some older Hispanic guy who might have been a gang leader saw the reason in Darrin's position and said "Hey, he's right, he hasn't bothered nobody, leave him alone." With Darrin ready to rip this kid's head off and the older guy backing Darrin up, the young kid backs down and sulks off to act tough somewhere else. Maybe the older guy was tired of fights. Maybe he didn't like the kid. Maybe he saw Darrin carry the crippled guy into the bunk above him a couple times a day and knew Darrin was a stand-up guy. Who knows Bill, but at least there wasn't a second riot Monday.

So Darrin gets on the bus and goes to court. Sure enough Sue walks in with all his records. He looks at her and says "Sue, I love you, I really love you." Well the bailiff thinks Sue and Darrin are lovers and yells at Sue to sit down and to

not talk or even look at Darrin (like I said, they don't miss no opportunity to mistreat your fellow man in the San Jose legal system). So then the judge calls Darrin, and Darrin says he has representation and the judge asks Sue if she has talked to her client and Sue, a real sharp corporate lawyer and one fine woman, puts on her sweet face and tells the judge that the bailiff wouldn't let her and the judge gets mad and the bailiff gets real apologetic and maybe next time the bailiff won't jump on people who are in the process of having the state ruin their lives.

Well, Sue gives the judge Darrin's records, thank God Darrin knows how screwed up the government is and kept them all organized and everything, and the judge looks at them and says: "Well, he's done everything he's supposed to and has been paying his fine so I see no violation of probation. I order his immediate release." That was at 10 in the morning. Just so you know what immediate means in local government, I picked Darrin up at 11 that night. Pretty scary, huh bill? And Darrin is stuck there twelve more hours just waiting for that young Hispanic kid to start some trouble.

The funny part is that Darrin is totally non-racist and I have seen him arguing with people that all colors are equal. I was with him once when he picked up a hitchhiker. The hitchhiker got to talking and said something like "Well, nobody likes the blacks." Only he didn't use the word blacks, he used the "N" word which I ain't gonna spell out cause my dad taught me never never ever to use that word. "Nobody likes the blacks." Well, Darrin stopped the car and said "Oh yeah, well, I do, so get your white ass outa my car and start walking, motherf---r." That's the kind of guy Darrin is Mr. President.

So what really grinds me is that the state took four days of Darrin's life, and put him in a very dangerous situation and put out Shovelhead Bill and Sue and me to back him up, and all Darrin gets is a "sorry we made a mistake." I thought the purpose of the federal government is to protect us from the state government and Bill, the state and local governments are really getting out of line. I think it would be a good idea for all traffic fines and assessments be put into a central pool that is used to compensate the victims of uninsured motorists. That way the local governments won't have an incentive to pull people over and hassle them just to get some money in the cities' coffers.

When I was a young boy in Ohio a policeman would make you feel safe and secure in your person and property. In California, any time you see a cop you think: "What's this going to cost me?" Bill, Law Enforcement and the Judiciary should not be used for revenue collection. If you could drop a good word for Darrin and see about getting him some justice it sure would go a long way to getting his spirits back up. And since the Democrats pretty much run this town I think a little reminder from you on the true spirit of liberalism will help return them to their roots and at least slow down the revenue gathering actions of law enforcement.

Thanks for your help,



Paul Rako
U.S. Citizen

Reviews

Two Lucky People: Memoirs, by Milton & Rose D. Friedman.
University of Chicago Press, 1998, xii + 660 pages.

Twice Blessed

Loren E. Lomasky

This is an apt time, before the Millennium Bug takes a bite out of us all, to propose twentieth century nominations to the Libertarian Hall of Fame. Despite the manifold perversities of theory and practice that this lopsided century has witnessed, there are a number of strong candidates.

Friedrich Hayek began his vigil as a champion of freedom against the onrush of the new serfdoms when defense of individualism against collectivism seemed quixotic and reactionary. Throughout a productive scholarly career lasting more than 50 years he consistently set himself against centralized systems of command and control, gaining over the years an increasingly respectful hearing. He was blessed to live long enough to see his critique of the workability of socialism vindicated by the crashing down of the Soviet empire. Robert Nozick's brashly ebullient *Anarchy, State, & Utopia* landed like a bombshell on complacent American liberalism and pried open the gates of mainstream academic philosophy to libertarian thought. It was a worthy successor for our time to John Stuart Mill's *On Liberty*. Ayn Rand's passion, energy and imaginative genius captured enthusiasts by the thousands. The philosophy of freedom became, via

her telling, not merely an arcane body of theoretical lore for pedants to ponder but a luminous ideal of life well-lived. Murray Rothbard was, for decades, the unofficially acknowledged "Mr. Libertarian." Rothbard's output included major works in economics, philosophy, and history as well as innumerable pieces of journalism. He was a combination movement strategist and wager of intellectual guerilla warfare against the statist quo.

Each is a bright star in the libertarian firmament. But if I were assigned the uncomfortable task of nominating just one outstanding figure, my pick would be Milton Friedman. As with Hayek, he has displayed consistent devotion to individual liberty over a long career and, despite usually diverging from the economics mainstream, eventually emerged with a Nobel Prize and the grudging admiration even of professional peers on the far side of the ideological divide. Like Nozick, Friedman exhibits a razor-sharp intellect that makes him the odds-on favorite in any intellectual debate. And like Rand he is a public intellectual who reached out to the populace, in his case most notably through the PBS documentary series *Free to Choose* and a long stint as a *Newsweek* guest columnist. Similar to Rothbard, Friedman has shown himself to be at home both in the realm of abstruse theory and policy advocacy, the latter being informed by the former.

What may be most remarkable about Friedman, though, the catalytic ingredient that unites all the other virtues and makes the combo work, is his abiding optimism. As even libertarians considerably less illustrious than Friedman and thus not so liable to be the target of hostile arrows well know, it is discouraging time after time after time to find oneself in the minority, indeed a minority so minuscule and so distant from where the political action is taking place as to seem almost entirely irrelevant to current debates. Evangelizing becomes increasingly onerous in the face of repeated incredulous rejections; patience with neighbors and colleagues is worn down by their obdurate refusal to see events in the light of reason you have kindly offered them. The culmination often is liberteriosis. Symptoms of this pathology include any of the following: despairing retreat from politics; apocalyptic pronouncements about a world heading to hell in a handbasket; a shift from outreach efforts to shrill and authoritarian policing of the inner cir-

If I were assigned the uncomfortable task of nominating just one outstanding 20th century libertarian, my pick would be Milton Friedman.

cle; absurd wheelings-and-dealings to produce coalitions that just might possibly be politically efficacious; figurative or literal retreat into the wilderness. Against all of these Friedman has been immune. How so? These memoirs will be worth the reading if they do nothing more than answer that one question.

This is not, however, the story of Milton Friedman alone but rather, as the title conveys, that of two lucky people. More than 65 years ago he and Rose Director became acquainted as

graduate economics students at the University of Chicago. As acquaintance is wont to do, this one blossomed into friendship and then love and then an enduring marriage. But more than endure, it thrives. The clear evidence of these memoirs is that these are two exceptionally well-matched individuals, lucky in many respects but most lucky in having each other. Their marriage has been a partnership in more than an honorific sense, and so it is appropriate that they jointly compose these memoirs. As befits such renowned individualists, they write by turns rather than collaboratively, a few pages of Milton followed by a couple from Rose. The merits of mutual exchange are confirmed once again, as the story of these intertwined lives is efficiently and comprehensively related.

Both entered the world early in the century's second decade. Their tale is a variant on millions of contemporaneous instances of the American dream. Milton was the youngest child of Jewish immigrants, Rose herself an immigrant. Both families were distinctly working class; neither ever had much money. Nonetheless, funds somehow were found for private music lessons (Rose's took, Milton's did not), and the children were encouraged to excel in school and then go on to college. Education was deemed the key to upward mobility in the new land of open-ended possibility, so parents saved, older siblings boosted younger ones, and extracurricular amusement took a distant third place after homework and odd jobs. And it was education that brought these two young people together, Milton from New Jersey and Rutgers University, Rose a Portland, Oregon, girl who followed an older brother, Aaron Director, to the University of Chicago economics department. Milton displayed early mathematical gifts but had veered into economics under the influence of two

exceptional young instructors, Homer Jones and Arthur Burns (later Chairman of the Board of Governors of the Federal Reserve). At Chicago they enjoyed the tutelage of an outstanding faculty, most notably Jacob Viner and Frank Knight, for whom Rose worked

Academic positions were not plentiful, and what few jobs there were often carried an implicit "Jews need not apply" sign.

as a research assistant. Needless to say, both did well.

By this time the Depression was well-entrenched, and young scholars had to interrupt the pure life of the mind with some very practical reflection concerning where the next meal was to come from. Academic positions were not plentiful, and what few jobs there were often carried an implicit "Jews need not apply" sign. There is no little irony to the fact that the New Deal was their pecuniary salvation. First Milton and then Rose took jobs in Washington, a Mecca for many of the best and brightest young economists of the generation. Disappointing perhaps to the preconceptions of some libertarians, both seemed to have found a series of worthwhile and fulfilling employments under governmental aegis there and then in New York. Marriage duly followed. Milton completed a PhD dissertation and finally received a university appointment at the University of Wisconsin. Not atypically for the times, Rose put education and a career on hold in favor of making a home for her husband and then their two children, Janet and David.

Wisconsin provided the first of many controversies in which Milton was the central figure. His reappointment and promotion were held up by a departmental faction that saw him as a bit too brash, a bit too eager to jump the queue, and a bit too Jewish. No matter; war was

looming, and it afforded another round of governmental employment and further irony. Milton worked as a Treasury economist helping to make taxation more efficient for a government ratcheting itself up to unprecedented proportions. For the two final years of the war effort he was engaged in statistical analyses aimed at the more effective demolition of Axis resources. Then, victory achieved, it was off to the University of Minnesota for the Friedman family. All these stopovers, however, were prologue to Milton's taking up the destined role: a professorship at the University of Chicago. Over the next thirty years he achieved preeminence in his profession, trained generations of first-rate students, undertook forays into the public sphere and, with Rose's constant support, succeeded bit by bit in making the world a better place.

Milton nearly always played the role of dissident. He swam against a Keynesian macroeconomic tide that saw the key to continued prosperity in governmental planning to rationalize otherwise chaotic markets and demand stimulation to avert a repeat of the Great Depression. Against a phalanx of eager fiscal managers he preached the importance of attentiveness to monetary variables. In the policy realm he urged an infusion of competition into moribund public education via a voucher scheme, a constitutional amendment to limit taxation, replacement of most welfare programs with a negative income tax, rolling back professional licensure and regulation, elimination of rent and price controls, decriminalizing drug use and other victimless crimes, and so on. No one reading these pages need be told that none of these campaigns has yet come to fruition. He did, however, achieve one notable triumph as a prime mover in the campaign to replace the draft with an all-volunteer military. The frequent defeats did not engender discouragement, nor did the occasional victory prompt complacency. At a time of life when many others would confine their competitive aspirations to the shuffleboard courts, Milton — with, of course, Rose by his side — continues to contend for the enhancement of human freedom.

What accounts for the continued vitality of this redoubtable couple?



"She hasn't responded to *any* stimulæ, Dr. Pavlov — maybe we should switch to a dog!"

Without proffering an answer in so many words, these memoirs suggest a mix of factors. First, however many unyielding walls were head-butted in the political arena, the practice of professional economics brought increasing recognition, respect and eventual admission into the canon of economic greats. The Friedmans thereby received external confirmation that their work was far from in vain. Second, they understand that reformations of practice lag theoretical advances, sometimes by many decades. Therefore, they have reason for optimism concerning the world their

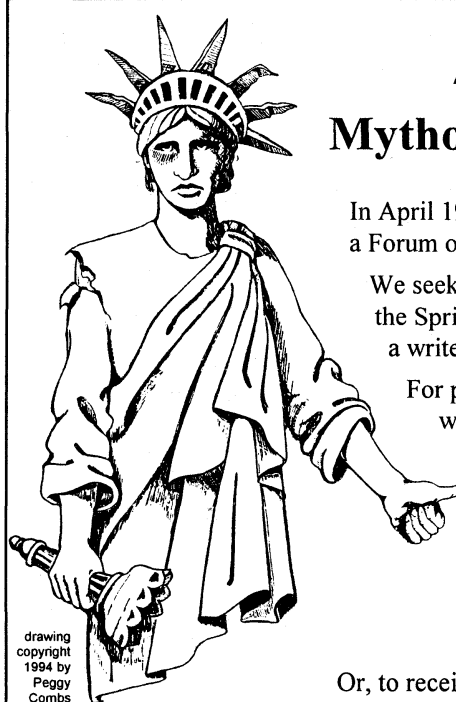
What may be most remarkable about Friedman, the catalytic ingredient that unites all the other virtues and makes the combo work, is his abiding optimism.

grandchildren will inherit. Third, Milton evidently relishes vigorous debate. If he didn't naturally acquire ideological opponents he might have to invent them. The quickness and razor-sharpness of his mind almost always allowed him to come out on top in these encounters. Fourth, the Friedmans were blessed with supportive friends and colleagues, especially at the University of Chicago. Fifth, and perhaps most important, they combine firm attachment to principle with a pragmatic facility at distinguishing between the less-bad and the more-bad. "The best is the enemy of the good" is one of the two aphorisms for which Milton is well-known. (The other is: "There's no such thing as a free lunch." I was not able to find in these memoirs the provenance of either.) Those for whom personal satisfaction demands full realization of their ideals must either possess ideals of extraordinary shabbiness or else labor in perpetual disappointment. Neither is true of the Friedmans. They are thoroughly aware of economic and personal freedom shortfalls in the United States, but they also well comprehend that by world and historical standards we are not lacking in blessings. Because they have been relatively

"free to choose" they succeeded in crafting for themselves richly meaningful lives. No small part of that meaning has lain in battling to expand the domain of freedom for everyone.

On several occasions I have heard associates dismiss Milton Friedman as "not really a libertarian." Cited in support of that judgment is his willingness to advocate programs that incorporate governmental redistributive activity: for example, school vouchers and the negative income tax. This evaluation spotlights a genuine shortcoming, I agree, but it is one to be lodged against certain unfortunate strains within contemporary libertarianism rather than Friedman. Not only is the best the enemy of the good, it is also the case that pristine purity is the enemy of securing those ends that can be achieved only at the cost of getting one's hands dirty. What libertarianism stands least in need of these days is foundational work concerning basic principles of rights and justice. (I say that as someone whose own professional career has largely been occupied with that inquiry.) From Locke through Nozick we have enjoyed the services of many extraordinary think-

ers who worked to set these out. Perhaps no complete consummation has yet been achieved, but we are further along here than elsewhere. Where libertarians have done conspicuously less well is in developing what economists call a "theory of second-best." One must proceed from where one finds oneself. Given historical antecedents studded with injustices, institutions that despite achieving a balance of benefits over costs are nonetheless markedly suboptimal, and a preponderance of fellow citizens who are only very imperfectly convinced of the truth of liberal precepts, it is all well and good to be a champion of liberty, but what precisely is it that one is to champion? I do not think that the answer is to debate endlessly whether individuals possess a right to sell themselves into slavery or to observe in the face of each and every social problem that it would be a non-issue if only all property were privatized. Libertarians will do better to spend less time contemplating the final destination and more on mapping out desirable intermediate steps along the way. Contra the hyper-dogmatists: to compromise is not to sell out, and to strive for the better is



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What will the inhabitants of a free nation believe about their nation?

not to slight the best. Nor is "pragmatism" a dirty word. Here as elsewhere the example of the Friedmans is salutary.

As is perhaps inevitable, the memoirs do not manage to achieve the excellence of the lives recounted therein. Although comprehensive in recounting the external features of their activities, the Friedmans are less than forthcoming with regard to interior vistas. If there are salacious stories to be told about themselves or their associates, these are not to be found here. Such a departure from the fashionable "let-it-all-hang-out" autobiographical mode is not to be regretted, but the reader could legitimately hope for more information concerning how it all felt at the time. Did Milton and Rose burn with ambitions, the achievement of which buoyed them up or frustration of which drove them to gloom? Among the innumerable well-known personages who crossed their path, who did they truly find despicable? What really got under their skin? The closest we get to such reportage is a telling of the Chilean imbroglio, in which a half dozen days spent giving talks and informally consulting in Pinochet's Chile concerning the nation's economic crisis led to unceasing obloquy from the left, including accusations that Friedman was a willing co-conspirator in fascist oppression. Clearly the hurt thereby engendered was of a different order of magnitude than that occasioned by any other episodes of professional or personal opposition that Milton encountered. Still, beyond refuting the lies and calumnies of the period, he mostly adopts a pose of Stoic detachment. Even if in fact he was able to put the gross injustice of the charges behind him, it would have been informative to hear how he managed to do so.

Most readers will come to this volume with one question uppermost in their thoughts: How did Milton Friedman come to be Milton Friedman? What set this child of immigrants on the path to scientific renown and libertarian commitment? Unfortunately, we are not afforded even tangible clues. It can be assumed that from the beginning he stood out as exceptionally bright. But when did he begin to ponder social arrangements, develop a conception of justice, acquire an abiding

love of freedom? Had these already emerged during childhood? His immediate environment would have been an unlikely locus for such development. Most Jewish immigrant families hewed distinctly to the collectivist left. Those who had shed patterns of strict Orthodox observance tended to find outlets for their spiritual yearnings among the Communists, Yiddishist labor socialists, or the soft collectivism of social democracy. Even Zionism was predominantly socialistic. It would, then, have been a marvelous thing to observe diminutive Bar Mitzvah-aged

The clear evidence of these memoirs is that Milton and Rose Friedman are two exceptionally well-matched individuals, lucky in many respects but most lucky in having each other.

Milton discoursing among the elders concerning the virtues of the free market. "Who is this little pisher and what dybbuk has possessed him?!" they would have asked in awe and wonderment. The picture is altogether charming and not entirely lacking in verisimilitude: Why should a people that produces in each generation a handful of talmudic prodigies not for a change generate a libertarian prodigy? More likely, though, is a slower coming of intellectual age, perhaps brought to a head at Rutgers or Chicago. We know with whom Milton studied, but we aren't told who, if anyone, supplied the fire.

How does Rose fit in? Was her libertarianism acquired from Milton or could she perhaps have been the one who led him beyond the perimeter of technical economics into normative frontiers of fairness and freedom? It seems unlikely that they would simultaneously have emerged from the conventional left-wing politics of their milieu, but no peek at either metamorphosis is offered. And if they had acquired the taste for free markets prior to their governmental employments, we are not informed of any cognitive dissonance experienced during immer-

sion in the bureaucracy and how it came to be resolved. Nor do we learn how their views were altered or confirmed in collegial associations with the extraordinary intellectuals that found a home at the University of Chicago. Did Milton ever have a meaningful conversation with Hayek? Did he so much as meet Leo Strauss? Nothing is said. (By way of partial compensation, we are treated to a letter from Ayn Rand to Leonard Reed in which she described Milton's pamphlet on housing policy as a "Communist booklet.")

Rose states that it was her own choice to forgo an independent professional career and instead lend her efforts to Milton's. Feminist janissaries will, of course, chalk this up either to bad faith or patriarchally-induced self-deception, but in the context of the memoirs it rings true. Still, one wishes that this were the beginning of an explanation of her junior partnership in the intellectual enterprise rather than the last word. No one lives a life entirely without regrets and could-have-beens, so it is difficult to suppose that Rose never had to confront second thoughts about her decision to accept a less prominent role. I do not doubt that on balance she found her role deeply satisfying, but that is unlikely to have been merely a happy accident. Rather, it is a result that she — and Milton — would have worked to achieve, and a memoir recounting the interweaving of their lives would have been the perfect venue in which to set out the details of that effort. This too is absent.

These memoirs, then, will not satisfy either the reader who craves gobs of psychological intimacy or the one seeking a chronicle of the intellectual coming-of-age of one of the great thinkers of the century. Instead we are offered a myriad of details concerning houses lived in, travels taken, speeches given, causes supported, honors awarded. It is more of the home movie genre than that of introspective self-revelation. In saying this, I do not mean to be a harping critic. Here as elsewhere, the Friedmans are free to choose. The story told in these pages will be warmly received by their family, their many friends and associates, and the yet more numerous collection of Friedman admirers. Their lives may have been lucky, but no less lucky are those who have been privileged to ben-

efit from their teachings and their example. It is no derogation of these memoirs to observe that our luck will

be yet further enhanced if the aspects omitted from this account someday receive their due narration. □

The Tyranny of Gun Control, edited by Jacob G. Hornberger and Richard M. Ebeling. Future of Freedom Foundation, 1997, 91 pages.
The Second Amendment Primer, by Les Adams. Odysseus Editions, 1996, 353 pages.

Persuading Nobody

Brien Bartels

When the friendly teenager at my local gun shop told me I'd soon have to pay him a fee for a mandatory background check before purchasing a long arm, I asked myself this haunting question: "Are we at last brought to such a humiliating and debasing degradation that we cannot be trusted with arms for our own defense?" Those are Patrick Henry's words, committed to paper back when the answer was pretty clearly "no," but they've stuck with me ever since I read them.

Both *The Tyranny of Gun Control* and *The Second Amendment Primer* argue against Henry's rhetorical question. Like John Lott's recent *More Guns, Less Crime*, both these books hope to influence the debate on gun control. Most Americans (the people who will eventually decide the fate of gun rights in America) will find the libertarian position of *The Tyranny of Gun Control* even more difficult to grasp than Lott's statistical analysis. And most will find *The Second Amendment Primer* so gosh darn anachronistic that it likely won't influence them much.

The author blurb in *The Second Amendment Primer* lists not only its author's academic degrees and status as an NRA life member, but also quotes a citation calling him "one of the world's leading authorities in the publishing of fine editions." And this is a fine looking edition. I suppose there's

something to be said for this. Each page has wide outer margins to accommodate summaries of important quotations and cases. It comes with its own ribbon book mark. It looks for all the world like a little Bible or prayer book.

When a defender of the Second Amendment pulls it out of his vest pocket, on-lookers will marvel at its deep blue leather, gold lettering, and gilt page edges. "Wow, not only do they have all the legal, constitutional, and historical arguments on their side, but they make a pretty book, too."

The Second Amendment Primer consists mainly of extracts from essays on the right of self-defense, and of the traditional power of the ordinary citizens to serve as the bulwark of their state's freedoms. Les Adams quotes historical personages ranging from the expected (Patrick Henry) to the unexpected (Niccolo Machiavelli) to the obscure (English abolitionist Granville Sharpe, who wrote: "No Englishman can be truly loyal who opposed the principles of English law whereby the people are required to have arms of defense and peace, for mutual as well as private defense. . ."). (63)

Adams sets out to discover the historical and political context of the right of personal and national defense in general and of the Second Amendment in particular. In a long, chatty, and overly personal introduction, he summarizes his position, the evolution of that position, and the year he spent

researching commentary on the subject, from Aristotle to modern scholars. (Fortunately the introduction can be boiled down to the summary notes in the margins: "Initially I thought the NRA was wrong. . . But doubts began to arise. . . A personal journey of discovery. . . A collective and an individual right.") The book's thesis is that "the right to keep and bear arms enunciated by the drafters of the Amendment was understood by them to be an individual right, as individual and as personal as our rights of free speech and a free press, . . . and all the constitutional guarantees that we routinely take for granted." (12)

This is as clear a statement of the strict construction of the Second Amendment as I've read. In addition, the book gives a cross section of historical arguments for the usefulness of such a right. Once read, *The Second Amendment Primer* becomes a reference, something to pull out of one's vest during street-corner and barroom debates on the right to bear arms.

This is a problem. Because, not only are vests out of fashion, so too are public debates. There seems to be a shortage of dialogue on this issue. Instead, what passes for debate takes place on

"The Second Amendment Primer" is like a fine Kentucky Rifle: beautiful to view, wonderfully crafted, and totally outclassed by the artillery of the mass media.

television. A reporter visits a bullet-riddled schoolyard, enunciates into a microphone while his camera man zooms in on still-warm bodies littering the playground. There's a cut to a talking head who says, "This is horrible! How much longer will we allow this to go on?" The reporter then intones the stock invocation of evil: "Others are not so sure about the need for action." Cut to talking head from the NRA, who gets three seconds to make the case Mr. Adams uses 300 pages to work through. As a result, the discussion of gun issues among the people with whom power theoretically rests, the

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people on the street corners and in the barrooms, is this: "How much longer will we allow this to go on?"

In short, *The Second Amendment Primer* is like a fine Kentucky Rifle: beautiful to view, wonderfully crafted, and totally outclassed by the artillery of the mass media.

The Tyranny of Gun Control fares no better. As near as I can figure, it is for the consumption of libertarians, the most fanatical subset of the pro-gunners. This makes it fun for me, but not very useful in the public debate. The best thing about *The Tyranny of Gun Control* is Jacob Hornberger's skill as a polemicist. Out of 14 essays, he owns five of them, including "The Nazi Mind-Set in America" and "Loving Your Country and Hating Your Government," an amusing rhapsody on President Clinton's inability to fathom the attitude alluded to in the title. They really are something to behold. I found myself rereading some of them for pleasure. A few samples:

What would be President Clinton's position with respect to the War for Independence? . . . William Jefferson Clinton would have said to Thomas Jefferson: "There's nothing patriotic about hating your government or pretending you can hate your government but love your country." (3)

This is why every single effort to restrict or control or manage the ownership of guns must be resisted. The ultimate barrier to the ultimate tyranny lies not with the ballot box. It lies not with the soapbox. It lies not with the jury box. The ultimate barrier to the tyranny of one's own government lies with the cartridge box. (62)

Americans of today view their government in the same way as Christians view their God: they worship and adore the state, and they render their lives and fortunes to it. (69)

Most of the essays are reprinted from *Freedom Daily*, the strangely named monthly put out by the Future of Freedom Foundation, of which Hornberger is president. The origin shows. These essays, collected over seven years, could have benefitted from editing, simply to cull repetition. Hayek is referred to twice as "Friedrich A. Hayek, who was later to win a

Nobel Memorial Prize in economic science." (55, 74) Its authors seem to be stepping on each others' lines as they cover various gun control measures and myths, and take on anti-terror bills and terrorist acts like the siege of Mt. Carmel and Oklahoma City.

The Tyranny of Gun Control is literate and uncompromising. But it rehearses arguments that are familiar to, and accepted by, everyone except those who push to infringe on Second Amendment rights. In other words, it's persuasive, but not persuasive to those who need persuading.

So in practice, these polemics and historical analyses are *culs-de-sac*. They reach believers but no one else. Maybe that's all they're trying to do. They'll sell okay, I suppose, and their stirring rhetoric will be absorbed. Maybe an occasional spine will be stiffened, or an intellect will be re-armed for brawling arguments over policy, when and if

"The Tyranny of Gun Control" is for the consumption of libertarians, the most fanatical subset of the pro-gunners. This makes it fun for me, but not very useful in the public debate.

such arguments come to the street corners and barrooms of America.

Finely tuned cases for uninfringed Second Amendment rights, as well as for non-government schooling, free trade, open immigration, etc., seem to flow from every orifice of the many think tanks and publishing houses of America that take freedom seriously. Adams and Hornberger *et al.*, despite their talents at research and rhetoric, have less value than authors who explain, in language that ordinary people can understand, how to coat your armaments with a thin layer of grease, seal them in PVC pipe, and bury them on public land for use in emergencies.

Myself, I believe the necessary spine-stiffening can be found, not in two books but in two sentences: "They can make all the laws they want. I'm keepin' mine." □

***Blighty: British Society in the Era of the Great War*, by Gerard J. De Groot. Longmans, 1996, 376 pages.**

Sparta on the Thames

Martin Tyrrell

As the First World War ceases to be a living memory, it is becoming obscure. This is true even in Europe, where most of it was fought. The horror of the war remains vivid enough; it was so great that it necessarily left an enduring after-image. But the politics of the conflict, the politics which the war continued by other means, are largely a mystery. Partly, this is because the Second World War has eclipsed the First. Not only is the Second World War closer in time, it can also be made to seem morally satisfying, albeit for reasons other than the issues over which it was fought. The First World War cannot. It is irredeemable. Yet without the dubious First World War, there could have been no gratifying Second. Hitler would have remained a failed painter and Stalin a failed priest. There would have been no Third Reich or Soviet Union. No Auschwitz, no Gulag, no Cold War. Two years ahead of the Millennium, it is at least clear that the 20th century got off to a bad start. *Blighty* is a book about that bad start and, more specifically, about Britain's part in it.

British historians, Gerard De Groot alleges, have evolved an almost consensual view of how the war began, one which has been propagated to the point of cliché. This consensus, he proposes, holds that Britain began to develop a belligerent position towards Imperial Germany in the late 1890s. This belligerence, the consensus view continues, precipitated a widespread, pre-war militarization of British society, particularly British youth, as well as an increase in populist, anti-German propaganda. It is De Groot's opinion that

only some of this account is factual, the rest "mere whimsy." However, he never quite gets around to demonstrating which bits are genuine and which are whimsies. In fact his mildly revisionist aspirations are quickly shed after the opening chapter in favor of a much less controversial social history of Britain in the era of the First World War. But the facts of that account suggest that little of the historians' view of the war should be revised, least of all in the direction the author wants. By keeping to the facts, he cannot but describe a process of constantly escalating civil and military mobilization during which propaganda kept the rawest and most primitive of nationalistic passions on edge and where almost every area of life was touched and politicized in the interests of the war effort. In contrast, there is no substantial evidence in favor of the position he wishes to develop.

I doubt, for instance, that it is possible to be more wrong on 19th and early 20th century British foreign policy than De Groot manages to be here. Contrary to his assertions, it is simply incorrect to claim that the United Kingdom was of a "decidedly non-militaristic nature" in the century following the Battle of Waterloo; that it fought in no European war during that period; or that it was militarily weak. Nor is it true that Britain, full of a naive but touching faith that war should be waged in the way that cricket is played, made only inadequate preparation for submarine warfare. This kind of thing is anglophilia at the expense of accuracy. Britain, for the record, participated in one European war after 1815: the Crimean War of 1856. And outside Europe (why, after all, should only European wars count?) there were

numerous colonial adventures, notably the Boer War, one of the first modern wars to be waged against civilians as well as combatants. This was the era of the "pax Britannica," a very British peace central to which was the principle of the Balance of Power. Following this principle, no Continental state was allowed to dominate the others as France had done under Napoleon. Military strength was crucial to ensuring that this was upheld. Far from being militarily weak, therefore, Britain had the largest navy in the world, one which was, as a matter of policy, kept twice as large as the next two put together. Throughout the 1900s and all through the First World War, it had clear numerical superiority in all types of warships, including submarines. It was the deterrent effect of this vast naval force — "gunboat diplomacy" — that enabled Britain to fight so few wars, maintain a relatively small standing army and still get its way. If this was pacifism, then it was only what George Orwell once described as "the

By 1900, there was a growing suspicion in London that Germany was becoming bigger and more powerful than was good for the health of the "pax Britannica" and that it would need to be cut down to size and soon.

smug pacifism of small islands with large navies."

Only as the century closed did this comfortable arrangement appear threatened. By 1900, there was a growing suspicion in London that Germany was becoming bigger and more powerful than was good for the health of the "pax Britannica" and that it would need to be cut down to size, and soon. "What is wrong with Germany," A.J.P. Taylor later wrote, "is that there is too much of it. There are too many Germans, and Germany is too strong." Taylor was being ironic; "British Foreign Policy," a frank and seminal essay published in 1901 and making essentially the same point, was not.

Credited only to "ABC," it was actually the work of a senior group of policy makers, among them Edward Grey who, by 1914, was foreign secretary. "British Foreign Policy" marks a decisive shift in Britain's relationship with the Continent. Prior to its publication, France and Russia had been Britain's prospective enemies and Germany its prospective ally. But "British Foreign Policy" reversed these positions and an

One Member of Parliament called for the mass extermination of Germans; another blamed them for having introduced homosexuality into England.

Anglo-German war became something of a policy obligation. The general public rapidly assimilated the change. Quite suddenly, Germans were a dangerous, expansionist people only recently and imperfectly civilized, resistance to whom was a moral imperative. Here, in the making, was the prototypic 20th century war, declared not for reasons of self-interest (perish the thought!), but in the name of peace and for the good of all mankind, against an enemy of unspeakable, if largely imagined, barbarity.

This is how things are, for example, in certain popular fictions of the time, notably the rash of best-selling speculative novels such as William Le Queaux's *Invasion 1910*, Erskine Childers's *The Riddle of the Sands* and Saki's *When William Came*. These are neither as innocent nor as incidental as De Groot alleges. On the contrary, they contributed heavily to the popular, Germanophobic mood which enabled the war to be fought at all. Crafted and effective, Saki's and Childers's books provided role models for the thrillers of the 1930s and of the Cold War and are still in print. Le Queaux went one better. His novel's central proposition — that there was already a large and growing German army in Britain and that its members were operating under cover as waiters, hairdressers and caterers — influenced government policy. A formal intelligence service — the future

MI5 — was established specifically to ferret out this clandestine army of invasion. Its agents were not idle. By the beginning of the war, they had compiled a dossier listing the names of tens of thousands of Germans and Austro-Hungarian residents in the United Kingdom.

Once the war began, almost any German resident in Britain was suspect. Even Britain's German-descended Royal family, the Saxe-Coburgs, was obliged to transform itself into the more English-sounding Windsors. Ordinary German residents were victimized on an almost casual basis and many thousands were interned for the duration of the war. One MP called for their mass extermination; another blamed them for having introduced homosexuality into England; and one and a quarter million people signed a petition denouncing all enemy aliens living in the United Kingdom. A Germanophile Cabinet Minister who had translated Schopenhauer into English was publicly rumored to be the illegitimate brother of the Kaiser; a civil servant had his house picketed when it was learnt that he had been born in Germany of Anglo-German parents. Schweppes, a manufacturer of soda water, found it politic to remind consumers that it came from neutral Switzerland.

This is the home front De Groot describes, a world of populist fanaticism, the rear guard for a kind of modern crusade. It was this crusading aspect which caused the option of a negotiated settlement to be rejected in 1917 on the grounds "that Prussian militarism had yet to be defeated and that an incomplete peace would leave it ripe for resurgence" (179). Here was total war, the propaganda of the pre-war period followed to its logical conclusion. De Groot himself recognizes the connection, yet he also proposes by way of rationale that much of the wartime anti-German feeling was motivated by revulsion at the way in which the Germans were conducting the war. In this respect, he mentions their use of aerial bombardment, submarines and poison gas and, of course, their execution of Nurse Edith Cavell, who assisted allied prisoners to escape from occupied Belgium. There is no debate that such things happened and that they outraged British public opinion.

But they did not create a revulsion towards Germany so much as reinforce an existing hostility. Certainly, these German atrocities were not reported dispassionately; frequently, they were sensationalized as evidence of the validity of the pre-war propaganda. And when no atrocities were available, atrocities were duly manufactured.

In Britain, in the First World War, it was not atrocity itself that provoked outrage, but German atrocity. Britain's own conduct during the war is equally challengeable on moral grounds. The Royal Navy's blockade of German ports, for example, led to the deaths of thousands of German civilians (it was in retaliation for this that the Germans struck back at British merchant shipping, using their submarine fleet). As for poison gas, it was first used by France, not Germany, and was soon being used by all sides, including Britain. And Britain, too, could execute civilians caught acting in the interests of the enemy. Sir Roger Casement was hanged for treason for his part in secur-

The Royal Navy's blockade of German ports led to the deaths of thousands of German civilians. It was in retaliation for this that the Germans struck back at British merchant shipping, using their submarine fleet.

ing German support for the Irish Nationalist revolution of 1916.

Propaganda was neither the sole, nor the principal basis for the earnestly partisan, militarized society De Groot describes. For more than a decade prior to the war, British civil society had been characterized by an ongoing process of voluntary mobilization. The early 1900s was, for instance, a time when many of Britain's elite private schools transformed themselves into virtual military academies with compulsory Cadet and Officer Training Corps to instruct boys as young as ten in the basics of military life: drilling, shooting, strategy. Complementing this more formal militarism was a general

school culture of hierarchy and regimentation. School conditions were typically Spartan; discipline, strict; uniforms, obligatory. Team sports were an important part of the experience and the parallels between these and warfare are not lost on the author. "By playing for a team," he comments, "the boy learned to place the interests of the group before his own. Once developed, loyalty for the school was easily redirected to the regiment. It was instinctive; the individual did not question whether or not the institution was worthy of his devotion" (35). The Battle of Waterloo, it was famously alleged (and widely believed), had been won on the playing fields of Eton College.

Outside the elite, there were organizations like the Boys Brigade and the Boy Scouts. Baden-Powell's movement was established specifically to ensure military preparedness. "Be prepared to die for your country," he wrote in *Scouting for Boys* "so that when the time comes you may charge home with confidence, not caring whether you are killed or not." Whilst private educational institutions were transforming young middle-class men into an officer class for the wars to come, movements like these, with their emphasis on a brash but obedient patriotism, were developing foot soldiers. By 1914, De Groot acknowledges, two-fifths of young British males were members of some kind of uniformed, quasi-military organization.

Yet he sees little relationship between all of this and the British Expeditionary Force of the same year, the largest volunteer army ever assembled. Instead, he dwells on the fact that Britain had no peacetime military conscription and that the conscription lobby failed, not just in the pre-war period, but even, albeit briefly, once the war was underway. But what need was there for conscription where most young men were more than willing to volunteer and where the relative few who dithered faced substantial social pressures to enlist? It was not the state, for example, that organized groups of women to distribute white feathers to young men who had declined to enlist. Initially, anyway, the people conscripted themselves and did so with only limited exhortation from their political leaders and plenty of it from one another.

Compared with this militarism, pacifism had no big sponsors and generated little practical enthusiasm. The liberal pacifist arguments of Norman Angell's *The Great Illusion* did, as De Groot says, attain a large readership, but this was nothing to the sales notched up by Saki, Childers and Le Queaux. Pacifism was at all times the weaker tendency. It could not prevent the war and, with the advent of war, was itself largely prevented. The few mildly anti-militarist groups that operated after 1914 — the Union for Democratic Control and the No Conscription Fellowship — were small and subject to routine harassment by various semi-official bodies such as the National War Aims Committee. Six thousand pacifists served prison sentences during the First World War, 71 of whom died. Many of the rest were beaten, tortured or otherwise ill-treated.

It was in this context that the British state was able to empower itself to unprecedented levels. So much so, in fact, that many would later yearn nostalgically for the relative freedoms of the pre-war period. The Defence of the Realm Act, for instance, enabled the court martial of anyone caught promoting sedition, whilst the intelligence service grew from a pre-war staff of 25 to more than 800 in 1918.

In addition, areas of life that had hitherto been free from political control were suddenly politicized. Pleasures likely to detract from the war effort were a popular target for curtailment. Professional football, for example, was discontinued in 1915 as a waste of potential cannon fodder. At around the same time, it was made more difficult to purchase alcohol or drugs. Pubs, which before the war had operated almost around the clock, were now required by law to observe puritan opening hours, all to keep munitions workers sober. Cocaine had had a considerable pre-war vogue among the middle class; after 1914, it became illegal to import it into Britain. When women began replacing men as factory workers, there were concerns that this might be to the detriment of the family. Campaigns quickly ensued advocating a higher birth rate and promoting "Mothercraft." A Women Patrol Committee was established to police the streets after dark and punish any public immorality.

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"These women police," De Groot writes, "were almost without exception middle aged and middle class, whereas the women they monitored were predominantly young and working class. The two groups followed very different moral codes, which inevitably led to conflict" (233). But, in general, people acquiesced to these wartime controls, believing them to be for the greater good. They acquiesced for the same reason they had earlier volunteered; because they believed that the war was worth the sacrifice.

In the end, they sacrificed a great deal. Seven hundred thousand British soldiers died in the First World War and hundreds of thousands more were wounded, many seriously. Britain's economy, which had been the strongest in the world in 1913, was, by war's end, largely in hock to the United States. And the British state itself divided — but for the First World War, it is unlikely that Ireland would have seceded to form a separate polity.

Each autumn, a somber ritual of remembrance is held to commemorate this costly First World War and all wars since. It is perhaps the only mass affirmation of British nationhood today. It is not frivolous — no Fourth of July or Bastille Day. And it is not magnanimous — no time for making up and moving on. If anything, as old national insecurities are reawakened by German reunification and prospective European unity, it has become reinvigorated. A national silence is again being encouraged on Armistice Day and, last year, it was the Spice Girls who led the Remembrance ceremonies. All of this is so generations which might otherwise forget, remember. Yet in all essentials, the war has been forgotten. Of its politics, only the crude sense that it was us against them endures. For the nationalists and militarists who sponsor such things, that is probably enough.

It would be wrong to conclude with De Groot, however, that any of this reflects some inherent British tendency towards conformity and compliance. All nations are necessarily capable of nationalism. Two years off the Millennium and with, once again, a single superpower, the lessons of the First World War, and how it began and what it cost, are well worth revisiting. □

Land Use in America, by Henry L. Diamond and Patrick F. Noonan. Island Press, 1996, 352 pages.

Gang Aft A-gley, U.S.A.

Jane S. Shaw

Land use planners were the first to alert me to the idea that government is fundamentally less than benign. In the 1960s, I witnessed the early stages of one of the most brilliantly orchestrated changes in land use in the United States. Over a period of 20 or 30 years the city of Boston, a decaying commercial "has-been," was completely transformed. A dramatic city hall designed by a famous architect gave the city a modern edge. Its tourist roots were revitalized as Faneuil Hall, a dusty landmark, was turned into an upscale mall. Deserted industrial wharves and warehouses were replaced by glittering waterfront townhomes.

But the costs of this transformation were high. An entire neighborhood, Boston's West End, was destroyed. According to classic accounts by Herbert Gans and Jane Jacobs, the West End was a vigorous downtown neighborhood that had once been a slum. With its dilapidated housing and working-class people, it still looked like a slum to planners. Cloaking themselves in terms like "urban renewal" and the then popular "slum clearance," planners wiped it off the map. Long-time residents were forced to move and their homes were destroyed and replaced with commercial attractions and better-looking, high-priced housing units.

They're still at it. Professional planners are still trying to shape this country by managing growth. *Land Use in America*, by Henry L. Diamond and Patrick F. Noonan, is one of those periodic updates, nurtured by conferences and commissions and launched by luminaries such as Laurance

Rockefeller, in which planners reiterate their vision of what America ought to be and how Americans ought to behave. From what Diamond and Noonan tell us, the planners are still hoping that they can impose their wishes on the rest of us. The good news is that theirs is an uphill struggle.

Land Use in America consists of a series of essays by Diamond and Noonan, followed by more than a dozen contributed papers. As the lead authors look back over the recent past, nearly all they see is suburban growth — that is, urban sprawl. Suburbanization has relentlessly overwhelmed almost every effort to shape and manage growth, they lament. This uncontrolled growth poses "burdens on the texture, continuity, and depth of social life, as well as on the diversity, beauty, and health of the surrounding landscape" (p. 1). Americans aren't happy in this landscape, say Diamond and Noonan. "They are searching for roots, a sense of place, a sense of community" (3).

But for some strange reason, Americans haven't embraced the kind of land use planning that could give them this sense of place and roots. "Land use planning has not been popular in this country," say Diamond and Noonan. (7) Planning "has been the neglected part of environmental efforts, because it evokes deep emotional responses and because it is so complex governmentally" (xvii), they explain. In a contributed paper, Howard Dean, governor of Vermont, points out that "if you begin talking about land use planning, people recoil in distrust or confusion" (136). However, that should not deter good citizens from pursuing it. In Vermont, he says, "we have accepted the challenge, and we have a

mixed record" (136). That about sums up the assessment of Diamond and Noonan, too.

To combat urban sprawl, say Diamond and Noonan, what is needed is "the new urbanism," as espoused by new planners, also known as "new traditionalists" (62). These planners want to see more "mixed uses": residences, commercial and even industrial land intermingled. Residences themselves should be of mixed types. A street should have both detached homes with big front porches (porches are a good thing, because people can sit and watch the street life) and townhouses with little granny flats (to encourage a mix of ages). Home lots — especially front yards — should be smaller, and houses should be close together.

This new urbanism (which gets a good thrashing in *Liberty* now and then, thanks to Randal O'Toole) would bring back some characteristics of the traditional town or village or city neighborhood. But there is an obstacle: the zoning laws of this country.

It is zoning laws that require homes to be separate from commercial activities, individual lots to have only one

Christopher Leinberger surveys the way that cities have grown since the early 1960s — not the way they were planned but the way they actually developed.

house built a specific distance from the street or neighbor's property, and the subdivision as a whole to have a specific amount of "green space." Reacting to these laws, the authors write: "Ironically, the American system of land use controls has gradually become so complex that it is now prohibitively expensive and cumbersome to develop old and new sites in the image of the traditional American community" (64).

In other words, the innovative planners of today want a sense of closeness, of communal neighborliness — exactly what the West End of Boston used to have. Not only did planners do away with such neighborliness, but the biggest obstacle to recreating it in our

suburbs is the power of the planning theories of the past, which are now embodied in the nation's zoning laws!

The authors do perceive some irony, though not enough to rethink their faith in planning, though they recognize that the road to getting it is a long one. Still, they do brook some dissent from such writers as Steven Hayward of the Pacific Research Institute and John Baden of the Foundation for Research on Economics and the Environment.

To me, the most informative essay is one by Christopher B. Leinberger, managing partner of a real estate advisory firm, who provides the kind of factual information and analysis that planners should pay more attention to, whatever their goals. He surveys the way that cities have grown since the early 1960s — not the way they *were planned* but the way they actually developed. He focuses on "metro cores," the major commercial or industrial sections of a metropolitan area.

In the early postwar period, the "metro cores" were cities' downtowns, usually surrounded by residential suburbs. Since then, however, a series of "metro cores" have developed, following a fairly consistent pattern. In major cities, growth occurs in a widening path that begins in the "favored quadrant" of downtown near the highest-quality residential areas.

So, in the 1960s, the second generation of "metro cores" developed — new commercial or industrial centers outside downtown (exemplified by Bala Cynwyd outside Philadelphia, and Chevy Chase at the edge of Washington, D.C.) Many failed to thrive, however, because they lacked convenient transportation to upper-end housing and were too close to declining neighborhoods. In the 1970s, a third generation of cores began to grow (such as Tyson's Corner outside Washington, D.C., and the O'Hare Airport area around Chicago), some of which are strong today. But a fourth generation of "metro cores" appeared in the 1990s. These are towns such as Plano outside Dallas and the Woodlands near Houston — low-density, even semi-rural, suburbs. Today in some areas fifth-generation "edge cities" are beginning to show up, too.

Leinberger isn't happy about these growth patterns. They often leave the

downtowns in decline. They leave inner-city residents far from jobs, and create a new isolation in the low-density suburbs, which in his view are characterized by "sterile and visually abusive commercial retail strip development and little sense of community or

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regional distinctiveness" (221).

Leinberger may be right about this, and certainly his tinge of disappointment fits right in with the wistful tone of much of this book. But what makes his essay refreshing is the fact that it deals with reality, not dreams. It gives us facts and his analysis of those facts. The trends of postwar urban growth should be the raw material that informs planners. If they understood the reasons for these trends they would be better able to

advise ways of changing them.

In contrast, most of this book, while incorporating some valuable facts, is an exercise in cheerleading for a lost cause. Diamond and Noonan try to put a positive face on what has happened to rally the troops so that planners will push ahead, in spite of continuing setbacks and frequent hostility. And, indeed, if they persevere, perhaps, with luck, in a few decades they may create another Boston's West End. □

***One Million Words of Book Notes, 1958–1993*, by Richard Kostelanetz. Whitson, 1997.**

Books and the Man

Phil Leggiere

The publishing trade has spawned a cottage industry over the past few years of "extra," "meta," or just plain sub-literary documents, issuing a steady stream of letters, juvenalia, journals, memoirs, and miscellany (seemingly everything short of laundry lists) by brand name or otherwise saleable writers. At its worst the genre smacks of exploitation, the desire to get something (anything) between covers while an author (preferably long dead) is "hot."

At their occasional best, however, such literary "outtakes" can be of interest, for the light they shed on a writer's personality (e.g. Edmund Wilson's sexual obsessiveness as evinced in his journals or H. L. Mencken's consummate epistolary literary politicking) and for the record of literary influences and evolution of style, voice, and thinking they illuminate. In addition to being eminently readable on stylistic grounds, Edmund Wilson's reading notes on Alfred North Whitehead, for instance, found in his journals from 1925, serve both as a vital first draft of his later *New Republic* articles on

Whitehead and as the theoretical underpinning of his *Axel's Castle*. Allen Ginsberg's journals of the 1950s and early '60s contain seeds from which many of his later published poems grew.

Richard Kostelanetz's *One Million Words of Book Notes* belongs to the latter category. A systematic record, very likely the most systematic (not to mention obsessive) ever of the omnivorous reading regimen of an emerging writer from the age of 18 to middle age, (1959 to 1993, though most of the entries date before 1974), *One Million Words* contains immediate impressions, usually typed up on note cards within a day of first reading, on approximately 3,300 books, alphabetically arranged by author, from Daniel Aaron to Louis Zukofsky.

As an eccentric, though startlingly valid form of literary autobiography, *One Million Words* provides a "biographia literaria," a record of the growth of a literary sensibility without the overlay of formal literary autobiography, preserving the off-the-cuff spontaneity, immediacy, and uncalculated honesty of an intellectual diary. The fact that the autobiographical subject in question is in many people's opinion

the most significant critic of the alternative press and avant-garde writing in our time gives the record cultural and historical weight.

All of the mainstays of Kostelanetz's literary-aesthetic universe (presented previously in books like *Twenties in the Sixties*, *The New Poetries and Some Old*, and *Metamorphosis in the Arts*) are extensively treated — Leslie Fiedler, Stanley Edgar Hyman, and Northrop Frye in criticism, Paul Goodman in politics, John Cage in art, and Gertrude Stein in literature. While those familiar with Kostelanetz's essays on the above will find little new ground, he includes a long, previously unpublished discussion of *The Tangled Bank*, Stanley Hyman's most ambitious work, and fascinating discussions of Paul Goodman's obscure, pre-*Growing Up Absurd* political pamphlets and literary work. Those unfamiliar with Kostelanetz's work will find a highly readable introduction (most entries running to roughly 200 words) to his wide range of interests and critical acumen.

Stylistically, *One Million Words* will come as a revelation, even to Kostelanetz aficionados. If Kostelanetz's critical prose is generally workmanlike and rather austere in relation to the formal and typographical audacity of his experimental poetry and

He can be scathingly funny as well, deflating both the over-rated trendy avant-gardists and the "New York Intellectual" elders who tyrannized the time.

fiction, *One Million Words* is perhaps the first book to fully showcase his abilities as a prose stylist and acerbic phrase maker.

Kostelanetz excels, for instance, at astutely cynical debunkings of many of the "radical chic" culture heroes of the '60s. Of Frantz Fanon's *The Wretched of the Earth* he writes, "This book is reportedly influential among young leftish intellectuals, especially if they subscribe to Black Power. That fact suggests that not only is the New Left dumb but it might also be deaf." On the guru of the orgone Kostelanetz writes,

Booknotes

"The most flattering thing I can say about Wilhelm Reich is that he writes nearly as well as Timothy Leary, for both men love to manipulate repetitiously the mythical evidence to confirm their *a priori* single truth."

He can be scathingly funny as well, deflating both the overrated trendy avant-gardists and the "New York Intellectual" elders who tyrannized the time. "Gerard Malanga's rise," he observes, "supports the idea that an awful poet can become more famous than an awful novelist if he flirts with the right people." Of Luis Zukofsky he quips, "After years of unjustified neglect Zukofsky stands on the verge of becoming one of America's more overrated poets," while "Richard Howard may be the most brilliant mediocre poet in America."

Lest one get the impression that the book merely uncovers Kostelanetz's nasty side, *One Million Words* is even more useful as a contemporary record (a "period piece" in the best sense) of the intellectual milieu of the '60s and early '70s, a period both endlessly overhyped and strangely undervalued culturally. Many of the book's more substantial entries treat work by significant figures of the time who've since undeservedly disappeared from collective cultural memory, figures such as political critic Peter Viereck, futurist Herman Kahn, philosopher Oliver Reiser, and economist Robert Theobald. There's even a tantalizing rave on the experimental novel called *Dirty Pictures from the Prom*, published in 1969 by Doubleday. Whatever became of that book, and its author Earl Rauch?

One problem with the book is that, strange for Kostelanetz (an unparalleled champion of formal innovation), it's not structurally innovative enough. By employing the alphabetical structure of a dictionary or encyclopedia, Kostelanetz fails to exploit the richly evocative historical possibilities that might have been provided by a narrative (perhaps chronological) diary organization, with its charting of interactions between a writer's intellectual evolution and public history. Still, as a meticulously reconstructed record of literary coming of age in a particularly propitious cultural moment, *One Million Words* has carved out a unique place in the annals of literary autobiography. □

Spinning and Spinning in the Widening Gyre

— Yet another outstanding book on Bill Clinton's disgraced presidency. *Spin Cycle: Inside the Clinton Propaganda Machine* (The Free Press, 1998, xxvi+324 pp.) by Howard Kurtz, isn't a probe into Porno Bill's personal life, but a study of his administration and how it functions in times of crisis — which happens to be all of the time. Clinton gets along (it on?) with the help of high-paid, media-savvy hacks adept at spinning their boss out of scandal. While this is nothing new to literate citizens of the Republic, what is most interesting is that Clinton has managed to remain in office despite a hostile press.

Clinton has never enjoyed an easy relationship with the press. After losing reelection as Arkansas governor in 1980, Clinton, inebriated and foul mouthed, blamed an Associated Press reporter for the defeat in a less than courteous phone call. Still, Clinton's popularity indicates that the American public has sided with the deviant. And this doesn't say much for the press. But considering the recent ethical lapses in the media — fabricated stories, fictitious interviews, etc. — it really isn't surprising. —Jonathan Ellis

Black and White and Khaki All Over

— A year ago, Bill Clinton announced his year-long initiative to open a dialogue on race relations. A few weeks later, former Clinton aide David Gergen extolled the virtues of the "Army way" in *U.S. News & World Report*. "If we're serious — and we should be —" Gergen observed, "the place to look for national guidance is the place you might least expect: the United States Army." He cited Charles C. Moskos and John Sibley Butler's *All That We Can Be* (Basic Books, 1996, 198 pages) as the authoritative reference source of his assertion.

The president might still be following

the advice of Gergen. His understanding of the Army model was a prominent feature of his expressed position during his first "Town Meeting on Race" held in Akron, Ohio, in early December. For two hours the professed "dialogue" assumed the characteristics of a monologue, dominated by a succession of minority witnesses who told how their lives had been affected by racism. The problem with race relations, we were told, is white racism. The solutions thus involve changing white behavior, white attitudes, white values, and white structural omnipotence. *America in Black and White* co-author Abigail Thernstrom was the token dissenting voice in the audience and she promptly experienced the real meaning of the term "bully pulpit."

With an assured and accusatory swagger, the president attempted to define and defend affirmative action by taunting her to repudiate America's most respected public figure. "Yes or no, yes or no," Clinton hounded Thernstrom, "Should we abolish the Army's affirmative action program that produced Colin Powell?" Clinton ended the discussion by noting the military is the leading institution in American society when it comes to race relations and, "The military affirmative action program tries to get results by race."

The president seems to share the underlying philosophy expressed in *All That We Can Be*. In the view of Moskos and Butler, the solutions to racial problems must involve race-conscious decisions and race-based outcomes permeating organizational policies.

Moskos and Butler draw twelve "lessons" from the Army experience. Because blacks do not view opportunity and race relations the same way as whites do and a level playing field is not always enough. What is



needed are a focus on black opportunity and ruthless opposition to discrimination (the white variety). We must install qualified black leaders as soon as possible to dispel stereotypes. And affirmative action should be focused on blacks, linked to standards, and follow a supply-side model. And we should recognize "Afro-Anglo culture" as the core American culture.

All That We Can Be, and the Army experience, as imperfect as both are, provide a valuable framework for examining racial issues. But the real story of racial integration in the U.S. Army, however, has yet to be written.

—Steven Philbrick

A Different Picture — The fact that Mary Rice Hayes Allen was born of an illicit interracial affair in the post Civil War South is not remarkable in itself. At the time of her birth in 1875,

miscegenation was *unspeakable* but not *undoable*. That her white father acknowledged and helped raise his black children is unusual. That he was among an exalted elite — a Confederate general — makes her story even more remarkable. As explained in Carrie Allen McCray's *Freedom's Child: The Life of a Confederate General's Black Daughter* (Algonquin Books of Chapel Hill, 1998, 263 pages), the general did not remain in the high esteem of his Virginia countrymen while having an affair with a former slave and acknowledging the resulting children. The extent to which his reputation was sullied is evident in a letter a Confederate veteran wrote about him after his death: "His subsequent [to the war] life was a great disgrace to him and his community. I could write more but I think enough has been said. Draw a line through his name and be sure and have it *black*."

(emphasis in original)

Allen came of age at a time when race relations were at a low point in the United States. Her family left Virginia for Montclair, New Jersey, in 1920. When they left, a family friend warned that the North was an "old Narcissus," meaning that it was "busy pointing a finger at [the] South for its misdeeds and loved the reflection it saw of itself in the water" (240). Although Allen's family found New Jersey to be an improvement, they still thought of Virginia as "home" and returned to spend summers there. Up North, Allen fought and occasionally won small battles so that blacks could enter and be served in theaters and beauty shops.

Author Carrie Allen McCray, the subject's daughter, tells how she came to grips with the fact that the stern-looking, Confederate general whose

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Personals

BILL SEEKS MONICA TO EXPLORE CIGAR BARS — Just kidding. Actually, I'm a 37-year-old single white male — 5' 7" Libertarian, intellectual, witty, love H.L. Mencken, Ayn Rand, P.G. Wodehouse, Walker Percy. Also classical music and big band swing (which I love to dance to). I enjoy NYC walks, coffeehouses, sailing, sporting clays shooting, old movies. I'm looking to meet an attractive brainy single white female 30-45 years old, of like interests for conversation, dating and friendship in New York City area. 34-50 29th Street Apt. 5-H, Astoria, NY 11106.

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picture her mother always kept, was her grandfather. Along the way she also discovered that qualities that she admired in her mother — like her love

of poetry and her belief in the importance of education — had been instilled by the general.

—Clark Stooksbury

There's more than one way to get published . . .

Kinds of Literary Magazines

Richard Kostelanetz

The British writer and editor Cyril Connolly long ago distinguished "coterie" literary magazines from "eclectic." As he saw the difference, the former were founded by a closely entwined group of people, existing to publish their work primarily, if not exclusively. Coterie magazines are designed to serve writers who, for one reason or another, are reluctant to submit their work to editors they don't know in advance (a.k.a. strangers). Coterie magazines tend to discourage "unsolicited submissions," if not all the time, at least during part of the year, for lack of any concern with what strangers might be writing. In our time, *L-A-N-G-U-A-G-E* and the mimeos associated with the St. Marks Poetry Project would be examples of coterie journals; so would be those university magazines that publish mostly their faculty and students.

Eclectic magazines publish work from a variety of sources, purportedly selecting the best from what appears in their mailboxes, regardless of the reputation, nationality, or professional affiliation of its authors. *Poetry*, *Partisan Review*, and Connolly's own *Horizon* would be examples of successful eclectic journals. One charm of Connolly's distinction is allowing to each side the possibilities of both literary influence and editorial integrity, albeit of different kinds.

In the age of grants and institutional

rewards, especially in America, a third kind of literary magazine has emerged that superficially appears to be a synthesis, publishing a limited group of lesser-knowns along with celebrities, generally regardless of the quality of the latter's work. Since the celebrities often come from different, if not contrary, directions, while the lesser-known writers strive for unexceptionable acceptability, such magazines forbid themselves the kinds of literary influence typical of great magazines in the past. They too discourage unsolicited submissions, since the two circles of possibly acceptable contributors are circumscribed in advance.

What are such magazines doing, you often wonder? My hunch is that they are designed explicitly to please Very Important People, whether they be academic administrators, officials at funding agencies, or other dispensers of favor. The editors of this third kind of magazine fear integrity and thus controversial contributions and contributors, especially from lesser-knowns, for the simple reason that such moves, however acceptable they might be to both eclectic and coterie magazines, might offend the VIPs. Indeed, their editors necessarily become solicitous of the celebrities' opinions of the lesser-knowns, for fear of losing not any of the latter, who are expendable, but one of the former upon whom the magazine's "reputation" is dependent.

That accounts for why such magazines assiduously avoid publishing prominent independent authors, such

as Lyn Lifshin, Allen Ginsberg, Hugh B. Fox, John M. Bennett, Mary Winters, Tuli Kupferberg, or Peter Lamborn Wilson — to mention several of many possible examples. It is indicative that none of these writers, their visibility in little magazines notwithstanding, have ever appeared in many self-consciously "establishment" magazines or even in the Pushcart Annuals that are subtitled "Best of the Small Presses." Although the recent Pushcart books don't acknowledge outside funding, their selections, as much through omissions as through inclusions, reflect the limitations of this new outlook!

Neither eclectic nor coterie, such magazines must be most accurately classified as something else — to my mind, the most appropriate epithet would be "butt-kissy." Examples proliferate, from north to south and coast to coast. I can think of one in America whose name begins with a C, another with a P, a third with an S, a fourth with an A, in addition to a political magazine beginning with an N.

Butt-kissing can succeed only so long. As practitioners past the age of 55, roughly, inevitably discover that nearly all the recipients of their focused affection have been replaced or retired.

Though their editors might publicly object to such characterizations, you know as well as I that their publishers and editors would be personally pleased to know that their ultimate motives were not misunderstood. (The first time I put the previous sentences into print, someone responded with a completely different set of names from those I had in mind, indicating that the critical principle had broader applicability.) To measure how unique such magazines are to literary business, consider that no publication primarily about visual art can be characterized in this way.

Butt-kissing is a cynical strategy, to be sure, assuming that even "distinguished writers" can be more impressed with supplicants' flattery

than their independent excellence or integrity. However, not unlike other cynical strategies, butt-kissing has distinct practical limitations, being first of all vulnerable to changes in power. Butt-kissers frequently discover that the object of their attentions has been replaced by someone else who, since ass-kissers instinctively treat those above them differently from those below, was incidentally slighted in the past.

That accounts for why butt-kissing can succeed only so long. As practitioners past the age of 55, roughly, inevitably discover, nearly all the recipients of their focused affection have been replaced or retired. (Does anyone still flatter Theodore Solotaroff? Daryl Hine? John Leonard?) Disillusioned idealists can be bitter, to be sure; but nothing can equal the anger and self-loathing of the disillusioned cynic. He or she can't "go public" with his story, because no one, absolutely no one, will respect his or her history or sympathize with his or her plight, while younger butt-kissers are already, you see, puckering their lips elsewhere. □

The Web

Yes, *Liberty* is on it. You can email us from there, search through our index to articles that have appeared in past issues, and find out more about our contributors and their presences on the Web.

Find **Liberty Unbound** at:

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Errata

In the September *Liberty*, our layout staff accidentally used an unproofed, uncorrected version of Chris Matthew Sciabarra's "Bowdlerizing Ayn Rand," which included several typographical errors. The correct version of Sciabarra's article can be found on *Liberty's* website at

www.LibertySoft.com/liberty/reviews/67sciabarra.html

Subscribers who would like to receive the corrected version may send a postcard to

Liberty
P.O. Box 1181
Port Townsend, WA 98368

Our apologies to Mr. Sciabarra and to our readers.

Smith, "Traitors in the War of Ideas," *continued from page 46*

value in America. The Union of Concerned Scientists (one of the leading environmental fear-mongering groups) runs ads blasting "junk science" and thus appeals to the hierarchic rationalist values of Americans. And, of course, liberal intellectuals consistently argue that their policies are "fair" — to everyone, of course, but especially to women, minorities, and children.

The history of the last 50 years suggests that such linkages of core values to interventionist policies can be successfully challenged. Not long ago it was widely believed that central government planning was essential to strong economic growth, thus making Americans choose between their traditional antipathy to planning and their enduring desire for economic success. Today, that argument has few adherents; most people now realize that people, not politicians, create wealth, and that the only way to enlist the people in the wealth creation effort is to grant them liberty. There is no conflict between economic freedom and economic success — we cannot have the

one without the other. Similarly, the belief that government policies were a superior way of addressing social concerns — alleviating poverty, educating our children, reducing racism, protecting the environment — are swiftly weakening as analysis and experience demonstrate that the state has retarded rather than advanced such goals. Efforts are already bearing fruit (led by the Center for Individual Rights, among others) to demonstrate the unfairness of our affirmative action and other so-called civil rights laws; CEI and other groups similarly challenge the wisdom of eco-socialism.

The war of ideas is important and we should seek victory there wherever possible. But such victories, valuable though they are, will not be sufficient to secure economic liberty in America. The battle for liberty has many fronts and we must broaden our strategy to encompass that reality. Appeals to the business community, the electorate and to groups other than intellectuals are essential. Freedom is too important to be left to the intellectuals alone. □

Bradford, "Sex and Status," *continued from page 25*

Willey stated that when she approached the president for a job, he touched her in a sexual manner that was manifestly unwelcome by her. Certainly, if her description of what happened is as accurate as any one with an ounce of common sense believes it is, Clinton committed sexual

battery.

Again, any sensible person knows that there are gray areas, cases when a person who claims not to want a sexual advance but actually welcomes one, cases where the "no" is coy or even ironic. But it is manifest that this was not the case with Katherine Willey. □

Ramsey, "A Naked, Arbitrary Exercise," *continued from page 49*

as it had in the New York case, except that Justice Owen Roberts changed his mind. Dubbed "the switch in time that saved nine," his vote now gave the pro-government justices a 5-4 majority.

Chief Justice Charles Evans Hughes, so long in dissent, now wrote for the court. Hughes proclaimed that it was permitted to give special protection to women because their bargaining power was weaker than men's. (One year later, the Fair Labor Standards Act would set the first nationwide minimum, 25 cents per hour, for women and men.)

Hughes argued that the Depression had changed things. Wages were of

governmental interest because low-paid people were eligible for government benefits. "The community is not bound to provide what is in effect a subsidy for unconscionable employers," he wrote.

As for the freedom of contract, he wrote, "What is this freedom? The Constitution does not speak of freedom of contract."

And neither did the court, after that. *West Coast Hotel* signaled the end not only of *Adkins*, but of laissez-faire constitutionalism. A few weeks later the court handed down *National Labor Relations Board v. Jones & Laughlin Steel Corp.*, which upheld the National Labor

Notes on Contributors

Relations Act of 1935. That law still subordinates the worker's right of contract to the majority vote of his colleagues.

In the realm of commerce and industry, the court henceforth followed the doctrine of legal positivism. Phrases like "due process" or "inter-state commerce" were treated as strings of words stripped of moral and historical context. Substantive due process would have a comeback in matters of personal privacy and freedom of expression, but not the relationship between employee and employer.

In 1939 Roosevelt nominated to the court Felix Frankfurter, the law professor who had argued for the minimum-wage law in *Adkins*.

The justices who had upheld freedom of contract against the New Deal — Sutherland, Pierce Butler, James McReynolds and Willis Van Devanter — all retired before the U.S. entry into World War II. They would go down in most histories as "the four horsemen," reactionaries opposed to workers' rights. Their opponents — Holmes in the early years, Brandeis later — would be called great jurists.

History is written by the victors. But there will never be final victors in the war over the Constitution as long as that document has the power to nullify acts of Congress and state legislatures. The arguments of the natural-rights jurists are still there, preserved in the law books — and now, on the Internet. They have a small but determined band of academics defending them — Bernard Siegan, Hadley Arkes, Richard Epstein and a handful of others.

As the New Dealers used to claim, the Constitution is only what the justices say it is. □

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Bill Kauffman recently authored *With Good Intentions? Reflections on the Myth of Progress in America*.

Richard Kostelanetz's *Political Essays* will appear later this year from Autonomedia.

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Kostelanetz, "Leave the Poor Guy Alone," continued from page 26

Having learned as a libertarian how the state can be used to "redistribute" natural social inequities, I see this Starr-Clinton combat as government-leveraged revenge of the have-nots against those thought to have. Have what? I can hear you ask. Admiring young people voluntarily offering sexual services *gratis*. Let's be frank. You don't need to call yourself a Freudian to imagine the motive here. To my mind, government-leverage is no more accept-

able for rectifying sexual grievances than for redressing other inequities, and I am appalled that some libertarians have missed this motive. Will they object when a state requires that all black basketball players put five pounds of lead in their shoes?

When will it end — this mistaken use of state powers and this limitless flow of dreg? When will we wise up? *No mas*, the boxer Robert Duran once dramatically proclaimed. *No mas*. □

In the Next *Liberty*

"The Liberty Poll" — A special report on the past decade's major changes in libertarian beliefs.

"We Wanted to Be Left Alone" — Randy Weaver recalls his family's move to Ruby Ridge.

"It Usually Begins with Roy Childs" — Barry Loberfeld makes the case against anarchism.

Terra Incognita

Washington

Innovative public health measure advocated by U.S. Senate candidate Robert Tilden Medley (D-Wash.), as proposed in Mr. Medley's campaign literature.

Practicing homosexuals tend to lead a dangerous and unsavory lifestyle. In the Senate, I will propose that the age of consent for sodomistic practices be twenty-one. This will allow sexual orientation confused young people to mature enough to make this judgement more wisely. Non practicing homosexuals would be exempt. Those who decide to become active sodomists would go before a board. Doctors of medicine, psychiatrists, psychology and sociology as well as practicing and a celibate homosexual would conduct an interview and evaluation. A license to practice sodomy would be granted to the applicant. Or they may be required to come back after the applicant has time to consider the counseling information.

San Diego

Remarkably consistent attitude environmentalists have for property rights, reported by the *Elko (Nev.) Daily Free Press*.

A Carlsbad software company has sued the Sierra Club, alleging that the environmental organization secretly ran its Web site from the company's computer network.

Bluebird Systems said the Sierra Club's Web Site, which had been running for more than two years, caused the company's computers to crash and freeze up.

The site allegedly grew to have more than 2000 pages of text and graphics and had more than 1.6 million hits in 1996, according to the lawsuit.

Minnesota

New competition for Minnesota's state lottery, found in an advertisement in *Minneapolis TV Facts*.

Free! SKS 7.62X39 CAL. Collectible Assault Rifle. Value \$350 and rising. Drawing on Saturday. One entry per visit.

Port Angeles, Wash.

An occupational hazard for law enforcement professionals, reported in the *Peninsula Daily News*.

"The most dangerous thing for a police officer is crank-induced psychosis," said police Sergeant Terry Gallagher. "It causes extreme paranoia."

Kahului, Hawaii

Interesting prophesy, reported in the religion section of the *Sunday Maui News*.

According to a Maui Chinese master, Confucius says President Bill Clinton better not let his eye wander during the Year of the Tiger, or he might not find the public so willing to forgive.

"If the president does not restrict himself and goes beyond (self-control), he'll destroy himself," said Master Alfred Huang, Tai Chi instructor and former dean of students at Shanghai University. "We've given him the message: Restrict yourself. You have the choice."

Yakima, Wash.

Candidate had a head start in practical politics, as reported by the Associated Press.

Gordon Pross, Democratic nominee for Congress from Washington's 4th district, has told voters that his experience in jail for assault would bring a unique perspective to the U.S. House of Representatives. He noted that great men in the Bible spent time in jail.

Sao Paulo, Brazil

Innovation in public finance in the world's sixth largest country, reported by the *Seattle Times*.

A Brazilian mayor said today he was giving away the anti-impotence drug Viagra to men in his city in a bid secure more federal aid.

"Expenses are going up and revenue is falling," explained Elcio Berti, mayor of Bocaiuva do Sul. He said federal aid to the town would fall to \$70,000 a year from \$110,000 if the town's population did not rise to 12,000 from its current 10,000.

Berti hopes the plan will be less controversial than his bid to prohibit condoms, which was ruled unconstitutional a year ago.

Boston

Insight from a leading econometrician, reported in the *Seattle Post-Intelligencer*.

"Inflation is benign. Yada, yada, yada," said economist Oscar Gonzales of John Hancock Financial Services in Boston. "What else can you say?"

Washington, D.C.

Public warning to Sudan that the United States might unleash 75 Tomahawk missiles on a medicine factory in its capital city in response to the bombing of U.S. embassies in Kenya and Tanzania by persons unknown, from U.S. Secretary of State Madeleine Albright:

"We are not a nation that retaliates just in order to get vengeance; nor do we forget our own legal system while searching for those who have harmed us."

Washington

Another intriguing proposal from Senate candidate Robert Tilden Medley (D-Wash.), from an official campaign press release:

Applicants to law school would be subject to a mental examination to weed out sociopaths and psychopaths. . . . Hourly fees would be limited to \$50.00 an hour for new lawyers. After five years, a review board consisting of peers, retired judges, prosecutors and citizens, would determine if the lawyer should: 1. Have license [sic] terminated. 2. Continue at \$50.00 an hour (adjusted for inflation). 3. Be granted the privilege of charging more. A specific amount but no more than \$100.00.

(Readers are invited to forward newspaper clippings or other items for publication in *Terra Incognita*.)

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