

# Liberty

September/October 2003

\$5.00

All Guns  
to the  
People!

## The Conquest of the United States

*by William Graham Sumner*

## A Jew Talks to Himmler

*by Frank Fox*

## Can Taxes Ever Be Limited?

*by Michael New*

## Left and Right: A Pox on Both

*by R. W. Bradford*

## Extremism in the Defense of Liberty

*by Aeon Skoble & Bruce Ramsey*

Also: *Clark Stooksbury* goes into the battle with a modern sniper, *James Lambert* tells Jane Roe to mind her own business, *Bill Merritt* discovers the positive side of alien invasion, *Jo Ann Skousen* looks at Dads in Hollywood ... plus other articles, reviews & humor.



*"The love of liberty consists in the hatred of tyrants." —William Hazlitt*

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## Letters

### Three Cheers for Absolutism

I, too, have disagreements with strict libertarians, but Bruce Ramsey's flimsy diatribe ("Dialog With an Absolutist," July) leaves me cold. Ramsey does not even recognize the difference between state coercion and the authority wielded by governance structures in private communities. The latter is not an infringement of liberty if the ground rules have been contractually agreed upon.

Ramsey says he is for what "works." Works for whom? He demands a central public commons in which to impose political demonstrations on other people's awareness, while he expects government to squelch advertising that he considers offensive. Others might choose differently. Private communities would facilitate individual choice.

Contrary to Ramsey, opposition to drug prohibition does not "imply the existence of a safe use." Neither skiing nor smoking nor driving to the store is completely safe. One need not be an "absolutist" to defend the principle that individual risk is properly a matter for individual choice.

Ramsey's case for military conscription is not supported by the examples he cites. Conscription did not save France in 1940 and was surely unnecessary to defend the U.S. from invasion in 1955 — indeed, the all-volunteer American army is the world's most powerful today.

Slippery slope arguments may not carry the day, but they cannot simply be waved off, either. The federal government took less than two centuries to completely overrun its constitutional bounds.

Unlike Ramsey, I respect the strict libertarians — the anarchists and minimal statists — because they have bitten the bullet on all the hard questions and frequently demonstrated the feasibility of far greater individual liberty than I would have thought possible.

Allan Walstad  
Johnstown, Pa.

*Editor's note:* A more elaborate criticism of Ramsey along somewhat similar lines appears, along with Ramsey's response, on page 41 of this issue.

### Liberty and What Works

Though I often (if not usually) disagree with him, Bruce Ramsey provides a much-needed alternate viewpoint in *Liberty*. And he has some valid concerns. I've often said that the Libertarian Party should adopt a "broad" platform that allows us to attract more candidates and have a better chance of electoral success. The litmus test would be that no Libertarian candidate should advocate increasing government in any fashion (with the possible exception of the contentious issue of abortion). I've felt this way since I saw the Arizona LP tear itself apart over the issue of government funding of campaigns — something I never pursued myself, but I felt should be up to the conscience of the individual candidate.

That said, I'm definitely one of the "absolutists" that Ramsey is debating. To me, a stateless society is an ideal we might never accomplish (given the difficulty of enforcing non-government), but is nevertheless worth pursuing. Still, I'd never advocate disowning the moderates in our midst; they are worthy allies in our struggle. I have one quibble with Ramsey's arguments, though. Did Hitler neglect to invade Switzerland because he was frightened of its tiny, conscript army? Or was it because the Swiss provided a convenient way to cash in on stolen Jewish gold?

Vaughn Treude  
Glendale, Ariz.

### Innocent as Charged

Okay, you finally got me: I have to write to a magazine. I confess I am an attorney, and I specialize in divorce for men. Stephen Baskerville's "The Federal Bureau of Marriage?" (July) is the best thing I have ever read on the topic. Every man should read it and give it to

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*Liberty* (ISSN 0894-1408) is a libertarian and classical liberal review of thought, culture and politics, published monthly by the Liberty Foundation, 1018 Water Street, Suite 201, Port Townsend, WA 98368. Periodicals Postage Paid at Port Townsend, WA 98368, and at additional mailing offices.

**POSTMASTER:** Send address changes to Liberty, P.O. Box 1181, Port Townsend, WA 98368.

Subscriptions are \$29.50 for twelve issues. Foreign subscriptions are \$34.50 for twelve issues. Manuscripts are welcome, but will be returned only if accompanied by a self-addressed, stamped envelope (SASE). A writer's guide is available; send a request and an SASE.

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his sons. It is completely accurate except for a certain amount of cynicism regarding the motives of judges and lawyers. Like any profession, about 25 percent are good and 25 percent are bad, with all the rest falling somewhere in between.

Also, one thing not covered in the article is the role of radical feminists (including the majority of anti-male lesbians) in the re-creation of fatherhood as a tragic legal liability, and in the rejection of marriage as a form of patriarchal slavery for women. It is clear from Baskerville's exposé and my daily experience on the job that exactly the opposite is true.

Here in California, we recently had a battle over the fact that men who were positively eliminated by DNA testing as possible fathers are being forced to pay child support for other men's children until the child reaches eighteen years old, because they failed to respond to an accusation of paternity within ten days.

Not only is this an unusually short deadline for a serious matter in the law, but in many of these cases, the notice was sent to a person of the same name, or was not received because the district attorney sent it to the wrong address. No matter. If your name is John Doe, and the District Attorney sent you the notice, even if you are not the correct John Doe, or you never actually received the notice, you have to pay. A lot. Enough to drive you literally into poverty. For 18 years. And if you don't pay, you will be charged interest on the arrearages, even if you are unemployed as well as totally innocent. Or you could be sent to jail as this has now been made a criminal offense. All this, even though you are not the father. This is not hypothetical: it's happening. Just who is the slave here?

We actually got the law changed, as everyone in both houses of the legislature could see that it was unjust on its face, but Governor Gray Davis vetoed it because, he said, the state could not afford it! Think about that for a moment. Now, what did I do with that recall petition?

William Gorak  
Santa Rosa, Calif.

### Entrenching the Divorce Industry

In my almost 20 years of advocacy for divorced fathers, I have never come

across an article about marriage, divorce, custody, and child support as insightful as Stephen Baskerville's. I have long held that divorce has become an industry driven by the profits of lawyers and child support collections. Baskerville explains the dynamics in a way that is easy to understand. The admonition to "follow the money" is never so true as it is in the divorce/custody/support industry. States are paid by the federal government for collecting child support, and permitted to tack on fees, interest, and penalties which add to their loot. Courts are paid by the child support collection agencies, although such bribery is patently illegal. Mothers receive welfare payments, in the form of child support, which they don't have to account for. There is so much money to be had that private collection agencies are springing up to feed at the trough.

Although the Bush administration pays lip service to the need for fathers as part of a healthy, intact family, there is no serious movement toward achieving that goal. Indeed, most government action to date, as Baskerville suggests, is toward *increasing* the flow of child support from the absent fathers. If Bush's government really wanted to support healthy families, he'd insist on doing away with the incentives for separating fathers from their children. Creating new programs, without eliminating those that cause the problem, simply adds new sources of funds which will further entrench the separation process.

Paul M. Clements  
Concord, N.H.

### A Blow for Fathers

Thank you for publishing "The Federal Bureau of Marriage?" by Stephen Baskerville. It is a rare circumstance that the current destruction of men gets notice by the media. With one male in the United States being pushed into suicide every 22 minutes, we need all the exposure we can get.

Ed Ward  
New Orleans, La.

### The Power of Evasion

Stephen Cox asks (Reflections, August) why an activist spokesman would continue to respond to press questions by repeating his own small set

*continued on page 14*

# Reflections

**Motes and beams** — On Wednesday, July 6, a story broke to the effect that some minor incursions into Iraqi territory were occurring by small groups of Iranian nationals along the extensive Iran-Iraq border. Secretary of (U.S.) Defense Donald Rumsfeld was quoted as saying this was very concerning, as such incursions were “violations of Iraqi sovereignty.” This was potentially very dangerous, as I was driving at the time I heard this, and couldn’t stop laughing.

— Ross Levatter

**Miracle drug** — There is no better proof of the therapeutic qualities of medicinal marijuana than recognizing its unique and miraculous property: to make even hospital food taste good.

— Tim Slagle

**Great truth** — The great truth of the past decade is that I’d rather have my president make love, even lousy love, at the cost of fibbing under oath, than make war, even lousy war, at the cost of public fibbing. Wouldn’t you?

— Richard Kostelanetz

**Social workers get remedial civics lesson** —

On June 25, 2003, President Bush signed the “Keeping Children and Families Safe Act of 2003.”

This law will inform the Health and Human Services Department’s social workers of the Constitution of the United States. Supposedly, social workers will actually have to inform families of the charges of which they are accused, before they remove children from their parents’ protection and force the children to undergo a physical inspection of their bodies. Social services will receive “additional training” to inform them that United States citizens have rights against unreasonable search and seizure. There will even be a citizens’ advisory board to hear complaints about constitutional rights violations.

It only took a little over a year and half to get the bill signed. There was apparently no rush to restore the constitutional rights of United States residents and citizens.

During the year and a half it took our sloth-like politi-

cians to enact the measure restoring basic constitutional rights that the legislators themselves had earlier taken away, almost 5 million family homes were invaded. That suggests that Congress allowed the violation of the constitutional rights of at least 10 million people while they were considering the measure.

The Bill of Rights is there for a reason.

— Ed Ward

**Mr. Roberts, I’ve got Mr. Ponzi on line 1—**

There’s nothing that shatters a man’s faith in his immortality quicker than a glint of gray in his son’s hair or turning the corner of the biggest intersection in his life — that 65th year.

Both events hit me last week. My son’s aging numbered me for about 15 minutes. But the day of the big 65 was a major trauma. Not so much due to the toll of the years, as my dealings with the Social Security Administration. It began easily

enough. I called and made an appointment for a phone tête-à-tête to get my benefits rolling. I had dreaded the phone interview for weeks.

At approximately the same time, a pension from my company came due. As with Social Security, I had to call to initiate those proceedings. It should be edifying to the Over 65 Gang out there to contrast the two experiences. A tale of two kitties, you might say in poker



**SHCHAMBERS**

parlance.

First consider the financial corporation that administered my company’s retirement plan. Let’s call it Himalayan Financial. Transaction No. 1: I talked to a nice lady who sounded just like my mother as she explained my options. She elaborated on my choices with the same slow delivery my mother used to tell me why good little boys got ice cream and cake on their birthday, but not every night at bedtime. I had choices: Lump sum, 10-20-30 year guaranteed payout, survivor benefit plan, so forth. She’d send me a form, she said, so I could record my decision. The lady understood her position. She was an employee of a financial entity that valued my employer as a client. I was one of the faces of that client. None of my questions were dumb — her time was my

time. Her middle name might have been Patience.

Sure enough, in a couple of days, the mailman, with no sign of back strain, brought me a small, light, half-page form. Name, address, date of birth. Plus a square for me to check off my payment option. Great. My kind of proceeding.

Transaction No. 2: Social Security. In contrast to Himalayan Financial, the Social Security worker did not work for me except by the slimmest of threads. You might say I was one of her 250 million employers, which gave me very little leverage over her attention and priorities on a busy day. Also consider that occasionally a mild-mannered government employee is irritated by the mental density of 250 million employers. She turns into a vampiress and repeatedly tells me — her weak proxy of an employer — that she's gonna fang me to death and suck my blood and spend my pension on a pure cherrywood, lead-lined coffin. Well, when this metamorphosis occurs, the government doesn't hand her a pink slip and order her back to her crypt. They don't work that way. There are boards and reviews and lawsuits. That's their culture. The establishment is better off letting her hang around, collect a paycheck, and drink coffee. "Just don't answer the phone, please, Elvira."

Initially, I thought setting up my Social Security payments was going to be simple because unlike my corporate retirement, there are no options. There's only a monthly check. I'll just call 'em up, I thought, talk to some nice lady like my mama, and make sure they know I'm 65 and have the right address. I didn't want the check going to Apple Orchard Street instead of Apple Orchard Drive. Or Fred Roberts, instead of Ted Roberts, who might use my check for his monthly toothpaste and mouthwash bill. (How the Social Security Administration avoids the blessings of 40 years of compound interest is one of life's great mysteries, comparable only to why the phone company charges more *not* to list your number.)

My Social Security interviewer was more like one of my aunts than my mama. Kind, but authoritative — an intelligent, well-mannered lady I judged to have no vampire relatives. This is a snap, I thought, just like Himalayan Financial. Easy questions: soft lobs like name, Social Security number, address. I was having a heckuva good time, even sipping an iced tea and winking at the family, who had nervously gathered around me as I made a big thumbs up gesture. Then, to show off, I laid the phone down on the table as Ms. Manners went on with some explanation or other. Suddenly, out of

the cackle of the unattended receiver I heard, several times, the word "penalty." I thought maybe I ought to listen. I did, and caught the word "penalty" three times in quick succession. Elvira was explaining that the Social Security Administration, which had not added a penny to my small, monthly hoard, would take one dollar out of every three that I made over \$13,500 a year. (This was a few years back.) A disincentive for remaining productive in my sunset years. What would they do with the money — give it to a retiree who slept all day and sent his wife to the steel mill to stoke furnaces?

My mouth, disjointed by that injustice, slipped out of the control of my brain and went into a long explanation of my part-time consulting activities that would result in extra income. The vampire's voice darkened to hear this news. A volley of questions bombarded me from the phone, which I dared not put down. How much had I made from '92 to '94 with this clandestine activity? How much would I make this year? Next year? The tactically correct answer was, "God knows." But my autonomous mouth came up with a figure and Dracula's bride said, "Well, we just won't send you the checks for July, August, and September." It got worse. My interviewer announced that my formal application would be accompanied by a request for additional information.

She wasn't kidding. Her thick bundle asks for a birth certificate, an Army discharge form — a DD214 from 1951 — verification of various dates of employment, and a form that would choke a CFO dealing with my informal, sporadic, lightly remunerated consulting activities. And only originals would do.

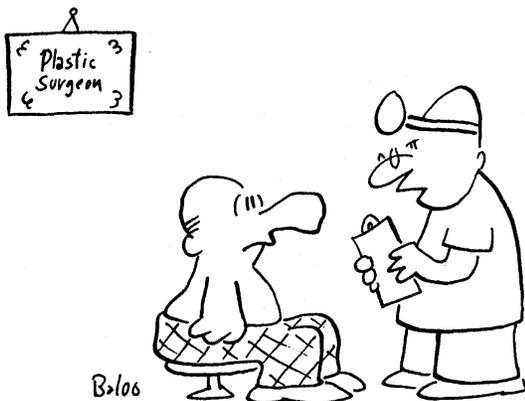
In addition, they were fascinated by and highly suspicious of that other pension from Himalayan Financial, their rival, whose retirement bucks fell into my arms with a five-minute conversation and half page of simple questions. I just know they were jealous. They requested verification of employment dates that yielded this bonus. And how much did I get — for how long? How'd it get to be so much in such a short time? Drug money, no doubt.

What right did they have to penalize me just because I choose to be somewhat productive in my dotage? Didn't they know about the Magna Carta, the Declaration of Independence? Taxes are one thing; a levy in return for schools, roads, defense, even welfare for less fortunate fellow citizens. But this mean-hearted penalty on my lifelong earnings that they hadn't even invested at competitive rates! Well, I should be consoled by the thought that now — seven years later — that rule is on its way out. — Ted Roberts

### *Sodomy today, lap dancing tomorrow*

— George Will reminds me of a radical feminist I once knew who, to justify abortion, insisted that a "fetus was just like a tumor." Statements that shocking jump to mind even 30 years later and I hope that, by now, the woman who uttered them has realized the absurdity of her opinion. Early on, though a fetus and a tumor share some biological similarities (both are clumps of cells dependent on the body of their host), and though they may share characteristics like being feared or unwanted, anyone short of a total reductionist would know that is where the similarities end.

When it comes to abortion and gay rights, there are zany



"Have you been trying to fix this nosc yourself?"

arguments on both sides of the issues. The latest comes from the usually rational George Will, who is trying to convince us, through logic stretched thin as spandex, that a right to privacy does not exist in the Constitution, and that the recent Supreme Court ruling in the Texas sodomy case has bestowed upon Americans, not a constitutional right to privacy, but a constitutional right to lap dancing.

"The privacy right," writes George Will, "is most famously associated with *Roe v. Wade*, the 1973 abortion decision. . . . And given that in a 1992 abortion ruling the privacy right was explained as 'the right to physical autonomy,' the question is not just whether there is a fundamental right to engage in sodomy. Why not the right to physical autonomy

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*Will fears that lap dancers will sprout up like crabgrass in the suburbs, destroying marriages and fraying the social fabric in their wake.*

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in using heroin? Lap dancing as a fundamental right? That is, after Thursday [the day the Supreme Court issued its ruling in the Texas sodomy case], not a close constitutional call." Mr. Will stretches the meaning of the right to privacy into a right to lap dancing just like my old friend stretched the meaning of a tumor to include a fetus. If we take the no-privacy zealots and states' rights aficionados at their word, they are saying that Americans have no right to sexual privacy, nor a right to physical autonomy, and ownership of one's own body does not exist. These small government conservatives are saying it's up to the state to define, and the police to monitor, sexual behavior between consenting adults in their homes.

We have recently heard an avalanche of slippery slope and what-if arguments from social conservatives like Rick Santorum, who is apoplectic that everyone will start group marriages and have sex with basset hounds and gerbils if we have a right to privacy.

Santorum does not believe that adults, any adults, even heterosexual married adults, have the right to privacy regarding consensual sex within their home. Adult Americans simply cannot be trusted with a right to privacy, he says, and so we must deny that privacy is in the Constitution at all.

Social conservatives argue that Americans have no inherent right to use birth control if a state legislature outlaws it. But slippery slope arguments cut in both directions, and if some future leftist, feminist, environmentalist alliance elected to a state legislature outlaws more than one child per couple as has been done in

China, then Americans will have no right to appeal such a law on grounds of privacy or personal physical autonomy. Since there is nothing in the Constitution giving Americans the right to own their own body and its reproductive capabilities, the state must decide how bodies are to be used.

Furthermore, if social conservatives prevail, and it's decided that there is no right to physical autonomy or for individuals to be "secure in their persons," then if a dying person needs a kidney transplant, and yours is the only compatible kidney, you can be obligated by state law to donate yours.

A 12 year old who is impregnated by a rapist, and whose parents refuse consent to an abortion as may be mandated by state law, has no right to her own body, and may be forced to continue an unwanted pregnancy. If she remains uncooperative, she may be arrested and tied to a hospital gurney at delivery.

Or, if you have no rights to privacy in the most intimate parts of your personal life, nor a right to physical autonomy, the state may decide to collect a certain type of sperm needed for compelling social reasons, and may forcibly take sperm if it's not volunteered. What constitutional protection do you have from a search and seizure such as this?

As for the much-feared onslaught of lap dancers who will sprout up like crabgrass in the suburbs, destroying marriages and fraying the social fabric in their wake — well, say the worst happens, and a lap dancer visits the home of a handicapped male friend, bestows sexual favors and is given a gift in return? Shall we arrest them both and jail them,

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courtesy of the taxpayers?

On second thought, it's better social conservatives take another look at the Fourth Amendment. When someone from the government crashes through the bedroom door to check for illegal sex, it doesn't matter whether the invaders are federal agents or state troopers.

All things considered, lap dancers' rights are better than a police state.  
— Sarah J. McCarthy

**"Word Watch" Watch** — In the August *Liberty*, Steve Cox used his "Word Watch" column to briefly discuss a few rhetorical issues, among them the use of the passive

# Word Watch

by Stephen Cox

When I was a young man, I knew a libertarian whom I will call Frank E. Freiheit (E for Ernest). No one would ever accuse Frank of hypocrisy or time-serving. He lived in poverty and anonymity, refusing to acquiesce in any control by government. And he lived joyously, spending his days doing what he loved most — debating with other far-out libertarians.

Some of them were not, however, quite so far out as he was. I was visiting Frank one afternoon when he reported on a conversation with a friend to whom I will give the *nom de guerre* of E.Z. Davenport. E.Z. complained about a rumor that Frank had called him a "fascist" merely because he believed in the legitimacy of public roads.

"Well, *do* you believe in public roads?" Frank asked.

"Yes," E.Z. replied.

"Then you're a fascist."

It struck me that there was something slightly arbitrary about that choice of words. A fascist was almost anyone Frank wanted to call a fascist.

We see the same thing, though admittedly to a lesser degree, in the current nomenclature of "conservative" and "liberal." "Liberals," it seems, no longer have to believe in liberty, while "conservatives" don't have to believe in conserving America's traditional form of government.

Of course, one can't retreat to one's own private language, no matter how far-out everybody else's language has become. One must have some words in common with other people. And it's still possible to do something for accuracy by reminding people that "modern liberals" are different from "classical liberals." I don't know what can be done, word-wise, about "conservatives."

In some cases, it's easy to insist on verbal clarity, because clear distinctions still exist in everyday language. No matter how many people refer to the United States as a "democracy," it plainly is not a place where a majority of "the people" just "rules," thank God — not as long as the democratic principle continues to be checked and balanced by divided authority, unequal representation in the Senate and the Electoral College, and the remains of state governments, delegated powers, and the Bill of Rights. "Republic" is the proper term; everybody knows it; we can insist on it.

Speaking of the Bill of Rights, one can also insist on the plain truth, unknown to most Americans, about *where* that document *is*. When somebody mentions "the Constitution and the Bill of Rights," you can kindly indicate that the Bill of Rights, contrary to popular opinion, is actually part of the Constitution. And you can amaze your friends, attract the attention of the

opposite sex, and boost your earning power by adding that the Declaration of Independence is *not* part of the Constitution.

Verbal confusions don't stop at the high, constitutional level. The working political vocabulary is full of them too. During the next election year, we'll see all the old confusions coming back to us. I'll mention two of them, just to whet your appetite.

One of them inevitably asserts itself at convention time, when we hear about — though, if we're smart, never listen to — "stemwinding" public addresses. "Stemwinding" is often taken to mean "boring," as if the listeners were driven to find something, anything, to do while the speech went on, even winding their watches. This is a reversal of the original meaning: a watch with a stem, rather than a key, was a high-class watch; so a stemwinding speech was a high-class speech, specifically an exciting speech. There's still room for the original meaning, if you'd like to revive it.

A term that's heard more and more often, even outside election years, is "good old boys," as in, "The policy will be decided by the good old boys in the back room." Here we have a confusion between two useful but very different expressions. "Good old boys" or, more properly, "good ol' boys," is a southern American expression for "agreeable men," men who enjoy a good time, drinking buddies and boon companions. It has nothing to do with politics. "Old boys" is a British expression for "alumni of a public school," alumni who can be expected to help out other mature gentlemen who once were "boys." It has mildly ludicrous connotations, and it may, indeed, have a political use in its metaphorical extension; as, "Dick Cheney and other old-boy Republicans." But that's it. That's as far as it goes. If you mean "political fixers," say "political fixers."

A trivial issue? Perhaps. But the next election-year expression ought to chill your blood. Here's a columnist writing in the *Dallas Morning News* about Howard Dean, ex-governor of Vermont and current Democratic presidential hopeful: "Dean is a former governor, like four of the last five presidents. But [his] experience in running the nation's 49th most populous state pales alongside Graham's in No. 4 Florida and Bush's in No. 2 Texas." Forget the mangled syntax; notice that word "running." We've heard it a lot lately: a governor "runs" a state, a mayor "runs" a city, a president "runs" the country. The distinction that's being dropped, the distinction between "running" and merely "governing," is the distinction on which our system of limited government is founded. It's a distinction basic to the very concept of the American republic — basic, at least, unless you have some other definition of "American."

voice. Cox "disposes" of the common prejudice against the passive voice by asking, "What's wrong with a passive, if it helps you achieve the right emphasis?" His conclusion is correct, but he fails to note the pernicious purposes for which the passive voice is often employed, especially in political writing. I say this, not as a person particularly fastidious about language, but as a lover of truth and honesty.

I suppose there's no way around running the risk of losing your attention by defining the passive voice: the use of a form of the verb "to be" along with a past participle. Some examples: John was injured. People were hurt. It is broken.

While the passive voice is not inherently pernicious (Cox's point), it is often employed mischievously, to avoid identifying responsibility or even to conceal the truth. Consider the first example offered above: John was injured. When I read a sentence like this, my first thought is always: who injured him, and why isn't the author telling us? If so, does the author have a good reason for not telling us? He very well may have a good reason: perhaps he's writing about what happened to John and the identity of who injured him is irrelevant. If this is the case, fine and dandy.

But sometimes a writer uses this form because he doesn't want to reveal the subject of the verb. Remember Janet Reno claiming that the FBI's murderous attack on the Branch Davidians at Waco was justified because the children were denied proper sanitary facilities? Just who denied them proper toilets, clean water, and removal of sewage? Why, it was Reno's own Department of Justice that cut off the water and sewers of the Davidian building.

And sometimes the passive voice is used simply to lie. On Jan. 23, the day that Jessica Lynch returned home, I heard

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*The passive voice is often employed mischievously, to avoid identifying responsibility or even to lie.*

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a CBS newsreader say that Lynch "was wounded" in the war. This statement is simply false, a fact that becomes apparent if one asks who "wounded" her, and looks at a description of what actually happened. My dictionary defines the verb "to wound" as "to cause a wound in the body of somebody or something, especially using a knife, gun, or other weapon." Just who "caused the wound"? Who wielder the "weapon"? Well, contrary onrtry to the implication of the CBS newsreader's statement, no enemy soldier or weapon injured Lynch. She was injured when the Hummer in which she and her fellow soldiers were riding in crashed into another U.S. military vehicle. She was no more "wounded" in the war than I was "wounded" in the War on Terrorism when I twisted my ankle stepping in a hole in the sidewalk while walking to work to write a reflection on terrorism.

Now, I don't know whether whoever wrote the words the CBS newsreader read did so in a conscious attempt to support the military's earlier false reports that Lynch had been engaged heroically in a firefight with enemy soldiers. It may very well be that the writer was hoodwinked by the mil-

itary public relations people. Or perhaps the writer is simply a bad writer.

It is the ease and frequency with which people use the passive voice to create false impressions, or for outright deceit, that makes me much more wary of it than is Cox. It is why George Orwell gave it a prominent place in his list of "swindles and perversions" in his 1946 essay "Politics and the English Language."

Orwell concludes that essay with a list of six rules for political writing:

1. Never use a metaphor, simile, or other figure of speech which you are used to seeing in print.
2. Never use a long word where a short one will do.
3. If it is possible to cut a word out, always cut it out.
4. Never use the passive where you can use the active.
5. Never use a foreign phrase, a scientific word, or a jargon word if you can think of an everyday, English equivalent.
6. Break any of these rules sooner than say anything outright barbarous.

This is as good advice today as it was when it was written. And passive constructions remain as mischievous today as they were when Orwell warned against them.

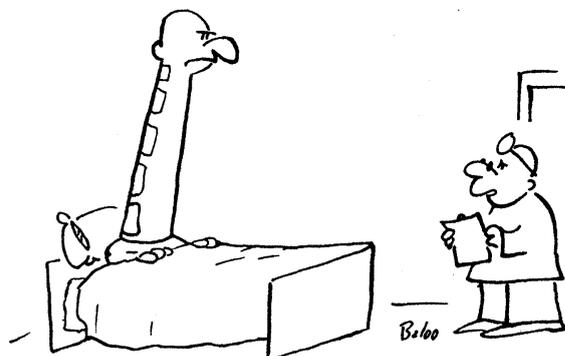
— R. W. Bradford

### *Giving slapdash, conservative polemic a bad name*

— Ann Coulter is the conservative babe whose *modus vivendi*, says Andrew Sullivan, is to "look amazing and ratchet up the rhetoric against the Left until it has the subtlety and nuance of a car alarm." Her latest book, *Treason* (2003), is one long accusation of disloyalty, and includes one paragraph about me.

As part of a chapter on media types being apologists for Reds, she attacks a newspaper book review I wrote on *The Spy Who Seduced America*. The spy was Judith Coplon, convicted in 1950 after a public trial in which she was defended in the press by the liberals of the day. The two words Coulter quoted from my review said that the government's case against Coplon was "entirely circumstantial." Coulter replied:

The circumstance was this: in March 1949, she was arrested while handing secret government documents to a Russian agent. I suppose you could call that a "circumstance." Needless to say, Soviet cables confirmed that Coplon was a Soviet agent. Liberal refusal to accept any evidence that any person ever spied for the Soviet Union would be exasperating if it weren't so comical.



"Stop complaining! — We were lucky to find a donor at all."

I read this paragraph over a few times, hardly believing it. The book in question, written by FBI agent Thomas Mitchell and wife Marcia, had concluded that Coplon was guilty. I had agreed: Coplon was a communist spy. Indeed, the *title* of my review, which is accurately listed in Coulter's footnote, includes the words, "a True Tale of Espionage."

Further, I had said in the review that the labeling of the postwar spy cases as "witch hunts" and "McCarthyism" is a falsification, because there *were* communist employees in the government spying for the Soviet Union.

As for the "entirely circumstantial" evidence, Coplon, a federal employee, was arrested while meeting with a Russian agent. Coplon had not taken the classified documents from her purse, and was not handing them to him. In another five minutes she probably would have, and of course the meeting itself was damning (but circumstantial) evidence. Yes, Soviet cables confirmed that Coplon was a Soviet agent — but for security reasons, the government had not used those cables as evidence.

So here I was, a non-liberal favorably reviewing a book that exposes a communist spy, and I am accused of "refusal to accept any evidence that any person ever spied for the Soviet Union."

Well, I stopped reading her book. I couldn't believe a thing in it.

— Bruce Ramsey

**Giving it doggie-style** — A recent radio public service announcement led me to think about how libertarians are losing the battle for language. There was a blood drive held at a hotel here in town, for dogs. It's something that we don't think about much, but dogs going through surgery need blood transfusions, and the only source for that blood is other dogs. The ad gave a phone number and urged you to call if your dog would like to "donate" blood.

Donate used to mean "give voluntarily." The key word is "voluntarily," which isn't even attached to the definition in dictionaries anymore. In order to donate you have to be willing to make a sacrifice. Usually that happens after you become aware of a need, and you are motivated by empathy for those less fortunate than yourself.

Personally, I have a problem with the idea of blood donation. I'm probably using Objectivist morality to cover for a fear of needles, but I think it's far less objectionable to sell your blood. (I don't do that either, because I don't like to hang out with the winos in the waiting rooms of those plasma centers.)

The animal that crouches within the reptilian portion of all our brains normally rejects the process of giving blood.



"'Drop dead, creep,' eh? — What's *that* supposed to mean?"

There is absolutely nothing pleasant about having a vein opened and being slowly bled into a plastic bag. If the pain doesn't scare you away, the sight of your own blood will.

Those who donate regularly understand the need for blood. The frontal lobes of their brains, where humanity resides, are capable of overriding emotions, like fear, that reside in the other parts of the inner brain, allowing a donation to occur.

It is impossible for a dog to override the fear. Dogs are pretty simple machines, and their craniums are limited. Most thought processes occur in the present tense: when you're hungry, you eat; when you itch, find someone to scratch you; if a stranger invades your territory, kill him. There is not a lot of space left on the hard drive for a higher concept like altruism.

I imagine that the room where the dog blood "donations" are taking place is quite a lively area. There's probably a lot of noise, and people having to hold down their "donating" dogs. Since dogs are more in tune to odors, to them the place smells of blood and fear, so that even walking your pooch into the waiting room will test the strength of its leash and collar.

Canine blood drives involve the same kind of misnamed "donation" that occurs in IRS audit offices, only the yelping is louder.

— Tim Slagle

**A victim of our own** — Things must be going pretty well in the world right now. Democracy is flourishing in Iraq. The economy is booming. Math and science scores are through the roof. Sound impossible? But it must all be true. Otherwise, the media would surely tell us otherwise.

Instead, when you turn on the TV, what do you see? Nothing but Laci. FoxNews has gotten on the Scott and Laci Peterson Saga bandwagon, even giving their updates snazzy theme music. I guess they think that achieving fairness and balance requires them to be insipid as other networks.

Don't get me wrong. I think that the death of Laci and her baby is very sad. Laci seems like she was a sweet, normal young woman who just made a tragic mistake in her choice of husband. While I feel sorry for her family, I don't see how interrupting my television news-viewing pleasure with constant Laci updates is going to heal their pain.

I just wish they'd hurry up and euthanize Scott Peterson already. Yes, yes, I know. Innocent until proven guilty. But anyone who tries to make himself look like Ben Affleck deserves the needle just for that. I suppose I shouldn't make fun of the Scott. After all, he is a widower and childless.

And maybe there is a satanic cult operating in Modesto, and Gary Condit is its high priest. That might explain the lacquered hair and Joe Isuzu smile.

I just can't help but think that if Scott didn't have the same celebrity attorney who defended Winona Ryder and Susan McDougal, if Amanda Frey didn't look as if she were auditioning for a part on *Sex and the City*, and if Laci hadn't had hundreds of pictures taken of her showing off her belly, this story would have died weeks ago and I would be watching Greta Van Susteren warn us about a terrorist plot to blow up the Bronx Zoo.

But in all seriousness, there's an important lesson in the Laci Peterson story for libertarians. If we want a lot of media exposure, we can get it. All we have to do is kill someone,

preferably a pregnant woman. If she were pregnant with twins that would be double super. I'm dead serious. Work with me here. I know, I know, there's this slight problem with a person's right to life, liberty, and all that. To get around this, we'd simply have to get a pretty, young, visibly pregnant, and, most important of all, photogenic libertarian woman to "disappear." We could set her up in Costa Rica or wherever she wants. This time, there will be no bodies found.

One theory is that Laci got the axe from Scott when she confronted him about his affair. Our woman, let's call her Traci, could confront her husband, who may or may not be a "ringer" as well, about the amount of the family budget he donates to Handgun Control and other Democratic causes and the number of Lamaze classes he's missed due to trips he's taken to the state capital to protest cuts in the education budget.

When the media interviews Traci's friends, America will find out that the happy couple wasn't so happy after all. The marriage was in trouble right from the start because husband and wife had such disparate personalities and political commitments.

Whereas Traci was generally jovial and even-tempered, her husband was arrogant and brooding. Whereas Traci believed in cutting taxes and government spending, expanding school choice, and decriminalizing marijuana, her

husband wanted to raise taxes on people making over \$60,000 a year, expand Head Start, roll back welfare reform, and outlaw fast food. Whereas Traci read *The Wall Street Journal* and enjoyed investing money from her real estate commissions toward an eventual return to law school, her husband complained about how little he made as a municipal prosecutor.

Having won trophies for debating in college, Traci easily out-argued her husband. Her letters to the editor got published, while his went nowhere. One day, the theory will go, out of jealousy, frustration, and embarrassment, the husband choked Traci in the laundry room with his Che Guevara T-shirt. But the police will never be able to prove it.

I know, my little plan sounds ridiculous, even sick, doesn't it? But is it as ridiculous as a disguise designed to make one look like Ben Affleck, talk of satanic cults running around chopping up pregnant women (where are all the other bodies?), and specially designed theme music for twice-hourly updates? And it's certainly not as sick as using

the tragedy of a real murder to fill in time between commercials.

— Colleen Coleman

**He got game** — I spent a semester teaching music in a federally funded, desegregated magnet middle school for the fine arts in St. Louis back in the mid '80s. We had children from all over the city. Some came in small buses and some came in private taxicabs, their fares paid by taxpayers. The federal government gave our department \$25,000 per year to spend on our music program, which was split between the vocal and instrumental departments. This enabled us in the vocal department to afford a lab of teaching pianos, hand bell sets in duplicate or triplicate, numerous music scores which we *might* use and which could cost up to \$100 each, every rhythm instrument available, and more. The catch was that we *had* to spend the money.

We were so privileged because we were a "desegregated"

school. We had 152 "black" children and 152 "white" children. There were *no* Native Americans, *no* Hispanics, *no* Asians, *no* Indians — for the government's purposes, desegregated meant "black and white only." *And*, just to make sure that we were *complying* with the "deseg" parameters, the feds came to inspect the premises once a year.

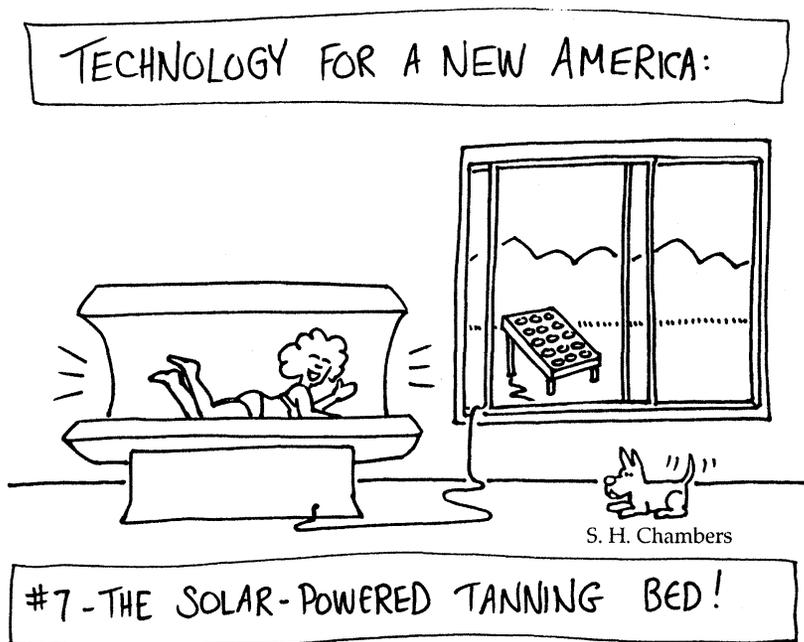
Prior to their arrival, we were reminded that the insides of our classrooms were to look like an "Oreo cookie box." Most of my

altos happened to be black and most of my sopranos happened to be white, so I had a problem. I was advised to come up with a creative solution.

The children quite understood the game. One morning while I was taking roll one of my students said, "Hey guys, we're not sittin' right. We're 'posed to be black-white-black-white!" Everyone got up and moved as if playing musical chairs.

At one point I was required to take "inventory" of the ethnic make-up of each of my classes. I inquired as to how one was to conduct this task because the distinction wasn't always easily apparent. I was instructed to simply have them raise their hands. So I did just that.

In my first class I called for all the "white" students to raise their hands, and they did, some being very dark-skinned with curly black hair, dark eyes, and quite frankly looking to me to be African-American. I called for the "black" students to raise their hands and they did also, some being fair skinned with blue or green eyes and sandy colored



hair. I told them that this survey was for a report for the federal government, and asked if they were playing with me. I asked how it was that some of the students were raising their hands for profiles they didn't seem to fit. I was informed that when they came to enroll in the desegregated magnet middle school for the fine arts that they just looked to see which list was shortest, the white list or the black list, and signed up on the shortest list on the basis of having a mother or father or grandparent of that particular race. They understood the game.

In the 19th century it was illegal for Native Americans to live in Missouri though many Scotch and Irish had taken Cherokee wives as they came through on the Trail of Tears. When the time came for the census, they simply registered as "black Irish." They also understood the game.

Into the 21st century. In light of current race preferences, it might behoove parents to enroll their children early on the proper lists just like some parents hold their boys back so that they'll have a growth advantage when playing sports in high school. My own children are (in alphabetical order) 12.5% Cherokee, 12.5% French, 18.75% German, 6.25% Pottawatomie, 12.5% Scotch, and 12.5% Sicilian (which is another melting pot country. Pictures of great grandparents reveal a bit of African heritage there). One grandparent is of unknown decent but is most probably part Cherokee as well. Either way, my children are at least 18.75% Native American. If I had to do it all again, they'd be registered in school as Native Americans just so they'd be on equal footing when it comes time for college and loans. It's just a matter of understanding the rules of the game.

— Catherine J. Colletti

**Once more into the breach** — Pentagon sources have revealed that back in April, General Tommy Franks was ordered to bring the war in Iraq to a rapid conclusion so that Modesto police could move forward with the arrest of Scott Peterson, accused of killing his wife and unborn son on Christmas Eve. (It was felt at the time that the nation could not withstand the stress of two cable news dramas occurring simultaneously.) Now that the Peterson trial has been moved to the fall, we're suddenly being told the war is back on again. Coincidence? Or maybe, as with the economy, we've passed from the earlier threat of inflation to the even greater threat of deflation in news stories, as powerful, unseen forces move to restore our informational equilibrium.

Meanwhile, the man who once derided the Clinton

administration's fondness for "nation building" may now be sending American troops to . . . Liberia? Well you see, there's this gang of thugs over there (the government) fighting this other gang of thugs (the rebels) — or is it the other way around? Hard to keep track with all these other battles going on. But that's the exciting thing about sending in troops; as we found out in Somalia, you just never know what's going to happen! And when the proposed action has absolutely nothing to do with our own national interest, there's an added element of mystery to spice things up.

At first it seemed incredible, just given the practical circumstances of our badly overstretched forces, that such Somalia-esque folly could even be considered at this time. Then it hit me. The news from Iraq is so bad right now, they may just feel it's better to change the channel to some other station. What the hell, if we keep rolling the dice and trying our luck elsewhere, maybe the crowds will really, *really* cheer for us in the next place. And if not, at least it'll distract the masses from the steadily ticking American body count in Baghdad.

— Michael Drew

**Bountiful wisdom** — In the wake of 9/11, which I felt particularly personally as it happened less than two miles south of where I live and work, I suggested in these pages that the best retaliation against Osama bin Laden was not an expensive invasion of Afghanistan but a generous bounty upon the delivery of his scalp. Only after we had failed to find him in the successful invasion did the U.S. government offer a bounty, which has so far not been paid.

You can imagine my pleasure at discovering, nearly two years later, that the idea of a generous bounty has been revived — \$25 million for Saddam Hussein and \$15 million for each of his sons. How wise.

One problem is that now that we have conquered Iraq, more or less, the perpetrators are harder to find. Had the bounties been offered a year ago, prospective recipients would have known where the Husseins were. Needless to say, a lot of money might have been saved, along with human lives. Had the folks in the White House closely read *Liberty* nearly two years ago, they would have been a lot smarter and America a lot less poor. Too bad.

— Richard Kostelanetz

**Now you say it, now you don't** — The infamous "garage murder" — in which a woman ran into a homeless man, drove home with him stuck in the windshield, then left him to die in her garage — appears at first glance to be nothing more than another bizarre chapter in the annals of American crime. Yet the way in which the story was reported says volumes about the lens of popular culture, conveniently focused for us by the media each day. What was so strange about the reporting in this case, you ask? Nothing; that's the point. Yet just imagine if the races of the killer and victim had been reversed. In this case, a black woman hit and killed a homeless white man, but (unless you saw them on TV) you wouldn't have known it from the coverage. And why should you? The killing was obviously an accident (to



S.H. Chambers

begin with), occurring at night and having nothing to do with race. However, if the races had been switched I have no doubt the story would soon enough have read "White woman hits homeless black man, leaves him to die," followed by the obligatory racial outrage whipped up with the knee-jerk connivance of the news media.

One can't help compare the coverage of the "garage murder" to that of another recent death on the road, the fatal crash of a speeding black motorcyclist pursued by white cops in Benton Harbor, Mich. Would a white motorcyclist have been treated any differently? Can you even *see* the color of someone going over 100 mph, the speed at which he was clocked when the angry white males-on-wheels picked up the chase? Neither case had anything to do with race in my opinion, but they and countless others are filtered through this skewed reporting standard. A seemingly identical crime is reported as either "White teens beat black youth," or "Youth beaten by street gang," depending solely on who is doing the beating. Only the former is proclaimed a "hate crime."

I recently heard a TV pundit defending "political correctness" as merely an "overzealous civility." Really? It never seems to dawn on the left-liberal elites that their simple-minded, one-sided brand of sensitivity has (finally) begun to reveal "PC" for the bad joke it has always been. Yet the habit is so pervasive, as seen in the subtle editing of crime reporting, that we're still a long way from a "fair and balanced" media landscape.

— Michael Drew

***Al Gore for student body president!*** — Democrats still can't believe they lost the 2000 presidential election. I was listening to a couple the other day complain about how it's wrong that George W. Bush is president, because he lost the popular vote. I suggested that perhaps Harry Browne should have been made president because he was certainly the most handsome of the three. They looked at me like I was nuts. "It wasn't a beauty contest," one of them remarked.

"No, and it wasn't a popularity contest either." If we're going to abandon the procedure laid out in the Constitution, either method is equally valid.

— Tim Slagle

***Letter from Armenia*** — My brothers and I have just returned to Armenia, a small country between the Black and Caspian Seas, where we spent a good part of our childhoods.

After a fretful midnight ride from the airport through the country's capital, Yerevan, we finally pulled onto 15th street, where dozens of familiar faces posed as the cul-de-sac's X-ray machine. The driver, interpreting the crowd's kind gestures and expressions as a green light, continued to the end of the street where, for the first time in almost a year, I cast my eyes upon my second home. As I got out of the car, it occurred to me that the final security gauge of my homecoming had been breached. The guard of our neighborhood, that awe-inspiring, fearsome dog named Bobby, was nowhere to be found. I would soon discover that he had died.

When my tired eyes caught the first glimpse of light the next morning, I dutifully walked to our balcony, from which the entire city of Yerevan could be seen. To the left, the twin snow-crowned peaks of Mt. Ararat were in clear view. I

panned the city, noting the familiar sight of the soccer stadium, Republic Square, and the soaring monument built in commemoration of those who lost their lives during the Turkish genocide against the Armenian people. Everything was intact, it seemed.

But the recent presidential elections had taken their toll upon the people. International observers had called the elections "unsatisfactory" and "below the democratic benchmark"; a popular U.S.-born Armenian was denied his procedural due-process rights as accorded by the Armenian Constitution and was shorn of candidacy; the head honcho of a mob group who owns Armenia's biggest beer company and many of its businesses and restaurants dispatched armed men to stuff ballot boxes. In the end, the widely detested incumbent claimed the presidency. Mass demonstrations followed, only to be ruled illegal by the same justice system that denied the opposition's petition for new and fair elections.

What I really needed, however, was not a newspaper account of national politics — I wanted to find out what really happened. So I invited my long-time friend Ruben to lunch. At 6-foot-1, Ruben towers above Armenia. His passion for politics, philosophy, and chess is rivaled only by his dry, intellectual sense of humor. As I had feared, Armenian

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*The street is full of people — some playing cards, girls holding hands and gossiping, boys playing soccer, women selling sunflower seeds and hosing the ground, men playing backgammon and chess. In a profound and nuanced sense, freedom flourishes.*

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politics was the last thing that we would talk about. Instead, we talked political philosophy. Do rights exist objectively? Ruben had grown increasingly libertarian, owing more to practical reasons than to moral arguments. I asked him about the reaction of the Armenian people to the Iraq war. He

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replied, "There were a few scattered protests here and there . . . nothing too big. The response was very relaxed."

Armenia is still out of the international loop. September 11, Enron, the Iraq war — these things are almost never on the minds of people. It seems that they are more concerned about day-to-day living than the interchanges of the world. With wages for a teacher averaging \$40 a month, how could they not be?

Just when the subject had reverted to philosophy and Ruben had accused me of "only thinking with logic, as if other manners of argument don't exist," I had to say good-bye and rush to my next destination.

The streets of Yerevan make the streets of New York seem tranquil. Pedestrians anarchically walk across the streets while chaotic drivers avoid major collisions by millimeters. The rule of law is overrated: \$2 bribes to policemen have yet to create a national crisis. After almost being run over by the top mafia guy in his only-one-in-Armenia brand-new Hummer, I reached the opera house, which is close to the center of town. It is at this location that my friend serves his country as a protector of domestic peace — as required by national decree that all men serve in Armenia's armed forces for two years. The opera house is surrounded by several thriving cafés and restaurants. So I sat down with him at the one closest to his post and talked about the old times — about playing backgammon, enjoying barbeques, and organizing swimming tournaments — while drinking bottled Coca-Cola and devouring the best darn unregulated steak that I've tasted. But steak is only the beginning. Armenia has some of the best fruit in the world, especially its apricots. And if you happen to find a worm in your fruit, the common wisdom dictates, so much the better — the fruit will be sweet and soft.

Though sanitation standards are enforced by bureaucrats who take bribes rather than actually check for the mainte-

nance of cleanliness, most restaurants in Armenia are hygienic and orderly. If capitalism didn't do such a good job at regulating the free market, perhaps my yearly declaration of a summer diet would not seem so laughable.

After sweeping the entire Ray Charles collection on MP3 from the local "Discland" for \$3.00, I took a cab to my house for about the same amount. The cab driver began to talk about politics and life and soon started singing a romantic Armenian song, saying that he had once wanted to become a singer.

Even with this live entertainment, the ride home is never easy. Armenia's streets are being torn down and renovated — at a rapid rate, mind you! Why now, one might ask, after 20 years of ever-widening potholes? Because, this time around, Armenian-American media mogul Kirk Kerkerian is funding it . . . *with strings attached*: that the government actually get the work done.

Otherwise, it seems like Armenia's government is just like any other. It is efficient in collecting taxes and raising tariffs, but inefficient in providing social services and material benefits.

I am reminded how different life is here. At any given time, my 15th street is full of people — some people playing cards, others chess, girls holding hands and gossiping, boys playing soccer, women selling sunflower seeds and hosing the ground, men playing backgammon. In a very profound and nuanced sense, freedom flourishes in Armenia.

On the 4th of July, I went to a reception put on by the American ambassador to Armenia to celebrate Independence Day. The ambassador spoke some Armenian and people sang the American national anthem. The place was vibrant.

I am 10,000 miles away from the Cato Institute and Milton Friedman. Yet I can feel it here, now, that universal idea — liberty.

— Garin K. Hovannisian

## Letters, from page 4

of non-responsive talking points. The answer is, because it works, as politicians have proven to us for decades.

Here in Arizona, libertarian activist Ernest Hancock routinely cautions spokespeople at protests or other events to "prepare three short statements containing what *you* want the public to hear about your issue. When the reporter holds the mike out to you, you say, 'Point one. Point two. Point three.' Then you smile and step back from the mike. If she asks you a follow-up question, you say 'Point two,' or 'Point three,' or maybe even 'Point one,' and then smile and step back from the mike, but don't say anything else. Pretty soon they get the idea.

Otherwise, you will see *only* some weak part of your unprepared remarks aired, and none of the strong points *you* wanted the public to hear. Force the reporters to air what you want them to

air by never giving them anything else."

What is the downside of ignoring this advice? Once hostile media have your voice or image in storage, there is no statute of limitations to their opportunism — not just to take your statements and visuals out of context, but to place them into entirely false contexts.

A premier example of this is video footage of an "educational" range session during which gun-rights activists invited friendly reporters to view and fire automatic firearms. This footage now regularly appears in news segments supporting new anti-gun laws, cut by decidedly unfriendly editors to appear as if the guns were annihilating targets that they were never used against and never could have damaged.

One of the organizers reminisced, "Our naive, Pollyanna belief that 'education' would contribute to persuading people of our position was based on a false premise: that our enemies were

enemies out of ignorance, and not out of malice. What we did was provide them with weapons that, properly edited, they could cynically use against us for years to come. The reporters, who may have been impressed and in fact 'educated' that day, served only as ammo carriers for their bosses, taking the weapons we handed them back to base to be aimed at us for the next ten years or more."

C. D. Tavares  
Morristown, Ariz.

## Get Your Kicks on 666

The "Terra Incognita" section of your August issue had an item from the *Carlsbad Current Argus* explaining the name change of U.S. Route 666 to 491.

As a citizen who lives just a few miles from the highway formerly named 666, I'd like to add something.

Highway 491, formerly known as 666, runs through the eastern section of

*continued on page 44*

# Liberty and the Right

by R. W. Bradford

The time has come for libertarians to renounce their alliance with the Right.

During the entire history of the contemporary libertarian movement that began with the publication of Ayn Rand's *Atlas Shrugged* in 1957, libertarians have tended to see themselves as a part of the Right. Yes, there was a brief *apertura a sinistra* in the late 1960s born in libertarian opposition to the draft and the Vietnam War. But once the war was ended — by a Republican president — libertarians again saw themselves as part of the Right. This tendency continued even after the founding of the Libertarian Party and the rise of libertarian institutions like the Cato Institute and *Reason* magazine, that ostensibly sought a unique libertarian identity.

I attended three different libertarian election parties on Nov. 2, 1976. There was no jubilation at any of them. The grim mood was not the product of the poor showing of the Libertarian candidate. No, it was because Republican Gerald Ford had been defeated. Hardly anyone even cared about MacBride's showing. The same was true, more or less, in each subsequent election: libertarians have celebrated GOP and conservative victories, and been unhappy with their defeats.

Why have libertarians identified themselves with the Right? Part of the reason, I think, is that the Right was more open to certain kinds of libertarian thinking: political conservatives shared our hostility to the growth of government and shared our commitment to liberty, at least in their rhetoric. There were other reasons for this identification. For one thing, the intellectual establishment in the U.S. was so overwhelmingly leftist in the later 20th century that the Right was, well, desperate for respectable intellectual support wherever they could find it, and while libertarians

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have tended to be politically marginal, they have also tended to be intellectually powerful, respectable, and influential. Associating with intellectuals like Milton Friedman, Thomas Sowell, Ludwig von Mises, and Friedrich Hayek certainly was of value to political leaders like Ronald Reagan and Margaret Thatcher.

I think there was another reason that was largely overlooked at the time. As enthusiastic and committed opponents to the growth of government power, libertarians naturally opposed those who were engineering and managing the growth of the state. Despite the fact that Republicans controlled the presidency during most of the last half of the 20th century, and were ideologically conservative for most of the century's final two decades, the fact remained that the nation's power structure — including the media, the intellectual community, and both houses of Congress — remained firmly in the control of the Left. That part of the reason why even a president as committed to smaller government as was Ronald Reagan failed to halt the growth of governmental power. State power grew and grew and grew, and those advancing state power were almost all leftists.

But that has changed. It is plain — and it has been plain

for nearly a decade — that the political Left has lost its legislative power and that the Right is now pretty much in charge. Republicans have controlled Congress for nearly a decade, and they are a very conservative bunch. destroyed most of Clinton's mildly leftist agenda in the 1990s and won control of both houses of Congress and the presidency in 2002.

Now that conservative Republicans control government, they find it far less fearsome. When they were out of power, they advocated the Tenth Amendment and states' rights as

*Now that conservative Republicans control government, they find it far less fearsome They are the greatest advocates of an imperial foreign policy, of massive defense spending, and of invading people's homes in the names of the Wars on Crime, Drugs, and Terrorism.*

a bastion against expanding federal power. In power, they are crushing states' rights and expanding federal power at every chance they get. Can you imagine how much of a ruckus conservatives would have raised if leftists tried to use federal law to invalidate state laws in areas where state law had always prevailed? Well, you don't have to imagine it. Just look at what conservatives were doing in the 1960s: they were fighting tooth and nail against everything from federal civil rights legislation to federal aid to education.

Fast forward to 2002, and look at what's happened to states whose voters have legalized medical marijuana. A conservative administration has simply invalidated those laws by arresting people acting under their authority and charging them with federal crimes. And more: they have spent substantial amounts of federal tax money campaigning — mostly unsuccessfully — against those laws. Can you imagine the outrage that Barry Goldwater would have expressed against that?

Federalization of drug law is the most extreme case of conservative rejection of the federalism that the Founders built the Constitution around. But it is far from the only case. Any sentient person who supports the Constitution must condemn the conservative usurpation of the power to declare war accomplished by presidents Reagan, Bush I and Bush II.

Today's conservatives have abandoned other elements of their claimed love of liberty and opposition to ever more powerful government. They are the greatest advocates of an imperial foreign policy, of massive defense spending, of limiting the rights of people accused of crime, and of people who are not American citizens. Out of power, Republicans in general and conservatives in particular were unalterably opposed to budget deficits. In power, they have given us the biggest deficits in history. Out of power, they have railed against regulation; in power they have used

regulation the same way the Democrats used it: to punish political enemies, to reward friends (i.e., donors), and to appeal to the ignorant majority of American voters.

We who love liberty need to change our outlook. As I argued 14 years ago in the wake of the collapse of the Soviet Union, the main enemy of liberty is no longer the radical Left. It is the welfare state and the imperial state.

It is time for us to recognize that the Right is not our ally in this fight. Yes, some conservatives still oppose the extension of government power in some cases. But the same can be said of what's left of the Left. While the Right in power oversees a state taking more and more of our money, imposing more and more regulation, and invading our homes and personal lives in the name of the War on Drugs and the War on Terrorism, the Left is willing, sometimes enthusiastically, to support people's rights to privacy (though not to private property), freedom of speech, of travel, of religion, and of thought. Right now, there are powerful practical arguments for separating our identity from the Right.

Further, the Right is more closely identified with the resurgence of American Imperialism than any other single issue, and as the casualties mount in Iraq and the fraudulent character of Bush's rush to war becomes increasingly evident, the Right is losing support. Libertarians risk an ironic tragedy: if the public continues to identify us with the Right, we are liable to go down with the good ship *Conservatism* because of a right-wing policy that is opposed by the overwhelming majority of libertarians.

I do not argue that we should turn our back on the Right entirely. When conservatives oppose the extension of state

*It is time for us to recognize that the Right is not our ally in the fight against the welfare state and the imperial state.*

power, or propose to reduce it, we should support them and even ally ourselves with them. But we should be equally open to supporting and allying ourselves with left liberals when they oppose the depredations of the Patriot Act, the arbitrary arrest of innocent immigrants, the War on Drugs, the militarization of American life, and Bush's aggressive foreign policy and imperialism.

We should never forget that our love of liberty provides us a unique vision and a unique identity. We must never see ourselves as part of either the Right or the Left. As lovers of liberty, we should be free to form strategic alliances with either Left or Right in any situation where doing so advances liberty or retards the growth of state power.

I realize that ending our de facto alliance with the Right will, in the short term, reduce such influence as we have, while insulating us from the disaster that faces contemporary conservatism. But I would rather stand with truth and justice as my allies than with those who now hold power. □

# Showdown in the Desert

*by Timothy Sandefur*

What does a constitutional amendment amend? In Nevada, the Supreme Court has ruled, it surely doesn't amend the constitution.

On July 1, 2003, Governor Kenny Guinn of Nevada filed a remarkable lawsuit, asking the state Supreme Court to order the state legislature to pass a budget which had failed to receive enough votes in the assembly. More shockingly, he won. The decision, *Guinn v. Nevada Legislature*, threatens some of the most important principles of American government, including one of the forgotten clauses of the federal Constitution: the Republican Guarantee Clause.

In 1996, Nevada voters amended their constitution to require a two-thirds vote of both houses of the legislature to pass any bill increasing taxes. Amending the state constitution is not an easy matter; any such initiative must be passed at two separate elections. But the two-thirds amendment passed with over 70 percent of the vote, making Nevada one of only four states that have such a two-thirds requirement. Another provision of the Nevada Constitution requires the state to "provide for a uniform system of common schools." This clause was part of Nevada's original constitution, written in 1864. Other clauses of the state's constitution require the legislature to pass a balanced budget by July 1 of every other year, and prohibit the imposition of state income taxes.

These clauses became the center of controversy this summer, when the Nevada Legislature met to confer on the state budget. By the end of the session, legislators had failed to fund two items: the operations of the legislature itself, and the education spending bill. But even with these two major projects still unfunded, the legislature had already spent almost all of its expected income. The alternatives were clear: either the legislature must go back and cut its previous spending decisions, or it must raise taxes. But it failed to make a decision before adjourning, so, pursuant to his consti-

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tutional authority, Gov. Guinn called a special session to finish the passage of a balanced budget. The state constitution also permits the governor to limit the subjects that can be discussed at special sessions, though, and Guinn, who endorsed increased spending and tax increases, ordered the legislature to discuss only the tax increase and the education bill, thus cutting off their ability to change earlier spending decisions. Guinn was twisting the legislature's arm to raise taxes. But the legislature continued to resist; enough legislators opposed the bill to hold back the tax increase. So Guinn called a second special session, limiting their discretion in the same way.

The second session also failed to pass the budget, this time by a single vote. When July 1 arrived, and no budget had been passed, the governor swung into action. He filed for a writ of mandamus — an order compelling a person to perform a legal duty — against the legislature, and against each particular legislator. The Court, he said, should "direct the legislature to . . . authoriz[e] and appropriat[e] an amount sufficient for the support and maintenance of the common schools" and to "provid[e] by law for an annual tax sufficient to defray the estimated expenses of the state. . . ." The governor's petition specified that "the amount of general fund dollars necessary to fund the [schools] . . . is

\$1,643,253,297" and the amount of taxes necessary was \$869,910,715.

Within hours, the Court accepted the governor's petition and ordered the legislature to reply by July 7. Over the Independence Day weekend, lawyers for several groups began drafting and filing friend of the court briefs. School boards and labor unions filed short briefs, devoid of legal argument, but emphasizing the importance of government funding. The Nevada State Education Association's brief argued that the two-thirds provision was merely a procedural requirement which was interfering with the legislature's duty to fund schools. "The Assembly has failed by *one* vote to achieve the required two-thirds majority necessary," they complained. The answer to that was clear: simply change the rules. The Association's briefs labeled those who defended the state's constitution as "radicals" and "anarchists." Evidently, the education association was unfamiliar with the difference between "radicals" and "reactionaries," however, since they went on to denounce "those in public life — there will always be those — who resist change, who yearn for the past, and who react passionately when their power and influence are seen to wane. But they are in the minority, and in our system of government they cannot be allowed to ignore or override the will of the majority."

Other groups, including the Pacific Legal Foundation, argued that the governor's petition was unconstitutional for several reasons. For one thing, legislatures can't be ordered to pass bills; the whole point of having a legislature is to allow them to debate public business, even if their debates are frustrating and the consequences unpleasant. The common law has recognized the immunity of legislatures for centuries; William Blackstone wrote in the 1760s that "Privilege of parliament was principally established, in order to protect it's [sic] members not only from being molested by their fellow subjects, but also more especially from being oppressed by the power of the crown." Courts have routinely held that legislatures cannot be forced to pass bills.

Guinn's lawsuit also violated the principle of separation of powers, a doctrine devised centuries ago to prevent the accumulation of power into the hands of any one person or group. Separating the powers to create the law, to enforce the law, and to interpret the law prevents abuses by checking

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*In 1996, Nevada voters amended their constitution to require a two-thirds vote of both houses of the legislature to pass any bill increasing taxes.*

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the government against itself and giving the citizen the opportunity to protect himself by persuading a branch of the government to come to his aid. The Nevada Constitution includes a clause explicitly prohibiting "persons charged with the exercise of powers properly belonging to one of these departments [from] exercis[ing] any functions, appertaining to either of the others. . . ." The Nevada Supreme Court has even declared the separation of powers to be "the most important single principle of government declaring and

guaranteeing the liberties of the people. . . . [T]here can be no liberty . . . if the power of judging be not separated from the legislative and executive powers. . . . Were the power of judging joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control, for the judge would be the legislator: Were it joined to the executive power the judge might behave with all the violence of an oppressor" (*Galloway v. Truesdell* (1967)). Gov. Guinn was asking the Court not only to take sides in a dispute between

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*"If the procedural two-thirds revenue vote requirement in effect denies the public its expectation of access to public education, then the two-thirds requirement must yield to the specific substantive educational right," Nevada's highest court ruled.*

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him and the legislature, but to order the legislature to pass a bill — essentially using the judiciary to co-opt the legislative functions for his own use.

There were a variety of other problems with the governor's argument. The Nevada Constitution created a clearly defined procedure for passing the state's budget. In the 1995 U.S. Supreme Court case, *Clinton v. New York*, the Court explained that when the Constitution sets forth "a single, finely wrought mechanism" for passing bills, the legislature cannot seek clever ways to get around that procedure. Also, a classic rule of legal interpretation holds that later-enacted provisions are generally considered primary to earlier provisions, since they usually amend the earlier provisions. Here, the two-thirds requirement was the later amendment. Canons of interpretation also require the more specific provision to trump the more general. But the two-thirds provision was more specific.

Ignoring these objections, the Nevada Supreme Court granted the governor's petition on July 10. The constitutional two-thirds requirement, the Court held, was merely procedural, obstructing the substantive right to government-run schools, and could therefore be ignored. "The two-thirds majority requirement is a procedural requirement . . . by which legislative action is accomplished. . . . Public education is a right that the people, and the youth, of Nevada are entitled, through the Constitution, to access. If the procedural two-thirds revenue vote requirement in effect denies the public its expectation of access to public education, then the two-thirds requirement must yield to the specific substantive educational right."

The decision quickly made headlines. Law professor Eugene Volokh called it "one of the most appalling judicial decisions I've ever seen." *The Wall Street Journal* noted that the court had "ordered state legislators to violate the state constitution they have sworn to uphold." Within days, a spokesman for California governor Gray Davis announced that Davis was considering filing a similar lawsuit to end the budget impasse in Sacramento. (How far Davis will get with this plan remains to be seen; voters have petitioned to have

him recalled by public election, and most polls show that he will be removed from his position in September.)

The holdout legislators, meanwhile, were not ready to give up. They immediately filed suit in federal court, seeking a temporary restraining order on the grounds that the erasure of the two-thirds requirement violated their right to have their votes count, and their right to a republican form of government, guaranteed by the federal Constitution. Although that case was dismissed on procedural grounds, the legislators have also asked the Nevada Supreme Court to reconsider its July 10 ruling. If that request is denied, it's possible, though unlikely, that the U.S. Supreme Court will take the case, and revive the Republican Guarantee Clause from obscurity.

The Guarantee Clause was added at the suggestion of James Madison, who, months before the Constitutional Convention assembled, noted that among the weaknesses of the Articles of Confederation was the "want of Guaranty to the States of their Constitutions & laws against internal violence." Madison was primarily concerned with uprisings like Shays' Rebellion; differences in wealth, he argued, would create factions within the community, who would rally for "paper money, for an abolition of debts, for an equal division of property, or for any other improper or wicked project." Sometimes, factions would overflow the political process, and try terrorism or subversion of the laws to get their way. Republics might be destroyed by the passions of the majority, or by an unusually powerful minority, undermining the state's fundamental laws. A guarantee from the federal government would help to protect the legitimate governments of the states.

At the Constitutional Convention, the clause became the center of a complicated debate. Some endorsed the provision, arguing that "[t]he object is merely to secure the States agst. dangerous commotions, insurrections and rebellions." But others pointed out that the federal government should not guarantee all the existing laws of some states, which might be objectionable. Madison suggested a compromise, "to substitute 'that the Constitutional authority of the States shall be guaranteed to them respectively agst. domestic as well as foreign violence.'" Other delegates complained that guaranteeing existing state governments would interfere with the people's right to change their state constitutions. James Wilson proposed "that a Republican form of Governmt. shall be guaranteed to each State & that each State shall be protected agst. foreign & domestic violence." This would allow states to change their constitutions lawfully (so long as they did not create non-republican forms of government) but would ensure states against internal lawlessness.

The Guarantee Clause therefore represents a careful balance, preserving state autonomy within bounds, but protecting states against *coups d'état*. *The Federalist* explained that the clause would enable the federal government to prevent the overthrow of the states' republican forms of government even by the states' own legislatures. Alexander Hamilton wrote that it presented "no impediment to reforms of the State constitution by a majority of the people in a legal and peaceable mode." Rather, it would avert sudden and undemocratic alterations of a state's constitution:

The guaranty could only operate against changes to be

effected by violence. Towards the preventions of calamities of this kind, too many checks cannot be provided. The peace of society and the stability of government depend absolutely on the efficacy of the precautions adopted on this head. Where the whole power of the government is in the hands of the people, there is the less pretense for the use of violent remedies in partial or occasional distempers of the State. The natural cure for an ill-administration, in a popular or representative constitution, is a change of men. A guaranty by the national authority would be as much levelled against the usurpations of rulers as against the ferments and outrages of faction and sedition in the community.

More than half a century later, the U.S. Supreme Court considered its first case involving the Guarantee Clause. In *Luther v. Borden*, the Court held that it could not decide which of two rival governments of Rhode Island was the legitimate one. When "the people of the State . . . alter and change their form of government," said the Court, it is for Congress alone to determine whether their doing so violates the Guarantee Clause. Early in the last century, the Court came to view *Luther* as meaning that the courts could never enforce the clause. But that's not really what the Court said. And, in fact, in the decades following *Luther*, the Court took cases involving the Guarantee Clause, never suggesting that it was beyond the Court's power to hear such cases. In *Minor v. Happersett* (1874), for instance, the Court considered a Guarantee Clause challenge to laws which prohibited women from voting. (It held that such prohibitions did not violate the clause.) And in *Forsyth v. City of Hammond* (1897), it held the clause was not violated by a state law allowing cities to annex adjacent landowners without their consent.

But it was in two turn-of-the-century cases, *Duncan v. McCall* (1891) and *Taylor v. Beckham* (1900), that the Supreme Court devised some basic standards under the Guarantee Clause. In *Duncan*, a criminal defendant argued that the clause prohibited his conviction under a procedure that had not been promulgated by the Texas Legislature. The Court held that the clause had not been violated because the state's

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*Within days, a spokesman for California governor Gray Davis announced that Davis was considering filing a similar lawsuit to end the budget impasse in Sacramento.*

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"legislative, executive, and judicial departments are peacefully operating by the orderly and settled methods prescribed by its fundamental law." The clause would be violated, said the Court, if a state suddenly and undemocratically altered its form of government, especially with regard to voting procedures:

[T]he right of suffrage must be protected and its exercise prescribed by previous law, and the results ascertained by some certain rule. . . . [T]hrough its regulated exercise each man's power tells in the constitution of the government and in the enactment of laws. . . . [T]he people limit themselves in regard . . . to certain forms of the conduct of elections . . . [and] our liberty is the liberty secured by the regular action

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# Tax Limits: What Works and What Doesn't

*by Michael J. New*

When California limited property taxes, it seemed like we'd found a way to limit the growth of government. But we hadn't counted on the guile of California's politicians. In Colorado, a different approach was tried.

This June 6 marked the 25th anniversary of California's Proposition 13, the crown jewel of the 1970s tax revolt. This is certainly an anniversary that conservatives and libertarians should celebrate, as Prop. 13 can boast of numerous accomplishments. It reduced property taxes in California by a staggering \$8 billion. It launched a tidal wave of tax cuts that swept the nation and extended all the way to the nation's capital. Overall, Prop. 13 did a lot of good both in California and in the rest of the country.

Twenty-five years later, however, the fiscal situation in California has changed dramatically. State expenditures have soared and the state legislature is considering large tax increases to compensate for California's immense \$35 billion shortfall. Evidence from California and elsewhere indicates that low taxes can only be maintained if spending is limited. Indeed, given the success of spending caps in Washington and Colorado during the 1990s, effective spending limits might well be the best strategy for advocates of limited government in the future.

## **A Good Beginning**

Throughout the 1960s and 1970s, high property taxes were a persistent problem in California. During this time, Howard Jarvis' United Organization of Taxpayers (UOT) repeatedly attempted to place initiatives on the ballot in an effort to lower the property tax burden. In 1968, 1971, and 1976 their efforts stalled when they failed to obtain a suffi-

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cient number of signatures. However, in 1977 Jarvis teamed up with Paul Gann of People's Advocate. Together, they easily surpassed the 500,000 signatures necessary to get Proposition 13 on the ballot. Prop. 13 would limit property tax rates to 1 percent and property assessment increases to 2 percent a year.

Though it qualified for the ballot, the passage of Prop. 13 was hardly a sure thing. Indeed, many voters considered it too drastic, and for much of the spring polls showed the electorate was evenly split. However, in May, Jarvis and Gann received some unexpected good news. The county assessor's office in Los Angeles released its property assessments for the next fiscal year. The dramatic increases made headlines and shocked many homeowners. Indeed, the opposition never recovered from this setback and Proposition 13 passed by nearly a two-to-one margin.

The passage of Prop. 13 produced many favorable consequences both in California and across the country. First, it triggered an immediate \$8 billion reduction in state and local property taxes. The importance of this should not be understated. Property taxes were soaring and newspapers were filled with stories of elderly residents who were forced to sell

their homes because their fixed incomes could not keep up with the property tax burden. In fact, according to data from the U.S. Census Bureau, California's tax burden was among the highest in the country before Prop. 13. However, after its passage, California's tax burden fell to 35th.

The tax cuts had a beneficial effect on California's economy. Like the rest of the country, California was mired in stagflation during the late 1970s. However, after the passage of Prop. 13, the economy began to expand. In fact, California's economic growth exceeded the national average and its unemployment rate fell from 8 percent to 6 percent in the first year following the enactment of Prop. 13. Furthermore, between 1978 and 1980, California was responsible for creating three out of every ten new jobs in the entire nation.

That economic boom had an effect that went far beyond creating jobs and employment for residents of California. It gave credence to the idea that tax cuts could help bolster economic growth. In fact, during the spring of 1978, *The Wall Street Journal* published editorials from a number of prominent economists who opposed Prop. 13 because they felt a large tax cut would hurt California's economy. However, the notion that tax cuts are economically beneficial is now solidly part of mainstream economic thinking.

Additionally, Prop. 13 demonstrated that even large tax cuts would not result in truly draconian cutbacks in vital state services. During the spring of 1978, Prop. 13 was opposed by special interests from across the political spectrum, ranging from unions, to corporations, to good government groups. Their primary argument was that the proposition would cripple vital state services. However, after its passage, the legislature allocated part of the state surplus to various local governments. While some real cutbacks in state and local services took place, it was nowhere near the disaster predicted by opponents of Prop. 13.

Finally, Proposition 13 also generated nationwide momentum for tax cuts. Now, most states did not have a surplus

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*Proposition 13 has been very successful at reducing taxes. But it's been less successful as a tax limit because the state government raised other taxes.*

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large enough to afford a tax cut of comparable magnitude. However, many states enacted a variety of tax cuts and tax limits in 1978 and 1979. Even President Carter and the Democrat-controlled Congress were motivated to reduce income taxes in the wake of Prop. 13. In fact, it's popularity may have made it easier for President Reagan to make the case for his tax-reduction package in 1981. Overall, Prop. 13 can boast of a number of great accomplishments in the short term.

However, its long-term legacy is somewhat mixed, both in California and elsewhere.

One of the unfortunate long-term consequences of Proposition 13 is that for years after its passage, conservatives and libertarians invested considerable resources trying to sharply reduce property taxes in other states. Now, it is easy

to see why many anti-tax activists focused on property taxes. They are typically paid in a lump sum and therefore tend to be more visible, and more unpopular, than other taxes. In fact, a few of these subsequent property tax reduction efforts were successful, with Massachusetts' Proposition 2 among the more prominent.

However, most of these other initiatives to cut property taxes failed. These failures occurred mostly in states that lacked the potent combination of skyrocketing taxes, a large surplus, and a recalcitrant legislature, which made Proposition 13 a reality in California. Indeed, Prop. 13 clones went down to defeat in a number of other states, including Michigan, Oregon, and Arizona. Considering the conservative mood of the times, somewhat more modest tax reduction proposals might have succeeded.

Even in California, the tax revolt has enjoyed something of a mixed long-term legacy. Proposition 13 should be

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*Overall, between 1997 and 2002, Colorado has reduced taxes more than any other state, issuing annual tax rebates that have totaled more than \$3.2 billion.*

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thought of in two ways, first as a tax cut, second as a tax limit. It has been very successful at reducing taxes. But it's been less successful as a tax limit because the state government raised other taxes. In the years following the passage of Proposition 13, the state government has raised the income tax, the sales tax, and taxes on beer, wine, and cigarettes (Table 1). And in the early 1990s, Gov. Pete Wilson considered raising taxes on snack foods. This cycle of taxing and spending is the root cause of California's current fiscal mess. Indeed it seems that a strong limit on state spending might have preserved the tax reduction that occurred after the passage of Prop. 13.

Table 1: Increasing Taxes in California

<u>Item</u>	<u>1979</u>	<u>2000</u>
Top Marginal Income Tax	10%	11%
Sales Tax	6%	8-9%
Cigarette Tax	\$0.10	\$0.87
Gas Tax	\$0.07	\$0.18
Beer Tax	\$0.04	\$0.20
Wine Tax	\$0.01	\$0.20

### What Went Wrong?

It should be noted that in California there was a serious effort to place a cap on state spending. In 1979, Paul Gann, one of the co-authors of Proposition 13, gathered enough signatures to place Proposition 4 on the ballot. Prop. 4, which became known as the Gann Amendment, was a Tax and Expenditure Limitation (TEL), which restricted appropriations of tax revenues to the inflation rate plus population growth. TELs establish a cap on the amount that state expenditures or revenues can increase during any given fiscal year.

Given California's experience, it seems that spending restraint is necessary to preserve the fiscal gains that are made after tax reductions. One mechanism for insuring fiscal restraint is well-designed TELs.

TELS are nothing new. Indeed, in 1976, New Jersey was the first state to pass a TEL and currently 26 states have TELS on the books. Many academic studies have found TELS to be ineffective. However, that's because most TELS have limits that are too high. But in the 1990s, two states, Washington and Colorado, enacted TELS that establish especially low limits for expenditure growth.

Interestingly, Howard Jarvis, the author of Prop. 13, was ambivalent about Prop. 4. Jarvis was focused on reducing taxes — not spending — and he did not endorse Proposition 4 until the end of the campaign. Still, it passed by nearly a 2-to-1 margin. Indeed, in the years following its passage, Prop. 4 enjoyed some success at lowering the rate of growth in state spending in California. In 1987, when revenue exceeded the Gann limit, California taxpayers received tax rebates from the state government.

However, the long-term effectiveness of Proposition 4 was limited by two factors. First, it established a limit on appropriations from tax revenue, not overall appropriations. As a result, California began to rely on revenue from fees and other non-tax sources. More importantly, the Gann Amendment was effectively undermined when California voters passed Proposition 111 in 1990, which mandated increases in education funding from both state and local governments.

Proposition 111 also increased the Gann limit to pay for those increases in education spending. As a result, the Gann limit ceased to be a meaningful constraint on the size of state government in California. In fact, Lewis K. Uhler of the National Tax Limitation Committee, who helped draft Prop. 4, argues that if the state had kept within the Gann Limit, California's books would be balanced and the state would not currently be facing a \$35 billion shortfall.

### A Look at Washington State

In 1993, voters in Washington enacted Initiative-601, which limited the annual increase in state expenditures to the inflation rate plus population growth. This brought some success in limiting state spending. In the four years before I-601 took effect, spending increased an average of 17.3 percent a year. However, in the four years after I-601 was enacted, spending increased by only 8.6 percent a year. Because spending was held in check, surpluses accumulated. In 1998 and 1999, voters used those surpluses to first lower and then eliminate the car tax, saving taxpayers \$1.4 billion.

Unfortunately, I-601 was statutory and not constitutional. As a result, in 2000 the state legislature was able to pass a budget in excess of the limit. The long-term effect of this on budgetary growth in the state of Washington remains to be seen.

### Colorado's TABOR Success Story

The best example of a successful TEL is Colorado's Taxpayer Bill of Rights. During the late 1980s and early 1990s anti-tax activist Douglas Bruce tried to enact ballot initiatives to reduce taxes. After unsuccessful attempts in both 1988 and 1990, Bruce was finally successful in 1992 with the Taxpayer Bill of Rights (TABOR).

The Taxpayer Bill of Rights contains several features that have limited the growth of government and generated tax relief for Colorado taxpayers. TABOR limits expenditure

growth to the inflation rate plus population growth, and mandates immediate refunds of surplus revenues to taxpayers.

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*During the 1992 campaign, Gov. Roy Romer denounced TABOR, saying that defeating TABOR was the "moral equivalent of defeating the Nazis at the Battle of the Bulge."*

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ers. Furthermore, it is constitutional, not statutory, and thus, cannot be overturned by the legislature.

Shortly after TABOR was enacted, state revenue began to exceed the expenditure limit that was mandated by TABOR. As a result, Colorado taxpayers were entitled to tax rebates. Overall, between 1997 and 2002, Colorado has reduced taxes more than any other state, issuing annual tax rebates that have totaled more than \$3.2 billion.

Table 2: Total Tax Rebates Under TABOR

Year	Rebate
1997	\$139 million
1998	\$563 million
1999	\$679 million
2000	\$941 million
2001	\$927 million
Total	\$3.2 billion

While \$3.2 billion sounds like a sizable reduction in taxes, how much relief does it provide to a typical taxpayer? Table 3 provides some insights. Overall, a Colorado resident who earned \$30,000 a year between 1997 and 2002 would have received close to \$900 in tax rebates from the state government. In contrast, during that same time span, this taxpayer would have received only a one-time rebate worth \$300 from the federal government. Consequently, over the past five years, this Colorado resident would have received almost three times as much tax relief from the state government as from the federal government.

Table 3:

Annual Tax Rebates for a Colorado Resident Earning \$30,000

Year	Federal Government	State Government
1997	—	\$ 60
1998	—	195
1999	—	212
2000	—	245
2001	\$300	187
Total	\$300	\$899

Even before TABOR was enacted, its political opposition sensed and feared its potency. *The New York Times* demonized it as the "most radical ballot initiative in the nation." During the 1992 campaign, Gov. Roy Romer denounced TABOR, saying that defeating TABOR was the "moral equivalent of defeating the Nazis at the Battle of the Bulge." He personally attacked TABOR's author, Douglas Bruce, calling him "a terrorist who would lob a hand grenade into a schoolyard full of children." Finally, Romer predicted that TABOR would result in an economic Armageddon and warned that the

*continued on page 62*

# All Guns to the People

*by William R. Tonso*

Next year, the “assault gun” ban will sunset, and new high-capacity magazines and scary-looking rifles will be available once again. The Founding Fathers would applaud.

Imagine, if you will, what would have happened if last fall’s sniper rampage in the D.C. area had occurred with Bill Clinton or Al Gore occupying the White House. Add a House and Senate controlled by the Democrats. To put it mildly, the mainstream-media-assisted drumbeat for more draconian gun controls would have been loud and continuous, and the controls likely would have been enacted. As it was, even the push for keeping a fired slug and cartridge on record as a “fingerprint” for each new gun as a means (that wouldn’t work) of tracing guns used in crimes didn’t get very far. Why?

The Bush administration has thus far been much more supportive of the Second Amendment than any recent administration and has given the media nothing to run with. After the gun issue played a significant role in the Republican takeover of both houses of Congress in 1994, and because of Al Gore’s loss of states, such as his own Tennessee, that could have put him in the White House in 2000, many Democratic strategists see gun control as a losing proposition. The Sept. 11 terrorist attack drove home the point to many people that the government can’t necessarily be relied upon to protect them, and inclined them not to support more restrictions on the acquisition of guns with which they could protect themselves.

But the gun issue is now back in the news because in September 2004 the bans passed in 1994 on “assault weapons” and large-capacity magazines will sunset. That means that the bans will expire unless Congress takes action to extend them or make them permanent. And the usual suspects are already back pushing for this to happen — Calif. Democratic senator Dianne Feinstein, the Senate sponsor of

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the original ban, and N. Y. Democratic senator Charles Schumer, who sponsored the ban when he was a member of the House. But they have apparently been joined by, of all people, President George W. Bush. Whether Bush, whose attorney general, John Ashcroft, has taken a strong pro-Second Amendment stand, actually supports the ban or is simply trying to keep the gun prohibitionists off of his back while he depends on the Republican Congress to keep the ban extension from getting to his desk, is not clear.

So here we go again! The same tired old arguments will be trotted out and uncritically passed on to the public by the mainstream media, entertainment as well as news, and they will all be grounded in the enlightened conventional wisdom on guns in establishment media, academic, and political circles. This conventional wisdom assumes (1) that sporting guns are less powerful than military firearms, and (2) that while civilians may have legitimate reasons for owning the former, they have none for owning the latter.

Conventional wisdom is wrong on both counts.

For most of our history, American civilians owned not only military small arms, but also sporting and defensive guns that were more powerful than the guns the military used at the time. And they did so with the unquestioned full blessing of the Second Amendment.

When Attorney General Ashcroft acknowledged that the Second Amendment guarantees an individual right to bear

arms, the mainstream press treated his position as a conservative one, when in fact, as David Kopel has noted, he was "simply returning to a position held by United States attorneys general before the administration of Lyndon Johnson." And the paper trail left by the Founders clearly indicates that the militia of the Second Amendment was grounded in a citizenry made up of individuals exercising what they considered to be their pre-constitutional, natural right to keep and bear arms. Richard Henry Lee wrote, "A militia, when prop-

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*For most of our history, American civilians owned not only military small arms, but also sporting and defensive guns that were more powerful than the guns the military used at the time.*

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erly formed, are in fact the people themselves, and include all men capable of bearing arms." And this from George Mason: "Who are the militia? They consist now of the whole people, except a few public Officers." Patrick Henry believed that "the great object is that every man be armed. Everyone who is able might have a gun." The Militia Act of 1792 considered all free white males of military age to be militiamen, and required them to own militarily useful firearms — a requirement not always met. It should be noted that according to U.S. Code Title 10, section 311(a), all able-bodied males between the ages of 17 and 45 who are citizens or have declared that they intend to become citizens are still members of the militia. The United States Supreme Court acknowledged all of this about the Founders' conception of the militia in *United States v. Miller* (1939), and stated "that ordinarily when called for service these men were *expected to appear bearing arms supplied by themselves and of the kind in common use at the time*" (emphasis added).

And statements by prominent Americans from the founding generation to the recent past make it clear why such a militia has long been considered necessary. Tench Coxe, a friend of Bill of Rights author James Madison, wrote: "As civil rulers, not having their duty to the people before them, may attempt to tyrannize, and as the military forces which must be occasionally raised to defend our country, might pervert their power to the injury of their fellow citizens, the people are confirmed by the next article in their right to keep and bear their *private arms*" (emphasis added). Richard Henry Lee agreed: "To preserve liberty it is essential that the whole body of the people always possess arms and be taught alike, especially when young, how to use them." So did Noah Webster: "Before a standing army can rule, the people must be disarmed; as they are in almost every Kingdom of Europe. The supreme power in America cannot enforce unjust laws by the sword because the whole body of the people are armed." Also Elbridge Gerry: "What, sir, is the use of militia? It is to prevent the establishment of a standing army, the bane of liberty." And Joseph Story, Associate Justice of the United States from 1811 to 1845: "The right of the citizens to keep and bear arms has justly been considered, as the palladium of the liberties of the republic; since it offers a strong moral check

against usurpation and arbitrary power of the rulers; and will generally, even if these are successful in the first instance; enable the people to resist and triumph over them." Even the late Hubert H. Humphrey, the liberal Democrat senator and vice president, issued the following statement in 1959: "The right of citizens to bear arms is just one more guarantee against arbitrary government, one more safe-guard against tyranny which now appears remote in America, but which historically has proved to be always possible." And this from Judge Ronald M. Gould of the ultra-liberal 8th U.S. Circuit Court of Appeals in his recent rebuff of a fellow judge's "December dicta remarks about the meaning of the Second Amendment": "[T]he Second Amendment was designed by the Framers of our Constitution to safeguard our Nation not only in times of good government, such as we have enjoyed for generations, but also in the event, however unlikely, that our government or leaders would go bad. And it was designed to provide national security not only when our country is strong but also if it were to become weakened or otherwise subject to attack."

Judge Gould's comments are very timely, because the liberal Left, particularly since the Oklahoma City terrorist bombing and all the attention it brought to the militia movement, has demagogued against this "insurrectionist" interpretation of the amendment. How dare anyone suggest that American citizens would ever have to take up arms against their own government! And the American talk-radio Right, particularly since the terrorism of Sept. 11, is so enamored of our military and police forces that it apparently can't conceive of them ever being used to establish a tyranny. But as Gould implies, the amendment's purpose is to provide a means for the citizenry to protect itself *when things have gone very wrong*. While our government is not now tyrannical, is it really less likely to become so at some future date than it was in the early days of the republic? And can today's large professional military be trusted with advanced firearms, while civilians can't be trusted with them? What reason would we have to answer "yes" to either of these questions? The liberal establishment has long viewed the Constitution as an obstacle to its social engineering efforts. We now have exactly the kind of large professional military the Founders feared, and no one knows what impact the War on Terrorism will have on our civil liberties. In fact, even to voice such concerns since 9/11 is to risk earning the suspicion of the FBI's Joint Terrorism Task Force which reportedly has been cautioning law enforcement to look out for "defenders of the U.S. Constitution against the federal government and the UN." That's scary!

Those opponents of widespread gun ownership who acknowledge that the Founders did indeed intend that the citizenry be armed respond that what was acceptable and needed in the late 18th century is no longer acceptable or needed. The rapid-fire guns of today, they claim, are capable of doing far more damage than the single-shot muzzleloading muskets, rifles, and pistols used by both soldiers and civilians two centuries ago. They claim that civilians can't be trusted with these advanced guns, but that the armed agents of the government can be trusted with them. There are two glaring problems with this argument. The first problem is that it disregards the Founders' desire that the citizenry be armed as a check against the tyrannical tendencies of government and standing military forces.

The second problem with the argument is that it is grounded in phenomenal ignorance of the types of guns to which American citizens had easy access until recently. It's true that when the Second Amendment was written, the guns available to both soldiers and civilians were (with the exceptions of a few multi-barreled guns and a few guns that loaded from the breach) muzzleloading single shots. But even then, the Pennsylvania/Kentucky rifles favored by civilian frontiersmen were far more accurate over far greater ranges than were the smoothbore muskets used by the military. Muskets, which could also be owned by civilians, were cheaper to make and faster to load than rifles, however, and better fitted the battle tactics of the day. Those tactics had opposing armies march up to each other, fire several volleys at each other at close range, and then charge each other with bayonets. Rifles, however, were quite useful to the guerrilla fighters, snipers, and skirmishers who avoided head-on confrontations with troops set up in battle formations.

But while the guns known to the Founders were slow-loading devices, between the late 1830s and 1900, all of the technologies making rapid fire possible had been invented and made reasonably practical and convenient — revolvers, self-contained metallic cartridges, lever actions, pump actions, semiautomatics (one shot per trigger pull), and automatics (machine guns, which fire as long as the trigger is held back). Civilians who desired them and could afford them had access to guns using these technologies from the time their production began.

According to Wayne van Zwoll, of the 22,000 powerful .44-caliber Dragoon model revolvers produced by Colt between 1847 and 1861, only 9,380 were purchased by the government. From the late 1860s to the early 1890s, when most American soldiers were issued cartridge-firing but single-shot rifles, civilians had access not only to similar rifles but to rapid-fire, lever-action rifles with magazine capacities up to, in the case of the rare Evans, a staggering 34 rounds, though most capacities were in the middle teens. Army officers on the frontier often purchased these civilian "sporting" repeating rifles to carry on military campaigns. By the turn of the century, civilians could purchase several models of semiautomatic pistols manufactured by foreign and domestic companies, but our military didn't adopt a semiautomatic pistol until 1911. And our military didn't adopt a semiauto-

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matic rifle until some 30 years after semiautomatic "sporting" rifles were introduced. Pump and semiautomatic shotguns used by the police for riot control and by the military for trench and jungle warfare are adaptations of civilian sporting guns. The cartridges for which practically all of our military rifles, shotguns, and pistols have been chambered have also been favorites for hunting, target shooting, and self defense,

and none of them even approach the power of the most powerful cartridges available for hunting the largest and most dangerous game — elephants, cape buffalo, lions, tigers, and grizzly bears, among others.

After our major wars, from the Civil War through Korea, and after our military's adoption of new service firearms, sur-

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*We now have exactly the kind of large professional military the Founders feared, and no one knows what impact the War on Terrorism will have on our civil liberties.*

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plus military small arms have been sold off to the public at bargain prices. In the late 1940s, 5-shot, bolt-action, .30-06 1917 Enfields, our main battle rifle during World War I, could be purchased through the Army's Office of the Director of Civilian Marksmanship (DCM) for about \$7.00 each. As late as the middle 1960s, World War II semiautomatic .30-caliber carbines, equipped with 15-round magazines but capable of using the fully automatic M-2 carbine's 30-round magazines, and semiautomatic .45-caliber pistols could be purchased from the DCM for about \$20.00 each. Until passage of the Gun Control Act of 1968, surplus military rifles and pistols from around the world, even 20mm semiautomatic anti-tank rifles, as well as sporting guns of all types, could be purchased throughout most of America with no background checks or age restrictions.

Americans have long had easy and even government-encouraged access not only to modern military small arms, but to civilian guns with as much power as, or more power than, military firearms. In fact, until passage of the National Firearms Act (NFA) of 1934, the only things that restricted civilian access to machine guns were desire and cost. But it was the 1934 Act, the constitutionality of which is questionable since it restricts civilian access to guns with obvious militia utility, that would eventually lead to American infantrymen being issued guns with greater firepower than American civilians are allowed to possess. The NFA didn't ban the civilian possession of machine guns and other weapons (such as sawed-off rifles and shotguns) covered by the act. It did require owners of such guns to be cleared by local police chiefs or sheriffs after a background check, registration of the guns, payment of a \$200 transfer tax to the federal government (a significant sum to everyone but the rich in 1934), and so forth.

When the NFA was passed, ordinary infantrymen carried 5-shot, bolt-action, .30-06 rifles (1903 Springfields), while officers and others carried 1911 .45-caliber semiautomatic pistols. The 1911 .45 was sold to civilians, who could also buy bolt-action rifles comparable to the military rifle as well as faster firing lever-action, pump, and semiautomatic sporting rifles. Portable automatic weapons, like the Thompson submachine gun and the Browning Automatic Rifle (BAR), had been developed, but weren't used by the military in large numbers until World War II. Even in that war, most American infantrymen were still issued rifles, by then the semiautomatic 8-shot M-1 Garand. So even with the federal restrictions placed

on the civilian possession of fully automatic firearms, weaponry allowed the citizenry and its militia was still comparable to that issued to most individual infantrymen until 1957.

In 1957, our military adopted the 7.62x51mm M-14 rifle which has a 20-round magazine and can be fired selectively — automatically (as a machine gun) as well as semiautomatically — though the automatic feature was blocked on most M-14s because recoil made them difficult to control when so fired. Another selective-fire rifle, the milder recoiling 5.56x45mm M-16, which also uses a 20-round magazine, was adopted by our services in 1963 and finally replaced the M-14 in 1970. Many of the semiautomatic M-1 rifles replaced in

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*Our military didn't adopt a semiautomatic rifle until some 30 years after semiautomatic "sporting" rifles were introduced.*

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service by these selective-fire rifles have been sold to civilians by the DCM or otherwise, as has been common practice throughout our national history when our military has adopted new guns. But surplus M-14s and M-16s, once the latter rifle is replaced, won't be sold to the public, because some M-14s and all M-16s can be fired not only semiautomatically but automatically, or in the case of later M-16s, burst fire (three shots per trigger pull). Civilian acquisition of such guns, therefore, is restricted not only by the 1934 NFA, but by 1986 federal legislation that put a halt to machine guns legally entering civilian circulation, and also by bans on the ownership of machine guns that several states have enacted. The soon-to-sunset 1994 legislation even banned the further civilian acquisition of civilian semiautomatic-only variations of automatic military firearms and detachable box magazines capable of holding more than ten rounds.

All of these restrictions, plus those on handgun ammunition that can penetrate body armor worn by the police (but in three decades has yet to kill a cop), fly in the face of the Second Amendment and American tradition. All these restrictions trust government over the citizenry. The paper trail they left makes clear that the Founders considered government to be a necessary evil, distrusted its armed agents, and saw an armed citizenry as a check against its tyrannical tendencies. During the 20th century alone, governments around the world have massacred at least 170 million of their own people, not counting war casualties, and the actions of our federal police at Ruby Ridge, Ida.. and Waco, Tex., though small scale, indicate that such things can happen here. Yet in not only ignoring the intentions of the Founders and our firearms tradition, but denying their existence, the gun prohibitionists in politics, academia, and the mainstream media would have us believe that we can trust only government, not ourselves, to protect us (whether from common criminals or terrorists), that only its agents have a right to arms, and that the citizenry has no need to possess the means of opposing government's armed agents or protecting itself from criminals or terrorists. *And note that not even talk-radio conservatives, let alone conservatives in government, have suggested that armed civilians, the real constitutional militia, be properly trained, organized, and enlisted in the war against terror-*

*ism as guards at bridges, water supplies, the borders, etc.* Ordinary Americans are encouraged to fight terrorism by continuing to travel and consume — and to stock up on duct tape and plastic sheeting.

So as the expirations of the bans on "assault weapons" and detachable magazines holding more than ten rounds approach, the gun prohibitionists will be out in full force using the sniper rampage, the terrorist threat, and any other tragic, gun-related event between now and then to push for making the bans permanent, or even expanding their scope. Those who support the expiration of the ban will be labeled extremists and, if not terrorists themselves, enablers of terrorists. The mainstream media, of course, will assist this demonization of those who dare to point out that the Second Amendment was intended to be the teeth of the Bill of Rights — a defense against tyranny.

It remains to be seen whether the Bush administration and the Republican-controlled Congress will continue to support the Second Amendment or cave in as they did on the "campaign-finance reform" that flew in the face of the First Amendment. The administration has its share of anti-Second Amendment types like Homeland Security head Tom Ridge (who opposed the arming of airline pilots), and they surely will oppose letting the bans expire. Even many who claim to support the Second Amendment tend to qualify that support by claiming that the amendment doesn't preclude "reasonable restrictions" on private gun ownership. Solicitor General Theodore Olson has acknowledged the administration's recognition of the individual's right to keep and bear arms, even apart from militia membership, but claims that right is "subject to 'reasonable restrictions' to prevent 'unfit persons' from obtaining firearms and to limit the possessions of some types of weapons that are 'particularly suited to criminal misuse'" (emphasis added).

Americans, until recent decades, commonly owned guns with as much firepower as, or more firepower than, those issued to soldiers. Because most people are unaware of this, it may be easy to convince members of this administration and the Republican-controlled Congress that the "assault weapon" and magazine bans are reasonable. Even conservative talk radio's Second Amendment supporters are often

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*The mainstream media will assist in the demonization of those who dare to point out that the Second Amendment was intended to be the teeth of the Bill of Rights — a defense against tyranny.*

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ignorant concerning guns. Rush Limbaugh once told a caller that there's no such thing as a semiautomatic — guns are either automatic or they aren't. So in order to, say, buy liberal support for a Bush-nominated federal judge, it might seem desirable to give in to an extension on these bans or make them permanent. On the other hand, the bans expire just before the 2004 election, and Democrats as well as Republicans know that anti-gun positions have been hurting politicians while pro-gun positions have been helping them. □

# The Conquest of the United States by Spain

*by William Graham Sumner*

The popular appeal of imperialism is not new. Neither is the way imperialism subverts America's tradition of limited government.

During the last year the public has been familiarized with descriptions of Spain and of Spanish methods of doing things until the name of Spain has become a symbol for a certain well-defined set of notions and policies. On the other hand, the name of the United States has always been, for all of us, a symbol for a state of things, a set of ideas and traditions, a group of views about social and political affairs. Spain was the first, for a long time the greatest, of the modern imperialistic states. The United States, by its historical origin, its traditions, and its principles, is the chief representative of the revolt and reaction against that kind of a state. I intend to show that, by the line of action now proposed to us, which we call expansion and imperialism, we are throwing away some of the most important elements of the American symbol and are adopting some of the most important elements of the Spanish symbol. We have beaten Spain in a military conflict, but we are submitting to be conquered by her on the field of ideas and policies. Expansionism and imperialism are nothing but the old philosophies of national prosperity which have brought Spain to where she now is. Those philosophies appeal to national vanity and national cupidity. They are seductive, especially upon the first view and the most superficial judgment, and therefore it cannot be denied that they are very strong for popular effect. They are delusions, and they will lead us to ruin unless we are hard-headed enough to resist them. In any case the year 1898 is a great landmark in the history of the United States. The consequences will not be all good or all bad, for such is not the nature of societal influences. They

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are always mixed of good and ill, and so it will be in this case. Fifty years from now the historian, looking back to 1898, will no doubt see, in the course which things will have taken, consequences of the proceedings of that year and of this present one which will not all be bad, but you will observe that that is not a justification for a happy-go-lucky policy; that does not affect our duty today in all that we do to seek wisdom and prudence and to determine our actions by the best judgment which we can form.

War, expansion, and imperialism are questions of statesmanship and of nothing else. I disregard all other aspects of them and all extraneous elements which have been intermingled with them. I received the other day a circular of a new educational enterprise in which it was urged that, on account of our new possessions, we ought now to devote especial study to history, political economy, and what is called political science. I asked myself, Why? What more reason is there for pursuing these studies now on behalf of our dependencies than there was before to pursue them on behalf of ourselves? In our proceedings of 1898 we made no use of whatever knowledge we had of any of these lines of study. The original and prime cause of the war was that it was a move of partisan tactics in the strife of parties at Washington. As soon as it seemed resolved upon, a number of interests

began to see their advantage in it and hastened to further it. It was necessary to make appeals to the public which would bring quite other motives to the support of the enterprise and win the consent of classes who would never consent to either financial or political jobbery. Such appeals were found in sensational assertions which we had no means to verify, in phrases of alleged patriotism, in statements about Cuba and the Cubans which we now know to have been entirely untrue.

Where was the statesmanship of all this? If it is not an established rule of statecraft that a statesman should never impose any sacrifices on his people for anything but their own interests, then it is useless to study political philosophy any more, for this is the alphabet of it. It is contrary to honest statesmanship to imperil the political welfare of the state for party interests. It was unstatesmanlike to publish a solemn declaration that we would not seize any territory, and especially to characterize such action in advance as "criminal aggression," for it was morally certain that we should come out of any war with Spain with conquered territory on our hands, and the people who wanted the war, or who consented to it, hoped that we should do so.

We talk about "liberty" all the time in a big and easy way, as if liberty was a thing that men could have if they want it, and to any extent to which they want it. It is certain that a very large part of human liberty consists simply in the choice either to do a thing or to let it alone. If we decide to do it, a whole series of consequences is entailed upon us in regard to which it is exceedingly difficult, or impossible, for us to exercise any liberty at all. The proof of this from the case before us is so clear and easy that I need spend no words upon it. Here, then, you have the reason why it is a rule of sound statesmanship not to embark on an adventurous policy. A statesman could not be expected to know in advance that we should come out of the war with the Philippines on our hands, but it belongs to his education to warn him that a policy of adventure and of gratuitous enterprise would be sure to entail embarrassments of some kind. What comes to us in the evolution of our own life and interests, that we must meet; what we go to seek which lies beyond that domain is a waste of our energy and a compromise of our liberty and

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welfare. If this is not sound doctrine, then the historical and social sciences have nothing to teach us which is worth any trouble.

There is another observation, however, about the war which is of far greater importance: that is, that it was a gross violation of self-government. We boast that we are a self-governing people, and in this respect, particularly, we compare ourselves with pride with older nations. What is the dif-

ference after all? The Russians, whom we always think of as standing at the opposite pole of political institutions, have self-government, if you mean by it acquiescence in what a little group of people at the head of the government agree to do. The war with Spain was precipitated upon us headlong, without reflection or deliberation, and without any due formulation of public opinion. Whenever a voice was raised in behalf of deliberation and the recognized maxims of statesmanship, it was howled down in a storm of vituperation and cant. Everything was done to make us throw away sobriety of thought and calmness of judgment and to inflate all expressions with sensational epithets and turgid phrases. It cannot be denied that everything in regard to the war has been treated in an exalted strain of sentiment and rhetoric very unfavorable to the truth. At present the whole periodical press of the country seems to be occupied in tickling the national vanity to the utmost by representations about the war which are extravagant and fantastic. There will be a penalty to be paid for all this. Nervous and sensational newspapers are just as corrupting, especially to young people, as nervous and sensational novels. The habit of expecting that all mental pabulum shall be highly spiced, and the corresponding loathing for whatever is soberly truthful, undermines character as much as any other vice. Patriotism is being prostituted into a nervous intoxication which is fatal to an apprehension of truth. It builds around us a fool's paradise, and it will lead us into errors about our position and relations just like those which we have been ridiculing in the case of Spain.

There are some now who think that it is the perfection of statesmanship to say that expansion is a fact and that it is useless to discuss it. We are told that we must not cross any bridges until we come to them; that is, that we must discuss nothing in advance, and that we must not discuss anything which is past because it is irretrievable. No doubt this would be a very acceptable doctrine to the powers that be, for it would mean that they were relieved from responsibility, but it would be a marvelous doctrine to be accepted by a self-governing people. Senator Foraker has told us that we are not to keep the Philippines longer than is necessary to teach the people self-government. How one man can tell what we are to do before the constitutional authorities have decided it, I do not know. Perhaps it is a detail in our new method of self-government. If his assurances are to be trusted, we are paying \$20,000,000 for the privilege of tutoring the Tagals up to liberty and self-government. I do not believe that, if the United States undertakes to govern the islands, it will ever give them up except to superior force, but the weakening of imperialism shown by this gentleman's assurances, after a few days of mild debate in the Senate, shows that agitation of the subject is not yet in vain. Then again, if we have done anything, especially if we have acted precipitately, it is a well-recognized course of prudent behavior to find out where we are, what we have done, and what the new situation is into which we have come. Then, too, we must remember that when the statesman lays a thing down the historian takes it up, and he will group it with historical parallels and contrasts. There is a set of men who have always been referred to, in our Northern states, for the last thirty years, with especial disapproval. They are those Southerners who,

in 1861, did not believe in secession, but, as they said, "went with their states." They have been condemned for moral cowardice. Yet within a year it has become almost a doctrine with us that patriotism requires that we should hold our tongues while our interests, our institutions, our most sacred traditions, and our best established maxims have been trampled underfoot. There is no doubt that moral courage is the virtue which is more needed than any other in the modern democratic state, and that truckling to popularity is the worst political vice. The press, the platform, and the pulpit have all fallen under this vice, and there is evidence that the

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*We talk about "liberty" all the time in a big and easy way, as if liberty was a thing that men could have if they want it, and to any extent to which they want it.*

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university also, which ought to be the last citadel of truth, is succumbing to it likewise. I have no doubt that the conservative classes of this country will yet look back with great regret to their acquiescence in the events of 1898 and the doctrines and precedents which have been silently established. Let us be well assured that self-government is not a matter of flags and Fourth of July orations, nor yet of strife to get offices. Eternal vigilance is the price of that as of every other political good. The perpetuity of self-government depends on the sound political sense of the people, and sound political sense is a matter of habit and practice. We can give it up and we can take instead pomp and glory. That is what Spain did. She had as much self-government as any country in Europe at the beginning of the sixteenth century. The union of the smaller states into one big one gave an impulse to her national feeling and national development. The discovery of America put into her hands the control of immense territories. National pride and ambition were stimulated. Then came the struggle with France for world-dominion, which resulted in absolute monarchy and bankruptcy for Spain. She lost self-government and saw her resources spent on interests which were foreign to her, but she could talk about an empire on which the sun never set and boast of her colonies, her gold-mines, her fleets and armies and debts. She had glory and pride, mixed, of course, with defeat and disaster, such as must be experienced by any nation on that course of policy; and she grew weaker in her industry and commerce and poorer in the status of the population all the time. She has never been able to recover real self-government yet. If we Americans believe in self-government, why do we let it slip away from us? Why do we barter it away for military glory as Spain did?

There is not a civilized nation which does not talk about its civilizing mission just as grandly as we do. The English, who really have more to boast of in this respect than anybody else, talk least about it, but the Phariseism with which they correct and instruct other people has made them hated all over the globe. The French believe themselves the guardians of the highest and purest culture, and that the eyes of all mankind are fixed on Paris, whence they expect oracles of

thought and taste. The Germans regard themselves as charged with a mission, especially to us Americans, to save us from egoism and materialism. The Russians, in their books and newspapers, talk about the civilizing mission of Russia in language that might be translated from some of the finest paragraphs in our imperialistic newspapers. The first principle of Mohammedanism is that we Christians are dogs and infidels, fit only to be enslaved or butchered by Moslems. It is a corollary that wherever Mohammedanism extends it carries, in the belief of its votaries, the highest blessings, and that the whole human race would be enormously elevated if Mohammedanism should supplant Christianity everywhere. To come, last, to Spain, the Spaniards have, for centuries, considered themselves the most zealous and self-sacrificing Christians, especially charged by the Almighty, on this account, to spread true religion and civilization over the globe. They think themselves free and noble, leaders in refinement and the sentiments of personal honor, and they despise us as sordid money-grabbers and heretics. I could bring you passages from peninsular authors of the first rank about the grand role of Spain and Portugal in spreading freedom and truth. Now each nation laughs at all the others when it observes these manifestations of national vanity. You may rely upon it that they are all ridiculous by virtue of these pretensions, including ourselves. The point is that each of them repudiates the standards of the others, and the outlying nations, which are to be civilized, hate all the standards of civilized men. We assume that what we like and practice, and what we think better, must come as a welcome blessing to Spanish-Americans and Filipinos. This is grossly and obviously untrue. They hate our ways. They are hostile to our ideas. Our religion, language, institutions, and manners offend them. They like their own ways, and if we appear amongst them as rulers, there will be social discord in all the great departments of social interest. The most important thing which we shall inherit from the Spaniards will be the task of suppressing rebellions. If the United States takes out of the hands of Spain her mission, on the ground that Spain

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*At present the whole periodical press of the country seems to be occupied in tickling the national vanity to the utmost by representations about the war which are extravagant and fantastic.*

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is not executing it well, and if this nation in its turn attempts to be school-mistress to others, it will shrivel up into the same vanity and self-conceit of which Spain now presents an example. To read our current literature one would think that we were already well on the way to it. Now, the great reason why all these enterprises which begin by saying to somebody else, We know what is good for you better than you know yourself and we are going to make you do it, are false and wrong is that they violate liberty; or, to turn the same statement into other words, the reason why liberty, of which we Americans talk so much, is a good thing is that it means

leaving people to live out their own lives in their own way, while we do the same. If we believe in liberty, as an American principle, why do we not stand by it? Why are we going to throw it away to enter upon a Spanish policy of dominion and regulation?

The United States cannot be a colonizing nation for a long time yet. We have only twenty-three persons to the square mile in the United States without Alaska. The country can multiply its population by thirteen; that is, the population could rise above a billion before the whole country would be as densely populated as Rhode Island is now. There is, therefore, no pressure of population, which is the first condition of rational expansion, unless we could buy another territory like the Mississippi Valley with no civilized population in it. If we could do that it would postpone the day of overpopulation still further, and make easier conditions for our people in the next generations. In the second place, the islands which we have taken from Spain never can be the residence of American families, removing and settling to make their homes there. The climatic conditions forbid it. Although Spaniards have established themselves in Spanish America, even in the tropics, the evils of Spanish rule have largely arisen from the fact that Spaniards have gone to the colonies as adventurers, eager to make fortunes as quickly as possible, that they might return to Spain to enjoy them. That the relation of our people to these possessions will have that character is already apparent. It is, therefore, inaccurate to speak of a colonial system in describing our relation to these dependencies, but as we have no other term, let us use this one and inquire *what kind of a colonial system we are to establish.*

I. Spain stands, in modern history, as the first state to develop and apply a colonial system to her outlying possessions. Her policy was to exclude absolutely all non-Spaniards from her subject territories and to exploit them for the benefit of Spain, without much regard for the aborigines or the colonists. The cold and unnecessary cruelty of the Spaniards to the aborigines is appalling, even when com-

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*It has become almost a doctrine with us that patriotism requires that we should hold our tongues while our interests, our institutions, our most sacred traditions, and our best established maxims have been trampled underfoot.*

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pared with the treatment of the aborigines by other Europeans. A modern economist stands aghast at the economic measures adopted by Spain, as well in regard to her domestic policy as to her colonies. It seems as if those measures could only have been inspired by some demon of folly, they were so destructive to her prosperity. She possesses a large literature from the last three centuries, in which her publicists discuss with amazement the question whether it was a blessing or a curse to get the Indies, and why, with all the supposed conditions of prosperity in her hands, she was declining all the time. We now hear it argued that she is well rid of her colonies, and that, if she will devote her energies to

her internal development and rid her politics of the corruption of colonial officials and interests, she may be regenerated. That is a rational opinion. It is the best diagnosis of her condition and the best prescription of a remedy which the occasion has called forth. But what, then, will happen to the state which has taken over her colonies? I can see no answer

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*If we Americans believe in self-government, why do we let it slip away from us? Why do we barter it away for military glory?*

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except that that nation, with them has taken over the disease and that it now is to be corrupted by exploiting dependent communities just as she has been. That it stands exposed to this danger is undeniable.

It would not be becoming to try, in a paragraph, to set forth the causes of the decadence of Spain, and although the economic history of that country has commanded such attention from me as I could give to it consistently with other obligations, yet I could not feel prepared to do any justice to that subject; but one or two features of the history can be defined with confidence, and they are such as are especially instructive for us.

In the first place Spain never intended, of set purpose, to ruin the material prosperity of herself or her colonies. Her economic history is one long lesson to prove that any prosperity policy is a delusion and a path to ruin. There is no economic lesson which the people of the United States need to take to heart more than that. In the second place the Spanish mistakes arose, in part, from confusing the public treasury with the national wealth. They thought that, when gold flowed into the public treasury, that was the same as an increase of wealth of the people. It really meant that the people were bearing the burdens of the imperial system and that the profits of it went into the public treasury; that is, into the hands of the king. It was no wonder, then, that as the burdens grew greater the people grew poorer. The king spent the revenues in extending the imperial system in Germany, Italy, and the Netherlands, so that the revenues really became a new cause of corruption and decay. The only people who were well off, in the midst of the increasing distress, were the ecclesiastics and nobles, who were protected by entails and charters, which, in their turn, were a new cause of restriction and destruction to the industries of the country. As to the treatment of the aborigines in the outlying possessions of Spain, the orders from the home government were as good as could possibly be desired. No other European government issued any which were nearly so enlightened or testified to such care about that matter. Spanish America is still covered with institutions founded by Spain for the benefit of the aborigines, so far as they have not been confiscated or diverted to other uses. Nevertheless the Spanish rule nearly exterminated the aborigines in one hundred and fifty years. The Pope gave them into servitude to the Spaniards. The Spaniards regarded them as savages, heretics, beasts, not entitled to human consideration. Here you have the great explanation of man's inhumanity to man. When Spaniards

tortured and burned Protestants and Jews it was because, in their minds, Protestants and Jews were heretics; that is to say, were beyond the pale, were abominable, were not entitled to human consideration. Humane men and pious women felt no more compunctions at the sufferings of Protestants and Jews than we would at the execution of mad dogs or rattlesnakes. There are plenty of people in the United States today who regard negroes as human beings, perhaps, but of a different order from white men, so that the ideas and social arrangements of white men cannot be applied to them with propriety. Others feel the same way about Indians. This attitude of mind, wherever you meet with it, is what causes tyranny and cruelty. It is this disposition to decide off-hand that some people are not fit for liberty and self-government which gives relative truth to the doctrine that all men are equal, and inasmuch as the history of mankind has been one long story of the abuse of some by others, who, of course, smoothed over their tyranny by some beautiful doctrines of religion, or ethics, or political philosophy, which proved that it was all for the best good of the oppressed, therefore the doctrine that all men are equal has come to stand as one of the corner-stones of the temple of justice and truth. It was set up as a bar to just this notion that we are so much better than others that it is liberty for them to be governed by us.

The Americans have been committed from the outset to the doctrine that all men are equal. We have elevated it into an absolute doctrine as a part of the theory of our social and political fabric. It has always been a domestic dogma in spite of its absolute form, and as a domestic dogma it has always stood in glaring contradiction to the facts about Indians and negroes and to our legislation about Chinamen. In its absolute form it must, of course, apply to Kanakas, Malays, Tagals, and Chinese just as much as to Yankees, Germans, and Irish. It is an astonishing event that we have lived to see American arms carry this domestic dogma out where it must be tested in its application to uncivilized and half-civilized peoples. At the first touch of the test we throw the doctrine away and adopt the Spanish doctrine. We are told by all the imperialists that these people are not fit for liberty and self-government; that it is rebellion for them to resist our beneficence; that we must send fleets and armies to kill them if they do it; that we must devise a government for them and administer it ourselves; that we may buy them or sell them as we please, and dispose of their "trade" for our own advantage. What is that but the policy of Spain to her dependencies? What can we expect as a consequence of it? Nothing but that it will bring us where Spain is now.

But then, if it is not right for us to hold these islands as dependencies, you may ask me whether I think that we ought to take them into our Union, at least some of them, and let them help to govern us. Certainly not. If *that* question is raised, then the question whether they are, in our judgment, fit for self-government or not is in order. The American people, since the Civil War, have to a great extent lost sight of the fact that this state of ours, the United States of America, is a confederated state of a very peculiar and artificial form. It is not a state like the states of Europe, with the exception of Switzerland. The field for dogmatism in our day is not theology, it is political philosophy. "Sovereignty" is the most abstract and metaphysical term in political phi-

losophy. Nobody can define it. For this reason it exactly suits the purposes of the curbstone statesman. He puts into it whatever he wants to get out of it again, and he has set to work lately to spin out a proof that the United States is a great imperialistic state, although the Constitution, which tells us just what it is and what it is not, is there to prove the contrary.

The thirteen colonies, as we all know, were independent commonwealths with respect to each other. They had little sympathy and a great deal of jealousy. They came into a union with each other upon terms which were stipulated and defined in the Constitution, but they united only unwillingly and under the pressure of necessity. What was at first only a loose combination or alliance has been welded together into a great state by the history of a century. Nothing, however, has altered that which was the first condition of the Union; *viz.*, that all the states members of it should be on the same plane of civilization and political development; that they should all hold the same ideas, traditions, and political creed; that their social standards and ideals should be such as to maintain cordial sympathy between them. The Civil War arose out of the fact that this condition was imperfectly fulfilled. At other times actual differences in standpoint and principle, or in ideals and opinion, have produced discord within the confederation. Such crises are inevitable in any confederated state. It is the highest statesmanship in such a system to avoid them, or smooth them over, and above all, never to take in voluntarily any heterogeneous elements. The prosperity of such a state depends on closer and closer sympathy between the parts in order that differences which arise may be easily harmonized. What we need is more intension, not more extension.

It follows, then, that it is unwise to take into a State like this any foreign element which is not congenial to it. Any such element will act as a solvent upon it. Consequently we are brought by our new conquests face to face with this dilemma: we must either hold them as inferior possessions, to be ruled and exploited by us after the fashion of the old colonial system, or we must take them in on an equality with ourselves, where they will help to govern us and to corrupt a political system which they do not understand and in which they cannot participate. From that dilemma there is no escape except to give them independence and to let them work out their own salvation or go without it. Haiti has been independent for a century and has been a theater of revolution, tyranny, and bloodshed all the time. There is not a Spanish-American state which has proved its capacity for



"Watch this — I've taught him how to shake hands."

self-government as yet. It is a fair question whether any one of them would have been worse off than it is to-day if Spanish rule had been maintained in it. The chief exception is Mexico. Mr. Lummis, an American, has recently published a book in which he tells us that we would do well to go to school to Mexico for a number of important public interests, but Mexico has been, for ten or fifteen years under a dictator, and the republican forms have been in abeyance. What will happen there when the dictator dies nobody knows. The doctrine that we are to take away from other nations any possessions of theirs which we think that we could manage better

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*We are told by all the imperialists that it is rebellion for these people to resist our beneficence; that we must devise a government for them and administer it ourselves.*

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than they are managing them, or that we are to take in hand any countries which we do not think capable of self-government, is one which will lead us very far. With that doctrine in the background, our politicians will have no trouble to find a war ready for us the next time that they come around to the point where they think that it is time for us to have another. We are told that we must have a big army hereafter. What for; unless we propose to do again by and by what we have just done? In that case our neighbors have reason to ask themselves whom we will attack next. They must begin to arm, too, and by our act the whole Western world is plunged into the distress under which the Eastern world is groaning. Here is another point in regard to which the conservative elements in the country are making a great mistake to allow all this militarism and imperialism to go on without protest. It will be established as a rule that, whenever political ascendancy is threatened, it can be established again by a little war, filling the minds of the people with glory and diverting their attention from their own interests. Hard-headed old Benjamin Franklin hit the point when, referring back to the days of Marlborough, he talked about the "pest of glory." The thirst for glory is an epidemic which robs a people of their judgment, seduces their vanity, cheats them of their interests, and corrupts their consciences.

This country owes its existence to a revolt against the colonial and navigation system which, as I have said, Spain first put in practice. The English colonial system never was even approximately so harsh and tyrannical as that of Spain. The first great question which arose about colonies in England was whether they were parts of the possessions of the king of England or part of the dominion of the crown. The constitutional difference was great. In the one case they were subject to the king and were not under the constitutional guarantees; in the other case they were subject to the Parliament and were under the constitutional guarantees. This is exactly the same question which arose in the middle of this century in this country about territories, and which helped to bring on the Civil War. It is already arising again. It is the question whether the Constitution of the United

States extends over all men and territory owned by the United States, or whether there are to be grades and planes of rights for different parts of the dominions over which our flag waves. This question already promises to introduce dissensions amongst us which will touch the most vital elements in our national existence.

The constitutional question, however, goes even deeper than this. Of the interpretation of clauses in the Constitution I am not competent to speak, but the Constitution is the organic law of this confederated state in which we live, and therefore it is the description of it as it was planned and as it is. The question at stake is nothing less than the integrity of this state in its most essential elements. The expansionists have recognized this fact by already casting the Constitution aside. The military men, of course, have been the first to do this. It is of the essence of militarism that under it military men learn to despise constitutions, to sneer at parliaments, and to look with contempt on civilians. Some of the imperialists are not ready to go quite so fast as yet. They have remonstrated against the military doctrine, but that only proves that the military men see the point at issue better than the others do. Others say that if the legs of the Constitution are too short to straddle the gulf between the old policy and the new, they can be stretched a little, a view of the matter which is as flippant as it is in bad taste. It would require too much time to notice the various contemptuous and jaunty references to the Constitution which every day brings to our notice, and from the same class, at least, who, two years ago, were so shocked at a criticism of the *interpretation* of the Constitution which was inserted in the Chicago platform.

The question of imperialism, then, is the question whether we are going to give the lie to the origin of our own national existence by establishing a colonial system of the old Spanish type, even if we have to sacrifice our existing civil and political system to do it. I submit that it is a strange incongruity to utter grand platitudes about the blessings of

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*The reason why liberty, of which we Americans talk so much, is a good thing is that it means leaving people to live out their own lives in their own way, while we do the same.*

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liberty, etc., which we are going to impart to these people, and to begin by refusing to extend the Constitution over them, and still more, by throwing the Constitution into the gutter here at home. If you take away the Constitution, what is American liberty and all the rest? Nothing but a lot of phrases.

Some will answer me that they do not intend to adopt any Spanish colonial system; that they intend to imitate the modern English policy with respect to colonies. The proudest fact in the history of England is that, since the Napoleonic wars, she has steadily corrected abuses, amended her institutions, redressed grievances, and so has made her recent history a story of amelioration of all her institutions, social, political, and civil. To do this she has had to overcome old traditions, established customs, vested rights, and all the

other obstacles which retard or prevent social improvement. The consequence is that the traditions of her public service, in all its branches, have been purified, and that a body of men has grown up who have a noble spirit, high motives, honorable methods, and excellent standards. At the same time the policy of the country has been steadily growing more and more enlightened in regard to all the great interests of society. These triumphs of peace are far greater than any triumphs of war. It takes more national grit to correct abuses than to win battles. England has shown herself very willing indeed to learn from us whatever we could teach, and we might learn a great deal from her on matters far more important than colonial policy. Her reform of her colonial policy is only a part, and perhaps a consequence, of the improvements made elsewhere in her political system.

We have had some experience this last summer in the attempt to improvise an army. We may be very sure that it is equally impossible to improvise a colonial system. The present English colonial system is aristocratic.

It depends upon a large body of specially trained men, acting under traditions which have become well established, and with a firm *esprit de corps*. Nobody can get into it without training. The system is foreign to our ideas, tastes, and methods. It would require a long time and radical changes in our political methods, which we are not as yet at all disposed to make, to establish any such thing here, and then it would be an imitation. Moreover, England has three different colonial systems, according to the development of the resident population in each colony or dependency, and the selection of the one of these three systems which we will adopt and apply involves all the difficulties which I have been discussing.

There is, however, another objection to the English system. A great many people talk about the revenue which we are to get from these possessions. If we attempt to get any revenues from them we shall repeat the conduct of England towards her colonies against which they revolted. England claimed that it was reasonable that the colonies should pay their share of imperial expenses which were incurred for the benefit of all. I have never been able to see why that was not a fair demand. As you know, the colonies spurned it with indignation, on the ground that the taxation, being at the discretion of a foreign power, *might* be made unjust. Our historians and publicists have taught us that the position of the colonists was right and heroic, and the only one worthy of freemen. The revolt was made on the *principle* of no taxation, not on the size of the tax. The colonists would not pay a penny. Since that is so, we cannot get a penny of revenue from the dependencies, even for their fair share of imperial expenditures, without burning up all our histories, revising all the great principles of our heroic period, repudiating our great men of that period, and going over to the Spanish doctrine of taxing dependencies at the discretion of the governing State. Already one of these dependencies is in arms struggling for liberty against us. Read the threats of the imperialists against these people, who dare to rebel against us, and see whether I am misstating or exaggerating the corruption of imperialism on ourselves. The question is once more, whether we are prepared to repudiate the principles which we have been insisting on for one hundred and fifty years, and to embrace those of which Spain is the oldest and

most conspicuous representative, or not.

In regard to this matter of taxation and revenue, the present English colonial system is as unjust to the mother-country as the old system was to the colonies, or more so. The colonies now tax the mother-country. She pays large expenses for their advantage, for which they return nothing. They set up tax barriers against her trade with them. I do not

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believe that the United States will ever consent to any such system, and I am clear in the opinion that they never ought to. If the colonies ought not to be made tributary to the mother-country, neither ought the mother-country to be made tributary to them. The proposition to imitate England's colonial policy is evidently made without the necessary knowledge of what it means, and it proves that those who thrust aside prudent objections by declaring off-hand that we will imitate England have not any serious comprehension of what it is that they propose to us to do.

The conclusion of this branch of the subject is that it is fundamentally antagonistic to our domestic system to hold dependencies which are unfit to enter into the Union. Our system cannot be extended to take them in or adjusted to them to keep them out without sacrificing its integrity. If we take in dependencies which, as we now agree, are not fit to come in as states, there will be constant political agitation to admit them as states, for such agitation will be fomented by any party which thinks that it can win votes in that way. It was an enormous blunder in statecraft to engage in a war which was sure to bring us into this predicament.

II. It seems as if this new policy was destined to thrust a sword into every joint in our historical and philosophical system. Our ancestors revolted against the colonial and navigation system, but as soon as they got their independence, they fastened a navigation system on themselves. The consequence is that our industry and commerce are today organized under a restrictive system which is the direct offspring of the old Spanish restrictive system, and is based on the same ideas of economic policy; *viz.*, that statesmen can devise a prosperity policy for a country which will do more for it than a spontaneous development of the energy of the people and the resources of the territory would do. On the other hand, inside of the Union we have established the grandest experiment in absolute free trade that has ever existed. The combination of the two is not new, because it is just what Colbert tried in France, but it is original here and is an interesting result of the presence in men's minds of two opposite philosophies, the adjustment of which has never yet been fought out. The extension of our authority over these new territories forces the inconsistency between our internal and our external policy out of the field of philosophy into that of practical politics. Wherever the boundary line of the national system falls we have one rule inside of it and

another outside of it. Are the new territories to be taken inside or to be treated as outside? If we develop this dilemma, we shall see that it is of the first importance.

If we treat the dependencies as inside the national system, we must have absolute free trade with them. Then if, on the policy of the "open door," we allow all others to go to them on the same terms as ourselves, the dependencies will have free trade with all the world, while we are under the restrictive system ourselves. Then, too, the dependencies can obtain no revenues by import duties.

If we take the other branch of the dilemma and treat the dependencies as outside of our national policy, then we must shut out their products from our market by taxes. If we do this on the policy of the "open door," then any taxes which the islands lay upon imports from elsewhere they must also lay upon imports from us. Then they and we will be taxing each other. If we go upon the protectionist policy, we shall determine our taxes against them and theirs against other nations, and we shall let them lay none against us. That is exactly the Spanish system. Under it the colonies will be crushed between the upper and the nether millstone. They will revolt against us for just the same reason for which they revolted against Spain.

I have watched the newspapers with great interest for six months, to see what indications were presented of the probable currents of opinion on the dilemma which I have described. There have been but few. A few extreme protectionist newspapers have truculently declared that our protective system was to be extended around our possessions, and that everybody else was to be excluded from them. From a number of interviews and letters, by private individuals, I select the following as expressing well what is sure to be the view of the unregenerate man, especially if he has an interest to be protected as this writer had.

"I am opposed to the 'open door' policy, as I understand it. To open the ports of our new territories free to the world would have the effect of cheapening or destroying many of the benefits of territorial acquisition, which has cost us blood and money. As a nation we are well qualified to develop and handle the trade of our new possessions, and by permitting others to come in and divide the advantages and profits of this trade we not only wrong our own citizens, who should be given preference, but exhibit a weakness that ill becomes a nation of our prominence."

This is exactly the view which was held in Spain, France, Holland, and England in the eighteenth century, and upon which the navigation system, against which our fathers

revolted, was founded. If we adopt this view we may count upon it that we shall be embroiled in constant wars with other nations, which will not consent that we should shut them out of parts of the earth's surface until we prove that we can do it by force. Then we shall be parties to a renewal of all the eighteenth century wars for colonies, for supremacy on the sea, for "trade," as the term is used, for world supremacy, and for all the rest of the heavy follies from which our fathers fought to free themselves. That is the policy of Russia and France at the present time, and we have before our eyes proofs of its effect on the peace and welfare of mankind.

Our modern protectionists have always told us that the object of their policy is to secure the home market. They have pushed their system to an extravagant excess. The free traders used to tell them that they were constructing a Chinese wall. They answered that they wished we were separated from other nations by a gulf of fire. Now it is they who are crying out that they are shut in by a Chinese wall. When we have shut all the world out, we find that we have shut ourselves in. The protective system is applied especially to certain selected lines of production. Of course these are stimulated out of proportion to the requirements of the community, and so are exposed to sharp fluctuations of high profits and over-production. At great expense and loss we have carried out the policy of the home market, and now we are called upon at great expense and loss to go out and conquer territory in order to widen the market. In order to have trade with another community the first condition is that we must produce what they want and they must produce what we want. That is the economic condition. The second condition is that there must be peace and security and freedom from arbitrary obstacles interposed by government. This is the political condition. If these conditions are fulfilled, there will be trade, no matter whether the two communities are in one body politic or not. If these conditions are not fulfilled, there will be no trade, no matter what flag floats. If we want more trade we can get it any day by a reciprocity treaty with Canada, and it will be larger and more profitable than that of all the Spanish possessions. It will cost us nothing to get it. Yet while we were fighting for Puerto Rico and Manila, and spending three or four hundred millions to get them, negotiations with Canada failed through the narrow-mindedness and bigotry which we brought to the negotiation. Conquest can do nothing for trade except to remove the political obstacles which the conquered could not, or would not, remove. From this it follows that the only justification for territorial extension is the extension of free and enlightened policies in regard to commerce. Even then extension is an irksome necessity. The question always is, whether you are taking an asset or a liability. Land grabbing means properly taking territory and shutting all the rest of the world out of it, so as to exploit it ourselves. It is not land grabbing to take it and police it and throw it open to all. This is the policy of the "open door." Our external commercial policy is, in all its principles, the same as that of Spain. We had no justification, on that ground, in taking anything away from her. If we now seek to justify ourselves, it must be by going over to the free policy; but, as I have shown, that forces to a crisis the contradiction between our domestic and our external policy as to trade. It is very probable, indeed, that the destruction of our



restrictive system will be the first good result of expansion, but my object here has been to show what a network of difficulties environ us in the attempt to establish a commercial policy for these dependencies. We have certainly to go through years of turmoil and political bitterness, with all the consequent chances of internal dissension, before these difficulties can be overcome.

III. Another phenomenon which deserves earnest attention from the student of contemporaneous history and of the trend of political institutions is the failure of the masses of

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our people to perceive *the inevitable effect of imperialism on democracy*. On the twenty-ninth of last November [1898] the Prime Minister of France was quoted in a cable dispatch as follows: "For twenty-eight years we have lived under a contradiction. The army and democracy subsist side by side. The maintenance of the traditions of the army is a menace to liberty, yet they assure the safety of the country and its most sacred duties."

That antagonism of democracy and militarism is now coming to a crisis in France, and militarism is sure to win, because the French people would make any other sacrifice rather than diminish their military strength. In Germany the attempt has been going on for thirty years to establish constitutional government with parliamentary institutions. The parts of the German system are at war with each other. The Emperor constantly interferes with the operation of the system and utters declarations which are entirely personal. He is not responsible and cannot be answered or criticized. The situation is not so delicate as in France, but it is exceedingly unstable. All the desire of Germans for self-government and civil liberty runs out into socialism, and socialism is repressed by force or by trickery. The conservative classes of the country acquiesce in the situation while they deplore it. The reason is because the Emperor is the war lord. His power and authority are essential to the military strength of the State in face of its neighbors. That is the preponderating consideration to which everything else has to yield, and the consequence of it is that there is today scarcely an institution in Germany except the army.

Everywhere you go on the continent of Europe at this hour you see the conflict between militarism and industrialism. You see the expansion of industrial power pushed forward by the energy, hope, and thrift of men, and you see the development arrested, diverted, crippled, and defeated by measures which are dictated by military considerations. At the same time the press is loaded down with discussions about political economy, political philosophy, and social policy. They are discussing poverty, labor, socialism, charity, reform, and social ideals, and are boasting of enlightenment and progress, at the same time that the things which are

done are dictated by none of these considerations, but only by military interests. It is militarism which is eating up all the products of science and art, defeating the energy of the population and wasting its savings. It is militarism which forbids the people to give their attention to the problems of their own welfare and to give their strength to the education and comfort of their children. It is militarism which is combating the grand efforts of science and art to ameliorate the struggle for existence.

The American people believe that they have a free country, and we are treated to grandiloquent speeches about our flag and our reputation for freedom and enlightenment. The common opinion is that we have these things because we have chosen and adopted them, because they are in the Declaration of Independence and the Constitution. We suppose, therefore, that we are sure to keep them and that the follies of other people are things which we can hear about with complacency. People say that this country is like no other; that its prosperity proves its exceptionality, and so on. These are popular errors which in time will meet with harsh correction. The United States is in a protected situation. It is easy to have equality where land is abundant and where the population is small. It is easy to have prosperity where a few men have a great continent to exploit. It is easy to have liberty when you have no dangerous neighbors and when the struggle for existence is easy. There are no severe penalties, under such circumstances, for political mistakes. Democracy is not then a thing to be nursed and defended, as it is in an old country like France. It is rooted and founded in the economic circumstances of the country. The orators and constitution-makers do not make democracy. They are made by it. This protected position, however, is sure to pass away. As the country fills up with population, and the task of getting a living out of the ground becomes more difficult, the struggle for existence will become harder and the competition of life more severe. Then liberty and democracy will cost something, if they are to be maintained.

Now what will hasten the day when our present advantages will wear out and when we shall come down to the conditions of the older and densely populated nations? The

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*The American people believe that they have a free country, and we are treated to grandiloquent speeches about our flag and our reputation for freedom and enlightenment.*

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answer is: war, debt, taxation, diplomacy, a grand governmental system, pomp, glory, a big army and navy, lavish expenditures, political jobbery — in a word, imperialism. In the old days the democratic masses of this country, who knew little about our modern doctrines of social philosophy, had a sound instinct on these matters, and it is no small ground of political disquietude to see it decline. They resisted every appeal to their vanity in the way of pomp and glory which they knew must be paid for. They dreaded a public debt and a standing army. They were narrow-minded and went too far with these notions, but they were, at least,

right, if they wanted to strengthen democracy.

The great foe of democracy now and in the near future is plutocracy. Every year that passes brings out this antagonism more distinctly. It is to be the social war of the twentieth century. In that war militarism, expansion and imperialism will all favor plutocracy. In the first place, war and expansion will favor jobbery, both in the dependencies and at home. In the second place, they will take away the

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*War and expansion cause large expenditures of the people's money, the return for which will not go into the treasury, but into the hands of a few schemers.*

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attention of the people from what the plutocrats are doing. In the third place, they will cause large expenditures of the people's money, the return for which will not go into the treasury, but into the hands of a few schemers. In the fourth place, they will call for a large public debt and taxes, and these things especially tend to make men unequal, because any social burdens bear more heavily on the weak than on the strong, and so make the weak weaker and the strong stronger. Therefore expansion and imperialism are a grand onslaught on democracy.

The point which I have tried to make in this lecture is that expansion and imperialism are at war with the best traditions, principles, and interests of the American people, and that they will plunge us into a network of difficult problems and political perils, which we might have avoided, while they offer us no corresponding advantage in return.

Of course "principles," phrases, and catch-words are always invented to bolster up any policy which anybody wants to recommend. So in this case. The people who have led us on to shut ourselves in, and who now want us to break out, warn us against the terrors of "isolation." Our ancestors all came here to isolate themselves from the social burdens and inherited errors of the old world. When the others are all over ears in trouble, who would not be isolated in freedom from care? When the others are crushed under the burden of militarism, who would not be isolated in peace and industry? When the others are all struggling under debt and taxes, who would not be isolated in the enjoyment of his own earnings for the benefit of his own family? When the rest are all in a quiver of anxiety, lest at a day's notice they may be involved in a social cataclysm, who would not be isolated out of reach of the disaster? What we are doing is that we are abandoning this blessed isolation to run after a share in the trouble.

The expansionists answer our remonstrances on behalf of the great American principles by saying that times have changed and that we have outlived the fathers of the republic and their doctrines. As far as the authority of the great men is concerned, that may well be sacrificed without regret. Authority of persons and names is a dangerous thing. Let us get at the truth and the right. I, for my part, am also afraid of the great principles, and I would make no fight on their behalf. In the ten years before the Revolution

our ancestors invented a fine lot of "principles" which they thought would help their case. They repudiated many of them as soon as they got their independence, and the rest of them have since made us a great deal of trouble. I have examined them all critically, and there is not one of them which I consider sound, as it is popularly understood. I have been denounced as a heretic on this account by people who now repudiate them all in a sentence. But this only clears the ground for the real point. There is a consistency of character for a nation as well as for a man. A man who changes his principles from week to week is destitute of character and deserves no confidence. The great men of this nation were such because they embodied and expressed the opinion and sentiments of the nation in their time. Their names are something more than clubs with which to knock an opponent down when it suits one's purpose, but to be thrown away with contempt when they happen to be on the other side. So of the great principles; whether some of us are skeptical about their entire validity and want to define and limit them somewhat is of little importance. If the nation has accepted them, sworn by them, founded its legislation on them, imbedded them in the decisions of its courts, and then if it throws them away at six months' warning, you may depend upon it that that nation will suffer in its moral and political rectitude a shock of the severest kind. Three years ago we were ready to fight Great Britain to make her arbitrate a quarrel which she had with Venezuela. The question about the *Maine* was one of the fittest subjects for arbitration that ever arose between two nations, and we refused to listen to such a proposition. Three years ago, if you had said that any proposition put forth by anybody was "English," he might have been mobbed in the streets. Now the English are our beloved friends, and we are going to try to imitate them and adopt their way of doing things. They are encouraging us to go into difficulties, first because our hands will be full and we shall be unable to interfere elsewhere, and secondly, because if we are in difficulties we shall need allies, and they think that they will be our first choice as such. Some of our public journals have been pouring out sentimental drivel for years about arbitration, but last summer they turned around and began to pour out sentimental drivel about the benefits of war. We congratulate ourselves

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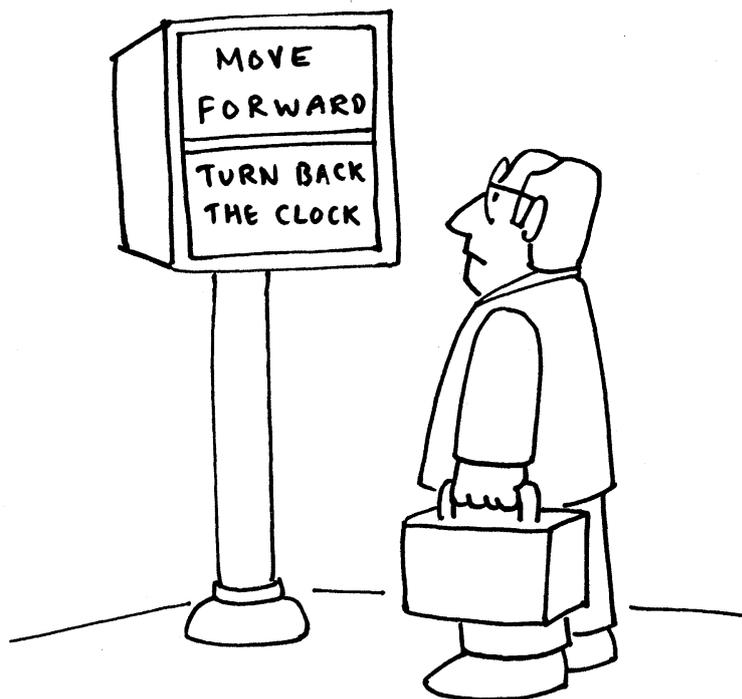
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all the time on the increased means of producing wealth, and then we take the opposite fit and commit some great folly in order to prove that there is something grander than the pursuit of wealth. Three years ago we were on the verge of a law to keep immigrants out who were not good enough to be in with us. Now we are going to take in eight million barbarians and semi-barbarians, and we are paying twenty million dollars to get them. For thirty years the negro has

been in fashion. He has had political value and has been petted. Now we have made friends with the Southerners. They and we are hugging each other. We are all united. The negro's day is over. He is out of fashion. We cannot treat him one way and the Malays, Tagals, and Kanakas another way. A Southern senator two or three days ago thanked an expansionist senator from Connecticut for enunciating doctrines which proved that, for the last thirty years, the Southerners have been right all the time, and his inference was incontrovertible. So the "great principles" change all the time; or, what is far more important, the phrases change. Some go out of fashion, others come in; but the phrase-makers are with us all the time. So when our friends the expansionists tell us that times have changed, what it means is that they have a whole set of new phrases which they want to force into the place of the old ones. The new ones are certainly no more valid than the old ones. All the validity that the great principles ever had they have now. Anybody who ever candidly studied them and accepted them for no more than they were really worth can stand by them now as well as ever. The time when a maxim or principle is worth something is when you are tempted to violate it.

Another answer which the imperialists make is that Americans can do anything. They say that they do not shrink from responsibilities. They are willing to run into a hole, trusting to luck and cleverness to get out. There are some things that Americans cannot do. Americans cannot make  $2 + 2 = 5$ . You may answer that that is an arithmetical impossibility and is not in the range of our subject. Very well; Americans cannot collect two dollars a gallon tax on whiskey. They tried it for many years and failed. That is an economic or political impossibility, the roots of which are in human nature. It is as absolute an impossibility on this domain as the former on the domain of mathematics. So far as yet appears, Americans cannot govern a city of one hundred thousand inhabitants so as to get comfort and convenience in it at a low cost and without jobbery. The fire department of this city is now demoralized by political jobbery — and Spain and all her possessions are not worth as much to you and me as the efficiency of the fire department of New Haven. The Americans in Connecticut cannot abolish the rotten borough system. The English abolished their rotten borough system seventy years ago, in spite of nobles and landlords. We cannot abolish ours in spite of the small

towns. Americans cannot reform the pension list. Its abuses are rooted in the methods of democratic self-government, and no one dares to touch them. It is very doubtful indeed if Americans can keep up an army of one hundred thousand men in time of peace. Where can one hundred thousand men be found in this country who are willing to spend their lives as soldiers; or if they are found, what pay will it require to induce them to take this career? Americans cannot disentangle their currency from the confusion into which it was thrown by the Civil War, and they cannot put it on a simple, sure, and sound basis which would give stability to the business of the country. This is a political impossibility. Americans cannot assure the suffrage to negroes throughout the United States; they have tried it for thirty years and now, contemporaneously with this war with Spain, it has been finally demonstrated that it is a failure. Inasmuch as the negro is now out of fashion, no further attempt to accomplish this purpose will be made. It is an impossibility on account of the complexity of our system of State and Federal government. If I had time to do so, I could go back over the history of negro suffrage and show you how curbstoep arguments, exactly analogous to the arguments about expansion, were used to favor it, and how objections were thrust aside in this same blustering and senseless manner in which



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objections to imperialism are met. The ballot, we were told, was an educator and would solve all difficulties in its own path as by magic. Worse still, Americans cannot assure life, liberty, and the pursuit of happiness to negroes inside of the United States. When the negro postmaster's house was set on fire in the night in South Carolina, and not only he, but his wife and children, were murdered as they came out, and when, moreover, this incident passed without legal investigation or punishment, it was a bad omen for the extension of liberty, etc., to Malays and Tagals by simply setting over them the American flag. Upon a little serious examination the offhand disposal of an important question of policy by the declaration that Americans can do anything proves to be only a silly piece of bombast, and upon a little reflection we find that our hands are quite full at home of problems by the solution of which the peace and happiness of the American people could be greatly increased. The laws of nature and of human nature are just as valid for Americans as for anybody else, and if we commit acts we shall have to take consequences, just like other people. Therefore prudence demands

that we look ahead to see what we are about to do, and that we gauge the means at our disposal, if we do not want to bring calamity on ourselves and our children. We see that the peculiarities of our system of government set limitations on us. We cannot do things which a great centralized monarchy could do. The very blessings and special advantages which we enjoy, as compared with others, bring disabilities with them. That is the great fundamental cause of what I have tried to show throughout this lecture, that we cannot govern dependencies consistently with our political system, and that, if we try it, the State which our fathers founded will suffer a reaction which will transform it into another empire just after the fashion of all the old ones. That is what imperialism means. That is what it will be; and the democratic republic, which has been, will stand in history, like the colonial organization of earlier days, as a mere transition form.

And yet this scheme of a republic which our fathers formed was a glorious dream which demands more than a word of respect and affection before it passes away. Indeed, it is not fair to call it a dream or even an ideal; it was a possibility which was within our reach if we had been wise enough to grasp and hold it. It was favored by our comparative isolation, or, at least, by our distance from other strong states. The men who came here were able to throw off all the trammels of tradition and established doctrine. They went out into a wilderness, it is true, but they took with them all the art, science, and literature which, up to that time, civilization had produced. They could not, it is true, strip their minds of the ideas which they had inherited, but in time, as they lived on in the new world, they sifted and selected these ideas, retaining what they chose. Of the old-world institutions also they selected and adopted what they chose and threw aside the rest. It was a grand opportunity to be thus able to strip off all the follies and errors which they had inherited, so far as they chose to do so. They had unlimited land with no feudal restrictions to hinder them in the use of it. Their idea was that they would never allow any of the social and political abuses of the old world to grow up here. There should be no manors, no barons, no ranks, no prelates, no idle classes, no paupers, no disinherited ones except the vicious. There were to be no armies except a militia, which would have no functions but those of police. They would have no court and no pomp; no orders, or ribbons, or decorations, or titles. They would have no public debt. They repudiated with scorn the notion that a public debt is a public

blessing if debt was incurred in war it was to be paid in peace and not entailed on posterity. There was to be no grand diplomacy, because they intended to mind their own business and not be involved in any of the intrigues to which European statesmen were accustomed. There was to be no balance of power and no "reason of state" to cost the life and happiness of citizens. The only part of the Monroe doctrine which is valid was their determination that the social and political systems of Europe should not be extended over any part of the American continent, lest people who were weaker

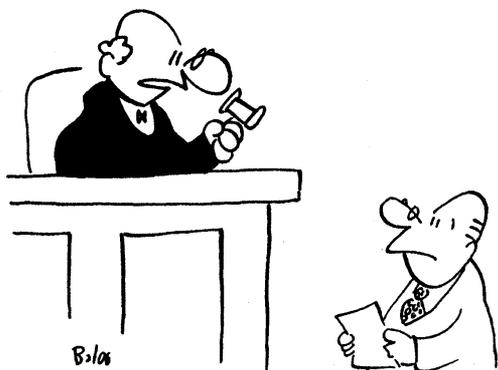
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*The laws of nature and of human nature are just as valid for Americans as for anybody else, and if we commit acts we shall have to take consequences, just like other people.*

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than we should lose the opportunity which the new continent gave them to escape from those systems if they wanted to. Our fathers would have an economical government, even if grand people called it a parsimonious one, and taxes should be no greater than were absolutely necessary to pay for such a government. The citizen was to keep all the rest of his earnings and use them as he thought best for the happiness of himself and his family; he was, above all, to be insured peace and quiet while he pursued his honest industry and obeyed the laws. No adventurous policies of conquest or ambition, such as, in the belief of our fathers, kings and nobles had forced, for their own advantage, on European states, would ever be undertaken by a free democratic republic. Therefore the citizen here would never be forced to leave his family or to give his sons to shed blood for glory and to leave widows and orphans in misery for nothing. Justice and law were to reign in the midst of simplicity, and a government which had little to do was to offer little field for ambition. In a society where industry, frugality, and prudence were honored, it was believed that the vices of wealth would never flourish.

We know that these beliefs, hopes, and intentions have been only partially fulfilled. We know that, as time has gone on and we have grown numerous and rich, some of these things have proved impossible ideals, incompatible with a large and flourishing society, but it is by virtue of this conception of a commonwealth that the United States has stood for something unique and grand in the history of mankind and that its people have been happy. It is by virtue of these ideals that we have been "isolated," isolated in a position which the other nations of the earth have observed in silent envy; and yet there are people who are boasting of their patriotism, because they say that we have taken our place now amongst the nations of the earth by virtue of this war. My patriotism is of the kind which is outraged by the notion that the United States never was a great nation until in a petty three months' campaign it knocked to pieces a poor, decrepit, bankrupt old state like Spain. To hold such an opinion as that is to abandon all American standards, to put shame and scorn on all that our ancestors tried to build up here, and to go over to the standards of which Spain is a representative. □



"I'll have to recuse myself from this case — I've been known to do the same thing myself."

# Mussels and Eagles and Gobies, Oh My!

*by William E. Merritt*

It's getting damned near impossible to be an environmentalist these days.

I was celebrating our nation's birthday over a barbecue lunch at the home of an Orthodox Jewish friend, when I realized I hadn't worried about zebra mussels in a long time.

We were having a barbecue lunch because the Fourth landed on Friday, and my friend was keeping kosher and state separate by getting the festivities out of the way before evening. Still, when he mentioned zebra mussels, it was not in relation to a dietary prohibition. It was because of his job. He is a county fish person and zebra mussels are the kind of thing he keeps up with.

Although zebra mussels haven't been in the news recently, it wasn't that long ago that they were the LDL cholesterol of the bivalve-mollusk world, busily choking pipes and backing up intake systems, fouling locks, clogging canals and, in general, turning the Great Lakes and attached national waterways into a solidified thrombosis of lost environmental innocence and fading dreams of commerce.

And, worse, zebra mussels were coming here — wherever here happened to be. They were coming the same way they had come to the Great Lakes: hitchhiking in unregulated foreign ships that flushed their bilges into our pristine American waters. For us Pacific Northwesterners, it was only a matter of time before they turned the Columbia and the Snake and the Rogue into calcified parking lots, and we all had to pipe in our drinking water from the Great Salt Lake. It hasn't been all that long since we were supposed to worry a lot about zebra mussels.

The thing was, when you thought about the Great Lakes — at least when you thought about them with the prejudices

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of a Westerner — you had trouble imagining how an invasive species — how any species, for that matter — could make much headway in a place like Lake Erie.

Lake Erie was something else we were once supposed to worry about. Lake Erie was the New Jersey of lakes — the downstream destination for all the crud that didn't catch fire and burn up in the Cuyahoga (Burn-on, Big) River. Thirty-some years ago, Lake Erie officially achieved the status of "dead lake" and the Cuyahoga, well, the Cuyahoga was so dead that the sludgeworms died. And sludgeworm is not a nonce word. There really are things called sludgeworms. And they thrive in waste. But, even sludgeworms couldn't make a go of it in the Cuyahoga. Something else that hadn't occurred to me until lunch with my friend was that Lake Erie had dropped out of the news, as well.

I'm not entirely certain when Lake Erie and zebra mussels slipped off the front page, but I am pretty sure that, had they been even moderately there, I would have read something. There's nothing like intimations of collective guilt to hunt you down and corner you over your breakfast cereal. I think what happened was that when the zebra mussels and Lake Erie transmogrified from horrible cautionary tales into more . . . well, it's hard to say more what, exactly, the cautionary tales transmogrified into, but the press releases

shifted and, instead of zebra mussels and dying lakes, we were all encouraged to worry about the dwindling stocks of Pacific ground fish, and whether the Ross Ice Shelf is about to become unmoored and drift up into the sea lanes of the South Atlantic.

Now, my friend is one of those kindly county employees who lives in a liberal enclave on the east side of town, is never more than five minutes from ahi tuna grilled in any number of froufrou ways, and spends his professional life

*It was only a matter of time before they turned the Columbia and the Snake and the Rogue into calcified parking lots, and Pacific Northwesterners had to pipe in drinking water from the Great Salt Lake.*

wrestling with such questions as whether the Corps of Engineers should be allowed to dredge the Columbia to a depth of 47 feet, or be held at 44. Whatever else you can say about this guy, he is not a black-helicopter, anti-environmentalist sort of fellow.

So I tended to believe him when he pointed out that zebra mussels are filter feeders. And, the more zebra mussels you can get feeding somewhere, the more filtering they can do. And, get enough zebra mussels feeding in one place, they can filter Lake Erie.

There is no gentle way to convey to my environmentalist friends what he told me but, now that Lake Erie has been overrun by zebra mussels, its waters are approaching something resembling clean, the lake has sprung back to life and, get this, it is now the primo spot on the entire planet to catch walleyes.

Maybe, I figured, I have blundered into some Jewish tradition of blarney — some sort of April Fools' Day thing falling during the last few hours before the Sabbath. So, I did a little looking around of my own and, not only did the whole zebra-mussel-Lake-Erie scenario check out, but my friend, if anything, had understated. Conditions have changed so much that, in place of zebra mussels and crud, Lake Erie is now facing an environmental catastrophe of an entirely different sort. I found out about this in an article from Bowling Green State University entitled, "Dramatic decrease in Lake Erie zebra mussels suggested by new study."

Just because zebra mussels don't happen to have natural enemies in the United States, doesn't mean they didn't leave scads of them back in Old Europe, or wherever that unregulated freighter scooped them up. When they first arrived, zebra mussels were like a lot of newcomers who move to America and leave the old hatreds behind. If things go well, in a couple of generations the thugs who have been trying to do in your family for centuries are just somebody to celebrate Saint Patrick's Day with. Or Ramadan.

But, sometimes, it's hard to ditch the past and get a fresh start. Sometimes the Shah, or some ayatollah, or a gang of generals back in Argentina, doesn't forget as easily as you would like, and agents show up looking for you.

In the case of Lake Erie, when a fish biologist named

Jeffrey G. Miner lowered cages filled with round gobies into the water to see whether they would put the bite on zebra mussels, he turned out to be onto something. Round gobies, as Dr. Miner discovered, eat a lot of zebra mussels.

The Bowling Green article is a little hazy on how round gobies happened to get loose into Lake Erie. I suspect Dr. Miner may have been somewhat less than rigorous in his protocol when he lowered his cages into the water. But, that's just my conjecture. Maybe some environmentally benighted coyote smuggled them across our open borders during the dead of night. Or, for that matter, maybe the round gobies smuggled themselves in the bilge of one more unregulated, foreign ship. But, however round gobies got into Lake Erie, they are there now, busily chowing down on zebra mussels. And breeding. And the zebra-mussel population of the entire Great Lake system is about to plummet.

Which brings back into question the whole issue of water quality. What is about to happen to the water in Lake Erie was the major concern raised by the Bowling Green article — a concern I am sure we will all be encouraged to share very soon.

And, while you are gearing up to worry about the threat to the battered Great Lakes ecosystem posed by yet another undocumented alien species, spare a few moments of concern for the willow flycatcher, which is showing up where it isn't supposed to be, either — along the Colorado River in the Grand Canyon. And it's all because of the Glen Canyon Dam.

Prior to the Glen Canyon Dam, during snow-melt season muddy torrents would come rushing through the Grand Canyon, scouring away last year's beaches and leaving new beaches in their place — beaches that, a few days earlier, had been nothing more than low-rent desert property in Utah and Wyoming.

But with the river regulated to a gentle year-round flow, the shores of the Colorado don't get replaced anymore until, now, decades past anything nature intended, they have become geological features in their own right, lingering on forever, like Daniel Schorr. And, like their NPR counterpart — this image is way too apt to let go of easily — the garbage and excrement that accumulate on them don't get washed away, either. Which means visitors to the Grand Canyon

*Gentle water that doesn't scour away beaches and garbage, doesn't scour away vegetation, either.*

have to pack out whatever they pack in — and rafters spend something like \$200 a day to drift down the Colorado in the company of what, in more civilized times, would have been left to fertilize the abyssal depths of the Sea of Cortez.

And, with Lake Powell operating as one of the world's largest sediment traps, the water that comes through the Grand Canyon is no longer the rushing mud-color the Spaniards named the Colorado for, but a beautiful, glacier-lake green. It's also 46 degrees, so the original population of

*continued on page 44*

# In Defense of Extreme Libertarianism

by Aeon J. Skoble

In defending “liberty that works,” Bruce Ramsey has overlooked a whole body of libertarian work, threatened to eviscerate libertarianism, and insulted every real libertarian.

In the July issue of *Liberty*, Bruce Ramsey argued that libertarianism “falls short” in ten areas, and that to argue otherwise is to be a utopian fanatic. Not only is that an over-generalization, but for each of the ten “shortcomings” he lists, there is a non-utopian, non-fanatical answer which one wonders why he ignores. His piece was dubbed a “rant”; here follows, if you will, a counter-rant.

1. Ramsey’s first objection is that “pursued to its ultimate end . . . the non-coercion principle does not allow the imposition of taxes. . . . It leads to anarchism, a philosophy that has no more real-world application than an M.C. Escher drawing.” This is supposed to be some sort of *reductio ad absurdum*: consistently applying the liberty principle leads to anarchism, anarchism is silly, therefore consistent application of the liberty principle is silly. But it’s a misuse of the *reductio* approach — does Ramsey actually want to discredit the principle of liberty? If this *reductio* worked, it would imply that we shouldn’t be taking the liberty principle seriously at all. Moreover, Ramsey offers no support for the second premise — he simply dismisses anarchism as a theory, with a rhetorical flourish, not making any argument at all. Besides ignoring the large body of literature on the feasibility of libertarian anarchism, his argument is that there is no application of philosophical anarchism. But, of course, there is: demonstrating the lack of philosophical justification for the state is one good way to support the principle of liberty even in real-world contexts. Granted we live in a statist world and are unlikely to abolish the state in real terms, it is still of value to demonstrate that the state has no right to exist, no right to oppress.

2. Ramsey’s second objection is that libertarianism “doesn’t say” anything about children (this is bolstered only

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by the overgeneralization that “most” libertarians don’t have kids). But many libertarian writers, including John Stuart Mill, Sarah Lawrence, Jennifer Roback Morse, and Tibor Machan, have advanced theories about children. In any case, if different libertarian writers have different views about the role of children in a free society, why is that a critique of consistent libertarianism? Isn’t the diversity of opinions on this a sign that consistent libertarianism *isn’t* a utopian fanaticism? Ramsey wants to have it both ways: if we all agree, we’re fanatics; if we disagree, then we “have nothing to say.”

3. Next, Ramsey claims that “rights theory cannot deal with emergencies.” Ramsey ought to stop attending luncheons with fanatics and spend more time researching libertarian theory: The Hoover Institution Press last year released a volume entitled *Liberty and Hard Cases*, devoted to exactly this issue. Eric Mack has also addressed this issue. In any case, what sort of criticism is this? If “rights theory cannot deal with emergencies”, is that meant to imply that we should abandon rights theory? That we would “deal with” emergencies better if we didn’t have a theory of rights?

4. Ramsey’s fourth objection is that libertarianism has “not dealt adequately with public health.” He asks, “How would a libertarian society have handled AIDS?” Think about all the implications of that question: it implies that our real society *did* “handle” the AIDS crisis, and that somehow a

society in which individual liberty were taken more seriously would have done worse. Is there even the slightest reason to think this? If anything, a society in which people's sexual autonomy were taken seriously would have an *easier* time dealing with it, in the sense of people's willingness to get tested rather than keep a secret.

5. Ramsey claims that libertarian societies would be unable to build highways without a state power of eminent domain. Forget about "absolutist" libertarianism — this objection seems to indicate that Ramsey isn't comfortable with the very idea of rights to private property, which are incompatible with a right of the state to seize land. But as to Ramsey's rhetorical question about how roads would be built without eminent domain, he could consult work by Ellen Paul, Walter Block, or Machan.

6. Ramsey's sixth objection seems to be a corollary to the fifth, that society is impossible without "public space." But he is mistaken to think that a world with a robust conception of private property rights would lack public spaces. Consider a shopping mall or a park: these are public spaces, yet there is no reason they must be owned by the state. Ramsey rhetorically asks whether any private property owner would allow an anti-war rally, as if to imply that state control guarantees free expression. That's backwards. State-owned property is subject to whatever regulation the government wants to impose. The only real guarantee of free expression is private property. In a private-property world, parks would be someone's property, which might mean there'd be a user-fee to play in the park (or there might not be, if it were "sponsored" for PR purposes), but surely that's preferable to a "free" park which is paid for with taxes — meaning that you pay for the park whether you use it or not.

7. "Many libertarians want gold currency and no central bank, but the case for this is not a slam dunk." How is this a criticism of consistent commitment to the principle of liberty? The gold issue is obviously one on which libertarians seem to disagree. But surely it's not a safer world when the state controls the money supply and can adjust its value whenever it wants to.

8. Ramsey's eighth point is hard to follow. He says, "libertarians want individuals to have complicated choices," as usual not naming any libertarians. This point, like the

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*Ramsey simply dismisses anarchism as a theory, with a rhetorical flourish, not making any argument at all.*

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fifth, is less a critique of radical libertarianism than of the principle of liberty generally. To deny people choices just because there are costs to gathering information is the height of paternalism. In addition, Ramsey assumes that state-provided information will be more accurate than privately provided information. This is also a dangerous assumption — people will uncritically accept advice from the state just because it is the state, and hence be potentially as ill-informed as they would be with no state information. State-provided information is subject to political manipulation: we have all been told to eat eleven servings of bread a day

because the grain lobby wants us to, not because there's any actual science backing that up. There is simply no reason to have such great trust in the good intentions of the state while having such a poor opinion of people's capacity to take responsibility for themselves.

9. The gun issue. Libertarian arguments for gun rights are of two varieties: one, that an armed citizenry is the best bulwark against tyranny, and two, that people have an unalienable right to defend themselves against criminal predation which must include the right to own a weapon. Ramsey dismisses both concerns with the clichéd rhetorical question about whether there should be private ownership of nuclear missiles, then moves on the tenth point. But this is quite inadequate. Regardless of what libertarian theory has to say about nuclear missiles, does Ramsey have some actual rebuttal to the two arguments concerning arms? He offers no

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*There is simply no reason to have such great trust in the good intentions of the state while having such a poor opinion of people's capacity to take responsibility for themselves.*

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argument as to why a disarmed citizenry would be freer, or why people do not have a right to defend themselves.

10. Ramsey's tenth objection has to do with the "commercialization of sex," and his argument consists of asking, "Is everything allowed?" Well, no: we wouldn't expect to see obscene billboards on the highway in a private-road world any more than we would in the current world, since those owners would be as sensitive as (indeed, probably more so than) state bureaucrats to general aesthetic sensibilities. We wouldn't expect to see sexually explicit ads for a bordello on network TV any more than we do now. On some pay-cable stations we might, but so what? Does Ramsey have some argument as to why that should be forbidden?

Ramsey is right that in the short term, advancing arguments about privatizing Social Security is a higher priority than advancing arguments about privatizing the roads. But that doesn't mean that the latter is of no theoretical importance, or that one has to be an "absolutist" to see that consistency in the application of the liberty principle is a good thing. What's perhaps more annoying than the suggestion that consistency is the province of utopian fanatics is Ramsey's relentless caricaturing of libertarians. He cites exactly one libertarian theorist (Branden) during his ten-point recitation, and the rest is "libertarians think that" and "the absolutist libertarian says that." A telling example: "The absolutist libertarian is for liberty, and he assumes, *a priori*, that it will work. Which means, in practice, that he doesn't care whether it will work or not." Exactly whom is Ramsey referring to? No libertarian philosopher, economist, or political theorist I know of is accurately so described — none. Ramsey's rant insults the work of dozens of serious thinkers who have been working on these problems for decades, and it insults the intelligence of *Liberty* readers who, should they be unpersuaded, are categorized as following a principle "without thinking." □

# Liberty at the Fringe

by Bruce Ramsey

In extreme cases, liberty leads to difficult problems. This doesn't mean that liberty is not a good thing.

The point of my "rant" was not to throw out the idea of liberty, but to suggest that at the far reaches of its application, it becomes questionable. Aeon Skoble, an assistant professor of philosophy, argues that if you question the principle at the far reaches, you question it everywhere. In case No. 1, he says, "If this *reductio* worked, it would imply that we shouldn't be taking the liberty principle seriously at all."

I don't agree. I want to use the principle where it works, which is most of the time.

In case No. 2, the rights of children: I didn't know of Machan's ideas, or the others'. Let's hear them. For decades this has been a hole in a theory that has been developed by and for adults.

In case No. 3, about emergencies: my critic asks whether "we would deal with emergencies better if we didn't have a theory of rights?" Not at all. I suggest that the theory of rights leaves you in certain hypothetical emergencies with no practical course. That doesn't mean you have to abandon the theory when it works.

In case No. 4, public health: the problem in San Francisco, as described in Randy Shilts' *And the Band Played On*, was that gay men were using their sexual autonomy to spread deadly disease. They were informed, and disbelieved it. The question at hand was whether the public health officer should have shut down the private bathhouses. A more current question would be the right of a public health officer to force someone who had been exposed to SARS to stay home for ten days. The general question is: to what extent may the state restrain a peaceful citizen from exposing another person to an infectious microbe? I am not saying it is unanswerable, but it is not an easy question for a libertarian.

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In case No. 5, on eminent domain, Skoble writes that I appear not to be "comfortable with the very idea of rights to private property." I am for the Fifth Amendment, which says private property may not "be taken for public use without just compensation," and I am for a stricter interpretation of what a "taking" is and what "public use" is than now prevails. I have not heard of a libertarian way to dispense with eminent domain for roads. If there is one, let's hear it.

In case No. 6, the public square: I agree that private property is essential to freedom. But virtually all political demonstrations are on *public* property. I have never seen one at a private shopping center — not that it's impossible, but it is unlikely. Ditto a protest march down a private street. When you privatize everything in a neighborhood, at least in the current environment, you get a neighborhood run by a condominium association, and you have *less* freedom than before.

In case No. 7, gold currency and free banking: I am saying that when we had them, there were problems. It doesn't mean that they can't ever work, only that in some ways they didn't the first time.

In case No. 8, compulsory disclosure: on something like a can of food, disclosure allows shoppers to make rational decisions. It makes the free market user-friendly and empiri-

cally defensible. My critic writes, "To deny people choices just because there are costs to gathering information is the height of paternalism." I'm not denying people choices other than the choice of a seller to hide what's in the can.

In case No. 9, about private weapons. My critic says I have not refuted the argument "that an armed citizenry is the best bulwark against tyranny, and . . . that people have an unalienable right to defend themselves against criminal predation which must include the right to own a weapon." That's right; I have not refuted it. Regarding an armed citizenry, I think it has more of an effect on the political mentality of citizens than on the boldness of the state. That is, I don't think having a gun is of any use against the cops (ask Randy Weaver), but that weapon ownership may affect one's political thinking. Anyway, my point was different. It's that in a civilized soci-

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*When you privatize everything in a neighborhood, at least in the current environment, you get a neighborhood run by a condominium association, and you have less freedom than before.*

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ety, there can be no general "right to own a weapon." There can only be a right to own a certain class of weapons. That introduces a principle of public safety and reasonable force that a lot of libertarians don't want to talk about, which is why I

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### Mussels and Eagles and Gobies, from page 40

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warm-water fish has been replaced by trout.

This fact is just one of the reasons environmentalists have always had trouble approving of the Glen Canyon Dam. If they'd had their way, the dam would have been gone long ago, those invasive trout would have been washed away, and the humpback chub, the razorback sucker, and the Colorado squawfish would be back in all their muddy glory.

But, lately, what to do about the Grand Canyon has become a lot more confusing — because gentle water that doesn't scour away beaches and garbage, doesn't scour away vegetation, either. And perennials like tamarisk, which never had a chance before, have taken root along the riverbanks. They, in turn, have provided a welcoming home for the highly endangered willow flycatcher, which hadn't previously come anywhere near the Grand Canyon but, now, is setting up housekeeping in the protective shadow of the Glen Canyon Dam and becoming less endangered all the time. (There may be an intermediate step here involving wil-

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### Letters, from page 14

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the Navajo Reservation, predominantly in New Mexico. It is mostly two lanes, full of blind curves and dips, and is traveled at very high speeds by a variety of vehicles. Over the years there have, not surprisingly, been many, many accidents. It has been dubbed "The Devil's Highway," so-called by those people who take the biblical book of Revelations literally and without ref-

erence to the historical context, citing 666 as "the Mark of the Beast" — i.e., the devil.

So in early June of this year, with the consent of the three states involved, they changed the name to U.S. Route 491.

From June 3 through July 7, there have been seven people killed and four injured in vehicular accidents and an armed robbery of a convenience store on the highway.

brought it up.

In case No. 10, public obscenity: do I have an argument as to why it might be forbidden? It's more of a statement. There are certain things that ought not to be seen by children. And

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*There can only be a right to own a certain class of weapons. That introduces a principle of public safety and reasonable force that a lot of libertarians don't want to talk about, which is why I brought it up.*

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maybe not by adults, either, unless they seek them out by going to a red-light district. All societies have such limits. I have seen cities in Europe and Asia with sex-business districts that would be banned in the U.S., but even those were regulated. I have never seen a society that allowed expressions of sexuality without limit, everywhere. Shall libertarians propose to create such a society? Why? Merely to be consistent? Or because they want to raise their kids in it? How many libertarians who have kids believe in this?

All through Skoble's reply I hear the message: *We've got to be consistent. Apply the principle to everything.* This is the professor of philosophy speaking. Well, I am a newspaperman. I like this brand of beer, but I drink it one glass at a time, and check after each one whether I can still stand up. □

low flies, but I am no entomologist.)

And, of all things, the Colorado has gotten wilder and more scenic in the bargain. It turns out that the rapids the Grand Canyon is famous for are created by debris flows that wash huge boulders from side canyons into the river. In days of old, the annual floods would roll these boulders into more hydraulic arrangements and smooth out the water. Now, of course, there aren't any annual floods, the boulders just sit where they are dumped, and the rapids become ever more rapid. And, as if things couldn't have gotten any more perverse from an environmentalist point of view, bald eagles have started dropping by.

From time immemorial, bald eagles turned up their beaks at the squawfish and razorback suckers and kept on moving in search of more tasty fare. But now, with trout to dine on, they have begun to winter over in the Grand Canyon. Pretty soon, bald eagles may become as established down there as willow flycatchers. And one of America's last, unspoiled wildernesses will be lost forever. □

Changing the name didn't accomplish much, did it?

Margaret E. Mathers  
Farmington, N.M.

### We Must Not Forget

I was intrigued with Ralph Pray's account of "The First Ground Zero" (July) and his attempt to erase a very significant historical event. I was an officer in the armed forces for many

*continued on page 46*

# A Woman's Prerogative

*by James K. Lambert*

Carnival barker, pro-abortion litigant, lesbian, born-again Catholic: Norma-Jane has taken charge of her life.

On Tuesday, June 17, 2003, Norma McCorvey (a.k.a. "Jane Roe" of *Roe v. Wade*) stepped before a microphone in Dallas, Texas and publicly asked the Supreme Court to overturn the 1973 ruling that made abortion legal throughout the nation. McCorvey's flip-flop on a woman's right to make her own choices with her own body came by way of conversion to Roman Catholicism in 1995, but she claims that it is "science," not religion, that will prove her new worldview to be correct. So far, the only thing that McCorvey has proven to me is that she is not much of a thinker.

The legal question as to whether a plaintiff has the right to change her mind 33 years after her case was originally filed, and 30 years after the highest court in the land made a final ruling on it, is an interesting one. More interesting still are the psychological motivations driving this reversal of opinion. McCorvey, who never actually had an abortion, has now become convinced that her case "brought the holocaust of abortion" to America, apparently viewing herself as some sort of Hitler. No wonder she now says, "I feel good about myself [for filing this new petition], I really do. I feel like the weight of the world has really been lifted off my shoulders."

## **Once I Was Lost**

Life was not easy on young Jane Roe. She was born to a father who was often absent and an abusive mother who never wanted her. She was raped by a male relative and sent to a Texas reform school. At 16, she attempted to start over by marrying an abusive husband and soon after gave birth to

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her first child. She gave that baby up, as well as the next one, used drugs, and worked as a carnival barker. At 21 she was pregnant for a third time, and she got hooked up with a lawyer who was looking for a good case to challenge the Texas ban on abortion. She ended up giving away that kid also, since the case took so long to be resolved, but she had the temporary satisfaction of being a martyr of sorts for other women. Unfortunately for her, her self-destructive ways continued.

Eventually Roe, now openly known as McCorvey, thought she found her true self in Dallas' gay and lesbian community. In 1989 she publicly came out of the closet and seemed to be a poster child for everything that conservative Americans fear is wrong with America. However, as more time passed, she also came to fear what was happening to America. Witnessing many people who came to regret their decisions to abort and many more who seemed to be making hasty decisions that they might later come to regret, McCorvey underwent what some see as a miracle of faith.

## **Now I Am Found**

True to the finest ideals of Christendom, McCorvey's sins were condemned but she herself was accepted as a redeemed sinner. Renouncing her lesbian lifestyle, as well as her drink-

ing, smoking, and support for the pro-choice position, McCorvey found a new community and a spiritual family. Like any freedom-loving individual, I am inclined to say, "Good for her! Whatever floats her boat." The problem is, McCorvey now seems as if she can only be happy by sinking other people's boats.

McCorvey is obviously upset and disappointed with many of the choices she made with her life. That is under-

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*McCorvey, who never actually had an abortion, has now become convinced that her case "brought the holocaust of abortion" to America.*

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standable, but her solution to this personal problem is to save not only the "unborn," but the unclean women who have yet to reach the pinnacle of understanding where she now sits. Unsatisfied with the grace of God's forgiveness, she feels driven to atone for her perceived part in corrupting society. As she put it, "I long for the day that justice will be done and the guilt of all these deaths will be removed from my shoulders." Only when other women are forced by the state to give birth to unwanted babies will the goodly McCorvey cease to be haunted by the evil specter of Roe. Or so she thinks.

In a moment of pure emotional honesty, McCorvey told the assembled crowd of supporters, "We're getting our babies back!" This appeared to go over well with those holding "I regret my abortion" signs, but even they must know that their babies are never coming back. Unfortunately they appear to believe that limiting the number of choices available to women in the future will also limit the aggregate number of regrets.

### Using Science in Mysterious Ways

McCorvey & Co. have convinced themselves that science has settled the philosophical question of when life begins. And the answer is: "at the moment of conception." But this really does nothing to answer the larger philosophical question of what life is, and specifically, what is a human life? An important element to this debate is the matter of viability. Can you be an individual being, deserving of individual

rights, without individuation? If you cannot think, breathe, or regulate your own heartbeat, are "you" a you? While many people are understandably alarmed at the total number of abortions in America, these numbers should be seen with some sense of perspective. According to Planned Parenthood, of the 1.2 million abortions performed in the U.S. each year, 88% take place in the first trimester. And CDC statistics list about 1,000, or 0.08%, as taking place in the third trimester. In other words, the overwhelming majority of fetuses are terminated before they achieve any reasonable potential for individuation.

Those who choose to accept that a fetus or a fertilized egg is equivalent to a person, and entitled to the full rights that you and I enjoy, must ask: does a human being have the inalienable right to "live" in a state of utter dependence, completely bound to another human being? Furthermore, is it the government's duty to force the already born to endure nine months of perpetual labor for the "life" of the unborn? Regardless of your answer to these questions, I believe we can all agree that they are not scientific questions; they are

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*Can you be an individual being, deserving of individual rights, without individuation? If you cannot think, breathe, or regulate your own heartbeat, are "you" a you?*

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philosophical ones. At issue is the meaning of words, such as "rights," "liberty," and "justice," not the summation of data.

McCorvey and her team have found a thousand women to sign affidavits saying they wish they had never had an abortion, that it devastated their lives. This for them proves that abortion must be stopped. But hindsight, like foresight, is only a guess. How difficult would it be to find a thousand people who live with regret? Give me a little time and I'll bet I can find more than that who feel that joining the Roman Catholic Church destroyed their lives. In the end, changes in philosophy and outlook have no bearing on the individual's right to make choices in the first place. Free people live with their regrets; they do not deny others the possibility of having regrets. □

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### Letters, from page 44

years and participated in Vietnam and the Cold War. Because of my assigned duties during the Cold War, I saw some of the plans that could have created a nuclear disaster. This was a lot more sobering than the bullets that I heard going by in Vietnam.

The world is starting to forget that era. People need to understand how close we came to something that nobody wants to think about. The Trinity site offers a rare opportunity to contemplate the destructive power of nuclear technology, and now one of the

more impressive visual testaments to the destructive power of that technology has been erased. How impressive it would have been to show the world how a lot of steel and concrete could instantaneously be reduced to a thin layer of glass and to let everyone imagine that occurring in their home town. We need to be continually reminded.

The world has been dealt a great disservice by the removal of that visual reminder.

Gary Fox  
Albuquerque, N.M.

### Gods and Generals

When I read Jo Ann Skousen's review of *Gods and Generals* ("A War Too Civil," June), I was disappointed to learn that the famous Christmas truce of World War I — which involved thousands of British, German and French troops laying down their weapons for a day-long celebration across no man's land — is ripped off in this Civil War movie.

I just saw the movie, and there was no restaging of the World War I Christmas truce. The movie portrays

*continued on page 77*

# A Smuggler's Life for Me

by Stephen W. Browne

*Five and twenty ponies  
Trotting through the dark —  
Brandy for the Parson,  
'Baccy for the Clerk.  
Them that asks no questions isn't  
told a lie —  
Watch the wall, my darling, while  
the Gentlemen go by!*  
— A Smuggler's Song  
Rudyard Kipling

*To be drowned or be shot  
Is our natural lot,  
Why should we, moreover, be  
hanged in the end —  
After all our great pains  
For to dangle in chains  
As though we were smugglers,  
not poor honest men?*  
— Poor Honest Men  
Rudyard Kipling

Did you ever get to do something that you really wanted to as a kid? I mean something that adults are supposed to have grown out of? If you're a cowboy or a fireman, you know exactly what I mean.

Well, it happened for me, the dream I'd had since I was 12 years old and my favorite book *Jim Davis* by John Masefield. It is a marvelous tale of a young boy in England during the time of the Napoleonic wars, who goes off with smugglers and has all kinds of adventures.

Though I won't say I've never taken anything illegal across an international border, I strongly advise you against doing so.\* The drug war made smuggling just too hard-core for my taste. With profits and penalties so high, the racket is now run by a murderously ruthless bunch of thugs not at all like the jolly smugglers of tobacco and French wines and lace that once made England "a small body of land entirely surrounded by smugglers." Good idea to grow out of that particular dream.

But it happened for me! I did it. I ran away from home and joined the smugglers.

Well, okay, I didn't run away from home *exactly*. My wife let me go off for a few days to attend the 13th American Studies Conference in Minsk, Belarus. Professor Ivan Burylka of the University of Grodno and I were to do a joint presentation on American vs. Belarusian humor and I was going to talk about American utopian communities of the 19th century. My wife would have liked to have come, but work and the baby limit travel these days. My wife's an awfully good sport about these things, particularly given the expense involved and the fact that it doesn't pay a thing.

The journey to Belarus was uneventful and the conference was fun. I got to sound out the reaction towards America on the heels of Gulf War II. Among the Baltics and Belarusians, feelings were enthusiastically pro-American and pro-Bush. (George Dubya evidently made a speech in Vilnius promising, "There will be no more Yaltas." To say the least, it played well.) I also had my ear bent by a crusty but charming professor from Lithuania who wondered how could we Americans have let the lunatic Left dominate the humanities in American universities? It had made her sick when she was there. I tried to tell her I was on her side

but she just had to rant to *somebody* about how damn stupid we were to have let this happen. I also attended a concert of traditional folk music, saw the ballet *Spartacus* and went to an embassy party held for an American professor of literature from the Midwest on her first trip to Eastern Europe. (Somebody had to gently tell her that rhapsodizing about liberation theology and the "bearded Christ-like figures" of Castro and Che doesn't play well in Eastern Europe.)

But the real treat of my little holiday came on the trip back. I fortunately had a sleeping compartment all to myself. The conductor came by and asked me if I had any tobacco or alcohol. "No." I replied. "Well then, may I put some in your compartment?" he asked. "It won't cost you anything." Ah-ha. "Okay, no problem." He brought a carton of Pall Malls and a bottle of Belarusian vodka and put them in the cabinet

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*You meet a better class of people smuggling tobacco and alcohol, and the nice thing is that they don't arrest you when they catch you.*

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above the sink. So, the conductor is running a little business of his own across the border. Enterprising fellow, I thought.

Usually customs inspections at the borders are rather perfunctory affairs. I think I've been asked to open my baggage twice in over ten years — and when they see you aren't nervous about doing so, they usually stop you before you've unloaded much. Generally they ask you to step outside the compartment while they look under the mattresses and that's about it.

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### Showdown in the Desert, from page 19

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of popular power, taking place and ascertained in accordance with legal and authentic modes. . . . [T]he constitution and laws . . . [guarantee] the idea of results achieved by orderly action under the authority of existing governments. . . .

Only a few years later, the Court again rejected a Guarantee Clause argument in *Beckham*, repeating its language from *Duncan*. The Court held that it had no business deciding a disputed gubernatorial election because the election had been conducted "in accordance with the Constitution and laws of the state." Since "the legislative, executive, and judicial departments of the state are peacefully operating by the orderly and settled methods prescribed by [the State's] fundamental law," and were "the result of the Constitution and laws under which they lived and by which they were bound," the Court found no violation.

Beginning in 1912, however, the Supreme Court came to view the Guarantee Clause as completely beyond the reach of the judiciary. The clause was considered practically a dead letter — a "political question" which could only be interpreted and enforced by Congress. But in 1992, the Court signaled that it might be rethinking the matter. The Court held that the clause might be violated if a sudden and undemocratic change in state law were to pose a "realistic risk of altering the form or the method of functioning of [a state's]

Well, this time was different. After the hour and a half at the Belarusian side of the border to change the undercarriage of the cars (the territory of the old Soviet Union has a different track gauge), we were held for more than two hours on the Polish side while customs went through the train with a thoroughness I'd never seen before. They looked in everybody's baggage, in the spaces above the ceiling, in the radiator cover, and took screwdrivers to several panels. Afterwards I saw them walk off the train, one of them carrying a big sack full of cartons of cigarettes. I'd never seen that happen before. My wife says they must have had a tip-off.

Fortunately, my little stash was well within the duty-free limit and caused no comment, not even a request for an explanation. As we pulled out of the station I asked the conductor if he'd like his stuff back and he thanked me nicely.

As I stood in the corridor, I saw one of my neighbors with a screwdriver, taking off a panel next to the car door. He removed the panel and took out several cartons of cigarettes. "They didn't find them!" I said. "Yeah but they got the rest of my stuff." He shrugged philosophically, as if to say, "Hey, you win some, you lose some." You meet a better class of people smuggling tobacco and alcohol, and the nice thing is that they don't arrest you when they catch you, they just take your stuff or give you the option of paying the duty.

So that's how I ran away from home, joined the smugglers and lived my boyhood dream. Now I think I'll try and find a copy of *Jim Davis* to read again and give to my son when he's 12. □

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\*Though if you should choose to become a smuggler, and you are on a train, put it under the towel waste in the wastebasket of the toilet. Even customs agents find it distasteful to go through that stuff and if they do find it, it's not in your possession.

government."

The Nevada Supreme Court's decision not only presents such a risk, it has realized it. A procedure placed in the state constitution by two separate elections, which received over 70 percent of the popular vote, has simply been erased. Regardless of the wisdom of the two-thirds procedure adopted by the people of Nevada, that procedure is part of the state constitution, and citizens have a right to have that procedure followed. Normally, that right is protected by other branches of government through the checks and balances system, or appeal to the state's judicial branch — which is supposed to remain nonpolitical. But here, that nonpolitical branch has blessed the violation by political branch of the state's constitutional mandate. This is a clear case of changing the rules in the middle of the game — specifically prohibited by the federal guarantee.

Unfortunately, late in the night of July 21, the legislature passed the tax increase bill by the required two-thirds vote. The state Supreme Court is now considering whether this renders the case "moot." If it does, the court may withdraw its earlier opinion. If not, the case might proceed through the federal system. But either way, *Guinn v. Nevada Legislature* is an excellent illustration of Thomas Jefferson's warning: "A judiciary independent of a king or executive alone, is a good thing; but independence of the will of the nation is a solecism, at least in a republican government." □

# The Truth vs. the truth

*by Stephen Cox*

Can the Truth survive the Internet?

This is a story about American values, Bulgaria's policy on human rights, the Watchtower Bible and Tract Society, and the strange and unforeseen persistence of truth in our allegedly postmodern age.

In this age (so it is said), there is room for data and opinion and diverse points of view, but none at all for simple "truth" — a term that must never be invoked unless it is surrounded by a guard of scare-quotes and qualifying phrases. Among the advanced thinkers of the late 20th century, fear of truth rose to the level of hysteria. The dean of postmodern theorists, Jean-François Lyotard, habitually associated "truth" with the threat of "terror." Similar language was adopted by practitioners of deconstruction, critical theory, and the militantly relativist species of religious studies, cultural studies, and identity politics. Today, the term of choice may not be "terror"; it may be "oppression," "domination," or the more stylish "hegemony." But whatever words are used, Truth is clearly on the defensive within the American intelligentsia.

And there are good reasons for the suspicion of truth.

The 20th century was an era of lies — enormous, ridiculous lies, the lies of fascism, communism, and "scientific" racism — lies that were retailed as objective truths by intellectual and political authorities who used them to maintain their power and make it appear legitimate. It is possible to argue that if we are ever to escape from Authority, we must first escape from Truth; and that is precisely what postmodern thinkers argue.

According to the most optimistic of these thinkers, how-

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ever, a means of escape has now been discovered, a way of making the lies and pretenses of established authority yield to the reality of diverse points of view and heterogeneous "language games." This means of escape is the Internet, the most efficient device ever invented for confronting "truth" with kaleidoscopic opinions and perspectives. The net can connect anyone to anyone, anyone's game to anyone else's. It is incredibly cheap, incredibly easy to use, incredibly powerful.

In postmodern circles there are, indeed, suspicions of the Internet, as there are of truth, suspicions centering on its service to "globalization" and "consumer capitalism." But to theorists who have moved beyond leftist clichés, the Internet seems, in the words of one of the host of webpages devoted to the topic, a "direct embodiment" of postmodernism.

A generation ago, in the Neoplastic Era of electronic technology, Ralph Ellison compared modern American culture to a phonograph record. Both of them operated on the principle of "random accessibility": everyone has access to anything — just drop the needle. It was an apt metaphor, but the Internet is much greater than a metaphor. It provides the maximum degree of accessibility, and it provides something more. You don't sit passively in front of the Internet; you use it to make things: business deals, political movements, mar-

riages, communities of shared eccentricities.

You can also use it to make trouble. The day has come when every large institution in the world depends on the Internet to do its business. That is another way of saying that every large institution is continually exposed to electronic penetration and attack by competitors, dissidents, rebels, and spies. There could not be a better environment for the subversion of institutions and ideas. The Internet is hospitable to opinion and information; it is not hospitable to authority and authority's best friend, the "truth."

Or so it might appear. It's at least a plausible hypothesis. But we need a test case, an example of some crucial conflict between the Internet and a formidable, institutionally embodied "truth." I have found such a case.

There is a large American institution whose very name for itself is "the Truth." With about 2 million adherents in the United States and about 15 million in the world (6.3 million of them active adherents), it is the second-largest of America's native-born religions. The Mormons are ahead in numbers, but even they are less impressively authoritarian than the organization to which I refer: the Watchtower Bible and Tract Society, whose followers are known as Jehovah's Witnesses. Now, however, the Witnesses are locked in mortal combat with the forces of dissent, and the field of battle is the Internet. The outcome of the struggle is undecided, but its shape is definite, and it has a lot to teach us about post-modern ideas of truth and authority.

### Who Are They?

Who are Jehovah's Witnesses? That is a difficult question for most people to answer. The Witnesses are the least known of America's large minority groups. They do not vote, they do not congregate in Utah, they do not operate colleges, hospitals, or newspapers. They have no dealings with any other religious sect, tradition, or tendency, refraining even from celebrating the "pagan" holidays of Christmas and Easter. Their only visible folkway is a habit of materializing on people's doorsteps to "place" a copy of the *Watchtower* magazine.

But there is a heavy irony about their isolation and invisibility. At every stage of their history, they have assimilated leading features of the surrounding society, features that self-isolation has preserved and replicated in exaggerated,

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*The 20th century was an era of lies — enormous, ridiculous lies, the lies of fascism, communism, and "scientific" racism.*

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ultimately self-subverting forms, like the quaint, helpless fauna that inhabit remote islands. Another irony is that the Witnesses' system of authority began with the attempt of a solitary dissident to escape from the confines of "Christendom."

The inventor of the Watchtower Society, Charles Taze Russell (1852–1916), owned a small chain of men's clothing stores in Pittsburgh. In his spare time, he studied the Bible. A lover of progress and enlightenment, he found himself

unable to accept the intellectual discipline of historic Christianity. He rejected the doctrines of the trinity and the immortal soul; in his book *The New Creation* (1904), he even compromised with the theory of evolution. So far, he was a typical 19th-century rationalist. Yet he could not agree with the newly fashionable "higher criticism" and its rationalist attack on the Bible's coherence, inspiration, and authority. He proposed to fight rationalism with rationalism. He would defend the Bible on scientific grounds.

Unfortunately, science, for him, was largely a matter of calculations and measurements. The crucial thing was the Bible's use of numbers. He became convinced that he had discovered the number system of Bible prophecy, and that the numbers tallied perfectly not only with the known events of history but also (oddly but happily) with the dimensions of the Great Pyramid, God's "stone witness" in the land of Egypt. He outlined God's plans in an elaborate and beautiful diagram, studded with symbolic pyramids, called the "Chart of the Ages." His mathematics demonstrated that history would soon culminate in God's restoration of the earthly paradise. And he started calling his movement the Truth. It was "Science . . . springing from the Word of God."

Russell wasn't the only prophet of the millennium. Most of his ideas about history originated in America's vast, amorphous Second Advent movement. His followers and the Seventh-Day Adventists are the major living descendants of the remarkable people who in the mid-19th century roused America by proclaiming that the second coming or "advent" of Christ would soon occur. But Russell's own group, once started, developed in complete independence from any other. Russell was a good writer and public speaker and an energetic self-advertiser. Hundreds of newspapers reprinted his sermons; millions of people bought his books. His journal, *Zion's Watch Tower and Herald of Christ's Presence*, began in 1879 with a circulation of 6,000; its current circulation is well over 20,000,000.

His great mistake, a mistake that would be repeated several times in Watchtower history, was the prediction of a specific date for the end of the world. He thought it would all be over by the end of 1914. Something did happen in 1914, but it wasn't quite the end of the world. After Russell died, his disciples reassessed his arithmetic. They affirmed its truth, while altering its specifics. The Watchtower Society eventually decided that 1914 was right, but it was right because it marked Christ's (invisible) second coming, which Russell thought had happened in 1874. The end of the world would happen later. Other predictions located it in 1918, 1925, 1942, and 1975. The failure of these forecasts led to defections, sometimes to massive ones; but the people who stayed (and they are the only people who really matter to any organization) were those who still believed that, in principle, such events were subject to rational calculation. And who better to do the calculations than the experts at the Watchtower Society?

Russell's era was the Witnesses' Age of Reason. The next Watchtower president, Joseph Franklin Rutherford (1869–1942), presided over the Age of Politics. Rutherford, universally known as Judge Rutherford, was a lawyer who had served as a temporary judge in Boonville, Missouri. He had, in addition, campaigned for William Jennings Bryan, apostle

of Free Silver and other Progressive causes. Like Bryan, he cast himself in the prophetic mode and crusaded against the power of big capital. Like Bryan, he also opposed America's entry into World War I. His opposition to the war and military service led to his imprisonment for nine months on (palpably false) charges of sedition. He became, with some reason, a vigorous enemy of secular authority.

Russell had regarded history as a process of reconciliation between God and man. Rutherford saw it as a battle between God's government, the Theocracy, and Satan's government, the tyrannical nation-states, greedy capitalists, and power-mad churches, a battle that would end in the slaughter of everyone who was not on the side of Theocracy. This essentially political conception guided his reorganization of Russellism. In the "holy nation," as Rutherford called the Watchtower movement, congregational church government was replaced by "theocratic" mandates. He decreed that all local officials would henceforth be appointed by Watchtower headquarters, and congregations would be called "companies," as in "military companies." He changed the name of the movement itself from Bible Students (too generic) to Jehovah's Witnesses (a legalistic term of his own coinage).

Rutherford's slogan was "Advertise, Advertise, Advertise the King and His Kingdom!" His advertising style was crude but marvelously theatrical. He wrote a book called *Millions Now Living Will Never Die*. He sent his followers into the streets wearing sandwich boards that said, "Religion Is a Snare and a Racket" (the Watchtower movement was not a mere "religion"). He published cartoons depicting porcine priests and Satanic politicians. He took to the radio, rivaling Father Coughlin in blistering attacks on the government. His sound-trucks (some of them armored) toured North America, blaring his speeches to unwilling ears. He staged huge conventions that, like the legislatures of totalitarian states, unanimously approved the bombastic "resolutions" the leader wrote on their behalf. To distinguish the practices of the Theocracy from those of Satan's Organization, he outlawed the celebration of birthdays, Christmas, and Easter, and the use of the cross in worship. He decided that flag-salutes, voting, and enlisting in the army were treason to Theocracy, and he outlawed them, too. Everyone in the Watchtower movement was required to participate in "service," selling Rutherford's books and ideas to the general public. Dissenters were purged and publicly denounced. There was one Truth, and Judge Rutherford was its prophet.

Rutherford's career was a parody (if it is possible to parody such things) of the extremist political tendencies of the era. When he died in 1942 at his San Diego residence — an estate intended as the capital of the resurrected patriarchs' millennial regime, but equipped, for the present, with secret shelters against enemy attack — it was obvious that he had outlived his time. In ensuing years, the Watchtower Society learned to behave less like a political cult and more like a modern corporation — while retaining most of Rutherford's doctrines and all of his authority.

Every stereotype has its archetype. Sloan Wilson supplied the stereotype of America's corporate culture in the title of his novel *The Man in the Gray Flannel Suit* (1955). The archetype had appeared some years before. N. H. Knorr (1905–1977), Rutherford's successor as president of the

Watchtower Society, literally *was* the man in the gray flannel suit. Like Rutherford, he exerted complete corporate control; but whereas Rutherford put his personal stamp on everything, Knorr wouldn't even sign his own name. All Watchtower literature was now produced anonymously, by the Watchtower Bible and Tract Society, Inc. All directives were communicated, in a vague but decisive way, by "the Society." Maximum standardization was achieved: all effort was concentrated on house-to-house distribution of literature, the kind of thing that almost anyone can do. The rebarbative doctrines of Rutherford's time were massaged into

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*The Internet is hospitable to opinion and information; it is not hospitable to authority and authority's best friend, the "truth."*

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truth-bites bland enough to be marketed everywhere in the world where people were attracted to American goods.

The Watchtower assumed the shape of a multinational firm, with scores of branches and tens of thousands of local outlets, all as much alike, wherever they were, as so many McDonald's restaurants. The Watchtower's factories and offices towered over Brooklyn Heights; Wall Street traders practiced divination on the daily messages of the Watchtower's neon signs. And the Watchtower moved with the times. In the 1970s, it followed the precedent of other large American corporations: it cultivated a blander style of management and a spiffier public image. It replaced its imperial presidency with a web of committees, and it replaced the stodgy look of its books and magazines, a style formed in reaction to the excesses of the Rutherford period, with pastel graphics and a friendly, though insistent, use of multicultural images and rhetoric, capitalizing especially on the Society's success in wooing African Americans.

As always, the Society was a mirror of American culture. In true American spirit, the Witnesses regarded quantifiable success — so many Bible studies held, so many people baptized, so many congregations established — as sufficient evidence that the Society possessed a spiritual truth.

Its statistical self-confidence blinded it to its limitations. The movement was severely burdened by its past. While it struggled to make itself inviting to everyone, it was cursed with ordinances against participation in virtually all civic customs and virtually all religious practices except selling Watchtower literature and hearing it expounded. The Witnesses' niggling, estranging regulations made them appear absurd, especially to their own young people.

Still more embarrassing — deadly, in fact — was the Society's notorious "blood ban," its belief that blood transfusions constitute a violation of God's law against eating blood (Genesis 9:4). The belief was inspired by the Society's Rutherford-era war on "so-called medical science" (a branch of Satan's empire) and became one of the most prominent fixations of the Watchtower movement. Receiving a transfusion, or permitting one's child to do so, was a D.O. (disfellowshipping offence); and to be disfellowshipped was to be thrown out of the Truth and shunned by one's friends and

relatives. For five decades, the "blood ban" took a steady toll of believers' lives. It is still doing so.

Another embarrassing feature of the Truth, and its mathematics, resurfaced dangerously in the 1960s, when the Society added up some more numbers and predicted that the current order of things would end in 1975. This time, the calculations were simpler, clearer, and even more compelling than Russell's. They led to a tremendous revival of devotion within the Witness community. Many people who had drifted away raced back; many Witnesses sacrificed promising careers to work full time spreading the good news of the world's forthcoming end.

The world obstinately endured, and the Witnesses' effort to recover from the resulting public relations disaster brought yet another old characteristic to the fore — the Society's custom, dating back to Russell's use of the term "*present truth*," of treating every falsification of its prophecies as a sign that the Truth itself is advancing. Not everyone accepted this par-

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*Russell proposed to fight rationalism with rationalism. He would defend the Bible on scientific grounds.*

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adoxical (or, to borrow Lyotard's word, "paralogical") idea of truth as something that simultaneously moves and maintains its fixed location at Watchtower headquarters. Several hundred thousand Witnesses dropped out; others were expelled after a failed attempt at doctrinal reform by Raymond Franz, a member of the Society's august Governing Body.

The organization survived, in large part because of its ability to restrict communications. Anyone who made "apostate" remarks or carried "apostate" news was immediately disfellowshipped and shunned. Of course, if you wanted to attack the Truth, you could go write a book about it (Franz wrote two of them), but the market was small. It was pretty much restricted to Jehovah's Witnesses, and Witnesses were under orders never to read apostate books. In any event, that kind of reading material had to be *sought*, usually with difficulty; it did not just turn up on your doorstep, like the *Watchtower*. Dissidents came to the Witnesses' conventions and tried to pass out their own literature, most of which was thrown away. They conducted direct-mail campaigns, with little more effect than the appearance of cartoons in Watchtower publications showing pieces of apostate mail whizzing into the trash can.

Then the Internet was born.

### Appearance of the Antichrist

Suppose you were a devout Jehovah's Witness and you had just hooked up to the Internet. What would be the first thing you'd do? You'd sit down in front of the computer and type in "Watchtower" or "Jehovah's Witnesses." And what you'd see on your screen would be: "Questions for Jehovah's Witnesses," "Answering the Jehovah's Witnesses," "False Prophecies of Jehovah's Witnesses," "Beyond Jehovah's Witnesses," "Watchtower Observer," "Free Minds, Inc." — row upon row of opposition pages and sites. If you clicked

onto one of those sites, you would be amazed and disgusted, but also, perhaps, enticed, especially if you had ever harbored any nagging doubts about the Truth or any secret resentments against authority in general.

A state-of-the-art opposition website is a supermarket of information and opinion, offering Watchtower news, personal experiences of former Witnesses, humor, facts about the Watchtower's colorful history (the subject of systematic suppression and distortion by the Society), analysis of the Society's unique methods of biblical interpretation, psychological and procedural advice for people who want to leave the Watchtower, and, of course, links to other opposition sites.

Opposition sites have achieved a virtual monopoly on the sale of back-dated Watchtower publications, literature that the Society considers too full of embarrassing Old Truths to be marketed to anyone, even for reasons of nostalgia. And if print technology is too low-tech for you, CD-ROMs are also for sale. One thin disk will give you a treasury of the Society's outdated speculations about the fast-approaching showdown between labor and capital (Russell, *The Battle of Armageddon*, 1912), the prophetic significance of the Lackawanna Railroad (Clayton J. Woodworth, et al., *The Finished Mystery*, 1917), the inadvisability of marriage, now that Armageddon is so close (Rutherford, *Children*, 1941), and hundreds of other topics.

A number of apostate sites target the blood ban, the most vulnerable spot in the Watchtower's defenses. The most influential of these sites has been "New Light on Blood," the propaganda machine of a secret society of Witnesses whose aim is a radical reform of the Watchtower organization. The Associated Jehovah's Witnesses for Reform on Blood is composed of people from many countries, and it appears to have high-level contacts within the official organization. Its power stems from the fact that its existence is largely electronic and "virtual." It can gather facts, it can infiltrate the official organization, it can alert the mass media, it can warn wavering Witnesses that they are in danger of "bloodguilt" (the most

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*Rutherford saw history as a battle between God's government, the Theocracy, and Satan's government, the tyrannical nation-states, greedy capitalists, and power-mad churches.*

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terrible thing you can say to a Witness) if they fail to oppose the ban on blood; it can do all this and still evade the identification and punishment of its members. Never has insurrection been so easy: "If you want to remain anonymous, use an anonymous remailer like this one."

But are there no loyal forces in cyberspace? When the Internet first became widely accessible, loyal websites proliferated. Individual Witnesses saw the new technology as an opportunity to communicate with fellow believers in an unofficial way. The Watchtower had always quashed independent Witness publications. Truth had to flow in one direction only — *out* from the Society's editorial offices and *down* to the local congregations. Even loyalists welcomed a break from that

routine. But while print technology could be easily policed, the Internet could not; so the Society issued warnings about the "spiritual pornography" to be found in cyberspace and rumbled sadly about the ease with which people become addicted to the Internet and start neglecting kingdom service. Some loyal websites took the cue and vanished.

Yet even the Society was no match for the Internet. It found that the public press considered the net a principal source of information, and it didn't want anybody turning to apostate websites for information about the Watchtower itself. So it made the momentous decision to create its own website. While acknowledging the existence of "other sites" that "express favorable or unfavorable opinions about us," watchtower.org proclaimed itself the only "authoritative source about the beliefs, teachings, and activities of Jehovah's Witnesses."

The official site offers a variety of best-foot-forward articles ("Five Ways to Improve the Quality of Your Life," "When No One Will Be Poor," "The Marvelous New World of God's Making"). But it's not all sunshine. The apostate sites have always been a very present absence at the official one, much of which is continuously devoted to a defense of the blood ban. Publicly attacked for maintaining a harmful and illiberal policy, the Society responds with articles about health and freedom: "Blood — Vital for Life," "Quality Alternatives to Transfusion," "Blood: Whose Choice and Whose Conscience?" and "You Have the Right to Choose."

The Society was learning the law of the Internet: the net is an agent of mainstream American values — freedom, competition, adequate public debate. To state that law in another way: there isn't much point in creating a website to announce that you know everything and that if other people don't agree, they can just get lost. When you enter the Web, you get stuck to the rules of dialogue. And that is what happened to the Watchtower Society. Not only did it have to speak of rights instead of "theocratic" orders, but its involvement with the Web authorized its followers to exercise their own right to electronic dialogue.

During the late 1990s, hundreds of loyal websites blossomed, mostly innocuous and controversy-free: personal sites that discussed the happiness of selling Witness literature, offered snapshots of family trips, and made sure to include a link to watchtower.org. Other loyal sites featured chatrooms and bulletin boards, carefully monitored to exclude comments that were not "upbuilding." Some offered anti-apostate material. One delightful chat-oriented site presented a page called the "Paradise Earth Ban List," a lake of digital fire reserved for people "who have broken the rules and are banned from #paradise\_earth." Few of the loyal sites seemed to be much encumbered by visitors.

A site that became very active indeed was H2O (Hourglass2 Outpost). Created in late 1996, its International Open Forum served, during the next five years or so — a long time on the Internet — as the primary meeting place for Internet-friendly Witnesses, and a model of the Internet's negotiations with Truth and Authority. Clicking onto the Forum's message board, Witnesses were greeted by a babel of electronic voices loud enough to make any postmodern thinker believe that the millennium had indeed arrived. Occasionally, monitors announced that they had removed

somebody's post because it was abusive or non-"upbuilding," but their anxiety seemed to result principally from a desire to keep both dissenters and loyalists coming to the site. There was no institutional truth in sight, even the truth about who owned the forum. Just as the Watchtower Society replicated the anonymity of the corporation, so H2O replicated the anonymity of the Society.

That symmetry, or irony, was not much appreciated by loyalists who clicked onto this "Witness" site, only to find their most cherished beliefs under attack by correspondents called "Dred Scott," "Sceptic's Soapbox," "Liberal Elder," and "Crunchy Frog." The board was regularly swept by urgent demands to know "who runs this site?" And there was always someone who volunteered to rescue unsuspecting loyalists by letting them know that:

HOURGLASS 2 IS AN APOSTATE WEBSITE. IF YOU READ BETWEEN THE LINES, VERY CAREFULLY, YOU WILL SEE THAT THE INDIVIDUALS WHO RUN THIS WEBSITE ARE APOSTATE.

Those warnings were posted just as anonymously as anything else. Few loyalists wanted the Society to know that they frequented a site that was also frequented by apostates.

H2O's packaging betrayed no apostasy. Its sponsors sometimes posted "Dear brothers & sisters" messages to warn, perhaps with ironic intention, that "H2O is no more inspired or able to protect you from apostates, than is the Watchtower Society." That did not allay loyalist suspicions that H2O was a front for the Blood Reform group. On the board itself, loyalists accused apostates of setting up websites in order to trace the electronic addresses of loyal correspondents and get them in trouble with the Society. Apostates, in turn, accused the Society of setting up pseudo-apostate sites in order to get the addresses of pseudo-loyalists and dis-fellowship them. Meanwhile, loyalists accused other loyalists of disloyalty, and a loyalist intellectual attempted to convince everyone that God himself is "the Master of Deception," cun-

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*Whereas Rutherford put his personal stamp on everything, Knorr wouldn't even sign his own name. All Watchtower literature was now produced anonymously.*

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ningly testing his servants with truths that look like lies. Adding to the mix were people who kept coming up with "news" from "inside the org," news intended either to inspire Watchtower subversives with prophecies of reform, to dispirit them with false prophecies, or simply to spread the terror of being uncovered: the Society knows who you are! You will soon be disfellowshipped!

### **Birth of the Social Contract**

The Witnesses' Internet wars might, at first glance, seem like nothing but battles of spy vs. spy, of polarized and mutually parodic ideologues — the "atheists" vs. the "Society men." Closer inspection showed "a continuous spectrum of opinion" (as one H2O participant put it), the kind of spec-

trum that appears in any large community of talkers and listeners. H2O and its sibling sites presented Jehovah's Witnesses with their first opportunity to become that kind of community, and the experiment was well worth watching — not just as a test of the Witnesses' reactions but also as a test of postmodern ideas.

Contrary to the assumptions and hopes of postmodernists who looked to cyberspace for the long-promised transvaluation of all values, the revolution of the Internet turned out to be the revolution of a type of normalcy. It continually reinstated the "spontaneous order" that Friedrich Hayek considered the significant achievement of a free society. Even H2O was not just so many anonymous people presenting diverse points of view. It was a social order characterized by a division of labor.

On any board as popular as H2O, the "lurkers" or observers outnumber the active posters. On H2O, the posters were further divided by ideology. But that's not the only important thing. Regular posters developed specialized roles. Some were demagogues, provocateurs, advocates for the intellectually handicapped, or professional cynics and victims. Others took on the practical job of telling other people how to handle their software and maintain their websites. Still others became historians canvassing the records of the Witness movement for absurd or instructive facts, sociologists analyzing the behavior of Witness subgroups, lawyers providing advice about the complicated procedures of the Watchtower "judicial" system, psychologists picking up the pieces that the lawyers left behind, salesmen promoting some great new notion or some great new link, dramatists, story-tellers, satirists, and comedians turning the Witness experience into works of literary art. Every social role represented someone's attempt to earn the currency of the Internet — the attention and respect of other people. Together, these roles approximated the patterning of a real community.

The virtual community was almost entirely anonymous, but it's clear that some of its members were a lot better known to one another than they were to their Witness families and friends. The obsessive privacy of modern communities is often regarded as the enemy of public life. At H2O, however, one could see that privacy creates the margin of

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*The failure of the world to end in 1975 brought back the Society's custom of treating every falsification of its prophecies as a sign that the Truth itself is advancing.*

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safety that individuals need if they are to discover any life at all. The plastic computer case signified both privacy and power.

[I]n 1995 when I bought my first computer (Mac 8100) I realized what I had been associated with [in the Watchtower]. . . . It was then that a big part of myself was freed. The Internet did indeed save my "soul."

It was more than a question of discovering the facts about the Watchtower movement. People on the net discovered tal-

ents that they never knew they had, and they got a chance to cultivate them. Many began their involvement as naive lurkers and loyalists, only to be drawn into dialogue and develop a role as thinkers and writers — often, I would add, acute and forceful thinkers, and writers of charm and wit.

These charming, intelligent, irritating, not infrequently hostile strangers also discovered a conception of the social contract that is older than Hayekian or even Lockean ideas of

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*People on both sides were trying to live up to the demands of a simple but practical theory, one of the oldest theories in the world: the correspondence theory of truth.*

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the free society. Its *locus classicus* is the passage in Sophocles' *Antigone* where Haemon suddenly realizes what is wrong with his authoritarian father: "You want to talk but never to hear and listen."

Tell that to the Watchtower Society. But you can also tell it to patrons of the Internet who threaten other patrons, call them morons and fools, distract them with irrelevant issues, or simply lie about the facts. On H2O, as on any other website, people who kept doing these things suffered the worst civil penalty that an individualist society can inflict: they stopped being taken seriously.

The Internet's version of the social contract was based on the perceived interests of the participants, not on institutional hegemony or agreement about substantive issues. Was this a vindication of postmodernist ideas about the abandonment of truth and authority?

### Resurgence of Truth

Not at all. The sudden, spontaneous evolution of Witness websites was entirely the product of private individuals' concern with the authority of old-fashioned truth. The dissidents spent their time and energy trying, as they frequently said, "to tell the truth about the Truth." The loyalists who appeared on disloyal sites had the same idea. They were sufficiently motivated by the pursuit of truth to risk a bad conscience and discipline by their own religious organization for engaging in dialogue with its opponents. People on both sides were trying to live up to the demands of a simple but practical theory, one of the oldest theories in the world: the correspondence theory of truth.

Nearly everyone involved in the Watchtower wars agreed on the simple idea that truth corresponds to ascertainable fact, and falsehood doesn't. Set aside, for the moment, all the symmetries and ironies, debates and paranoias among the pro-Watchtower and anti-Watchtower forces. The question that drew thousands of people into the arena of electronic debate was not a matter of unrelated perspectives and relativistic principles. It was much more straightforward: Did the Watchtower Society's ideas about the world, and about itself, correspond to facts?

"Rick," one of the anonymous people responsible for the H2O board, conceded that issues are usually not "black and white"; still, he suggested, "truth will reveal itself to those

who never stop seeking it." Everyone else seemed to agree. If someone could have convinced the Internet debaters that the search for truth was just an amusing language game or a search for diverse opinions, none of them would have stayed on the board. What drew the virtual community together was the conviction that ideas can be found that make a recognizable match with fact.

This conviction easily transcended all boundaries of class, gender, ethnicity, national culture, and current religious convictions. Prominent among the participants in the great Internet debate were African Americans, Norwegians, Venezuelans, Finns, Australians, militant atheists, born-again Christians, wealthy businessmen, impoverished single moms, physicians, janitors, and the blandest of general Americans. They all took the universal Internet community so much for granted that no one even mentioned multiculturalism or reflected, in the style of the Disney Corporation, that "it's a small world, after all." Again, if you're looking for a vindication of the free society as Americans have traditionally understood it, this is a good place to start.

But it's important to repeat that the net is not just a way of saying things; it's also a way of doing things. All sides in the Watchtower controversy now seem to accept the fact that the virtual community has a serious impact on the real community. Dramatic evidence began appearing in 1998, with the Bulgarian Blood Battle.

The Watchtower Society had been scuffling with the government of Bulgaria since 1994. The issues were blood transfusions and military service. The government believed that the Witnesses' blood ban was a threat to public health. The Witnesses believed that the government's reluctance to exempt them from military service was an infringement of liberty. One thing led to another, and the Watchtower Society haled Bulgaria before the European Commission of Human Rights. Negotiations followed, and in early March, 1998, the legal dispute was amicably settled. Bulgaria agreed to give the Witnesses conscientious objector status, and the Watchtower Society agreed not to impose "any control or sanction" on Witnesses who received blood transfusions. Anyone who read the agreement would conclude that the blood ban was lifted, at least for Bulgarians.

In times past, such a portentous change would never have caused a ripple in the Society's international organization, because it would never have received any publicity. In the 1960s and 1970s, Witnesses in Mexico were allowed to exempt themselves from military service by purchasing a little card indicating that they had "served," while Witnesses in Malawi, who knew nothing about events in Mexico, suffered horrible persecution for refusing to buy a little card indicating that they were "members" of the ruling political party.

The Internet broke the Witnesses' isolation from truth. On April 20, 1998, the obscure Bulgarian agreement was discovered lurking on the website of the European Commission and was reported by a poster on H2O. This seems to have been the first news that the Watchtower world (including almost everyone at Watchtower headquarters) had received of it. The news aroused both hope and suspicion. Was this apostate trickery, or a symptom of Watchtower reform? Electronic research confirmed that the news was authentic:

the Society had compromised its stance on blood. In the Witness community, this was one of the biggest events imaginable. "As a witness of 40 years standing," one H2O poster observed, "I never thought I would see it."

But what did it mean? Was the Society hesitantly adapting itself to a new, more open world? Had it conveniently discovered some new truth about blood? Would it admit that

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*The Witnesses are stuck in the door-to-door-salesman routines of a pre-electronic world, with no electronic outreach except watchtower.org, which no one will ever find unless he goes to look for it.*

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its old idea of truth was false? Would it *have* to admit this, now that everybody who had a computer could see what was happening? Intelligence from Europe and America suggested that the Society was dithering, unprepared to react to the challenge of quick and uncontrolled publicity. But with the Internet watching, even the slowest, heaviest authority can't take long to dither.

When the Society acted, its objective was not to speak the truth but to quell disorder on the net. On April 27, 1998, it dispatched a press release to a friendly site, NoBlood.com. Its announcement was a masterpiece of obscurantism. It said nothing about the Society's moral compromise; it merely applauded a victory for "religious freedom."

This was a desperate gamble. The Society had decided to engage with the Internet's demand for public dialogue, but only by playing its own private game with words. The strategy was boldly postmodern. It was meant to free the Society from any binding relationship between language and reality, any expectation that it would satisfy the correspondence theory of truth. Of course, that kind of freedom could be achieved only by identifying truth with institutional authority. But this is an ironic reflection on postmodern theories about authority and truth, not on the Society, which has always simply identified the two.

Understanding that principle, operators of loyal websites quickly purged people who came up with annoying questions about the Society's announcement. Loyalists posting on enemy sites went so far as to argue that the blood ban had never existed in the first place, that individual consciences had always been invited to decide things for themselves — even though, admittedly, a wrong decision might have certain unpleasant institutional consequences. This, indeed, was the Society's new line: having a blood transfusion is completely up to you — just don't do it, if you know what's good for you.

The immediate effect was to inspirit the Watchtower's opponents. Dissenters, especially the people at H2O, spoke of final judgments and miraculous conversions:

"This has to be the beginning of the end for the WBTS [Watchtower Bible and Tract Society] as we know it. No way in hell will this slip quietly into obscurity."

"They compromised their faith in Jehovah and failed the

test.”

“I’m so [expletive deleted] at myself for being a SUCKER! for so many years. Thanks to the Internet I was able to wake up from my STUPIDITY!!!”

By fall, 1999, the Society realized that it was in serious trouble. It began taking action to soften its image, while hardening its authority. It yielded to one of the most vociferous demands of its Internet opponents: it made four appointments of relatively young men to the Governing Body, one of them the GB’s first African American member. At the same time, it aimed a harsh blow at its Internet intelligentsia. An extraordinarily long and emphatic article in *Our Kingdom Ministry*, the Watchtower house organ, denounced the Internet, coming down hard on even such seemingly “innocent” phenomena as the electronic sharing of edifying news and chat. *Kingdom Ministry* made a special target of loyalist sites that had been dispensing increasingly sophisticated defenses of the Society’s doctrines. It insisted on the Society’s exclusive right to market its own teachings, using its own books and its own website.

Websites all over the world went blank — but only temporarily. Even the Watchtower Society could not tell private individuals to unplug their machines. The lasting effect was simply to make the loyalists who remained in action, or who returned to the Web, endure the ridicule of Internet opponents who wondered how they could keep defending the Society’s authority after the Society had authoritatively decreed that they must not take it upon themselves to do so.

While the blood battle continued on the Internet, another problem cropped up — less important, but with its own nasty squint toward the problem of truth: Y2K. The Society had never associated any of its millennial prophecies with the advent of the actual millennium. Nevertheless, a long time had passed since 1914, which was supposed to mark the beginning of this world’s end. Apocalyptic hopes were endemic in local congregations; they attached themselves to the year 2000; they were encouraged and spread by the Internet; and they were frustrated, as all preceding hopes had been.

The millennium dawned very dismally over the Watchtower Society. Since 1999 it had been spending much of its time (in some issues of its publications, all of its time) exhorting Witnesses to patience and endurance over the long haul. The exhortations were a concession to reality, the new reality that the Internet helped to create. In most countries of the industrialized world, as well as many countries of the third world, membership was slumping badly. Despite gar-



“Hold it, Goopta — the Grand Lama just raised the retirement age again.”

gantuan efforts at proselytization, the number of Jehovah’s Witnesses in 17 heavily Internetted countries, including the United States, actually shrank in 1999. Growth in the world as a whole was a very suboptimal 2%. The pattern continued in 2000, with zero growth or losses in 74 out of 235 countries or territories reporting statistics, declining placements of literature, and an 11% decrease in baptisms. Growth in the United States reached only about one half of one percent.

2002 saw a modest turnaround: the worldwide number of active Witnesses increased by 2.84%. Witness watchers attributed the change, which was especially evident in certain Western nations (e.g., the United States, where the increase was 3%), to anxieties prompted by the terrorist attacks of September 11, 2001. The number of baptisms, however, still floated near a 14-year low, while the number of hours that Witnesses spent preaching remained steady. In 1988, almost 3,300 hours of witnessing were required to produce one convert. That was a lot of hours. But by 2002, over 4,500 hours were required (up from about 3,500 in 1999 and about 4,000 in 2000). That means that the average Witness, who logs about 200 hours of preaching a year, will work more than two decades before achieving any quantifiable result.

The problem looks even worse when you consider that many baptisms are those of family members, who are a great deal easier to convert than randomly contacted “householders.” For generations, Watchtower publications have excoriated “Christendom” for its laziness and smugness, but now it appears that the Witnesses’ own zeal is much less effective than that of many evangelical and mainline Christians. No wonder: the Witnesses are stuck in the door-to-door-salesman routines of a pre-electronic world, with no electronic outreach except watchtower.org, which no one will ever find unless he goes to look for it.

### Where Are They Going?

In the last year or so, the Watchtower Society has encountered additional threats, and it has tried some new responses, most of them feckless. One of the biggest threats was an infection from the Witnesses’ ancient enemy, the Roman Catholic Church. Russell, like most Protestants of his time, was fervently anti-Catholic, and Rutherford insisted that the Catholic Church was the real leader of the Axis powers. As late as 1960, the Society was inspired by the Kennedy presidential campaign to publish a special issue of its magazine *Awake* attacking “The Catholic Church in the Twentieth Century”. The Society had always rejoiced in the Church’s embarrassments. Yet the Church’s current sex scandals showed how easy it is to pursue a scandal in any religious group, given the ability of the Internet to organize the forces of disaffection. Watchtower dissidents learned the lesson, organized, and began attracting significant media coverage to their stories of sex abuse and cover-ups among Jehovah’s Witnesses.

Fearful of legal interference in any form, the Society tried various means of appearing to decentralize itself, protectively isolating religious functions in certain corporate bodies and business functions in others. When former Watchtower President Milton Henschel died in March 2003, the Society’s

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# A Jew Talks With Himmler

by Frank Fox

In the spring of 1945, a lone ambassador representing European Jewry flew from Copenhagen to Berlin in a plane emblazoned with swastikas. His mission: to convince Heinrich Himmler to let his people go.

Of all the extraordinary “summits” in history, an incontestable place must be given to a two-hour wartime meeting on April 20, 1945 between Heinrich Himmler, the arch-killer of Jews, and Norbert Masur, Swedish representative of the World Jewish Congress. As Allied armies closed in on Nazi redoubts in the spring of 1945, Himmler, aware of Germany’s desperate situation (and his own), became more and more receptive to the idea of negotiating the release of the ill and starving in concentration camps such as Ravensbrück. The godfather for that extraordinary meeting was Felix Kersten, Himmler’s masseur whose “magical hands” had been indispensable to Himmler since 1939.

This was not the first time that Himmler tried to strike a deal behind Hitler’s back. Almost a year earlier, Kersten and Walter Schellenberg, the latter since 1944 head of both the SS and Wehrmacht security apparatus, made a proposal to the Allies that Himmler assumed they would not refuse. The aim was audacious and bizarre. As Professor John H. Waller reveals in his 2002 book *The Devil’s Doctor: Felix Kersten and the Secret Plot to Turn Himmler*, Himmler proposed deposing Hitler. On March 20, 1944 General William J. Donovan, director of the Office of Strategic Services (OSS), passed on to President Roosevelt a message from Sweden that Himmler considered ousting Hitler and negotiating peace with the Allies in order to form a united front against the Soviet Union. Roosevelt and Churchill wasted no time rejecting the offer. Time was running out for Nazi leaders. On July 20, 1944 there was an unsuccessful attempt on Hitler’s life and the circle of opposition to Hitler was destroyed or under sur-

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veillance. Himmler had to watch his every step. There was enough treachery for several Shakespearean dramas.

## The Summit at Gut Hartzwalde

The meeting between Himmler and Masur took place at Gut Hartzwalde, Kersten’s estate, not far from the Ravensbrück camp where starving and mutilated women were unaware that Himmler and Masur were meeting to decide their fate. Originally Hillel Storch of the Swedish branch of the Jewish World Congress was to meet with Himmler, but Masur was chosen instead. According to Joseph Kessel in *Les Mains de Miracle (The Miraculous Hands, 1960)*, Storch feared for his life. He had already lost 17 members of his family in concentration camps. On Thursday, April 19, 1945, after Jewish officials obtained a promise of safe passage, Masur received the long-awaited invitation. Himmler was expecting him that evening. Masur and Kersten left for Berlin on a regularly scheduled flight from Stockholm to Copenhagen, then boarded another plane emblazoned with swastikas, hardly an auspicious symbol, as they flew to Berlin through skies crossed regularly by Allied planes on their bombing missions. Kersten referred to his companion, the visiless Masur, as a “dangerous piece of contraband.”

This was the historical adventure that Masur has described in a booklet titled *Ein Jude Talar Med Himmler* (A Jew Speaks with Himmler, 1945), a rare document still not available in English.\*

"It was a horrifying idea," he wrote a year after the meeting, "that I would be confronted and negotiate with the man responsible for the extermination of millions of Jews." After they circled over roofless Berlin, Masur witnessed the destruction that became more visible as they drove from Tempelhof airport through the city. Kersten's estate was some 30 miles north of Berlin, almost halfway to the hell of

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*At the stroke of 2:30 Himmler arrived, followed by his aide, Rudolf Brandt. Masur was relieved that he was greeted with a Guten Tag, instead of a Heil Hitler.*

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Ravensbrück. The Gestapo vehicle drove with its lights dimmed through the ghost-like ruins, past endless piles of rubble, the moonlit scene pierced from time to time by searchlights seeking out Allied bombers. They arrived at the estate before midnight to await Himmler.

A birthday party in a Berlin bunker delayed the meeting. When Schellenberg arrived the following morning to welcome Masur he explained that it was Hitler's birthday, and Himmler could only come after the party. The meeting, he emphasized, was dangerous for all concerned. Hitler was against the release of any camp inmates and had been enraged the previous fall when Himmler agreed to send 2,700 concentration camp survivors to Switzerland as a gesture of conciliation to the Allies as Germany's war fortunes waned. Before long there was another message from Himmler that he could not come until 2:30 in the morning. They awaited him in candlelight since electricity was cut off as soon as the air-raid sirens sounded. At the stroke of 2:30 Himmler arrived, followed by his aide, Rudolf Brandt. Masur was relieved that he was greeted with a *Guten Tag*, instead of a *Heil Hitler*. They all sat down to tea, coffee, sugar, and cakes brought from Sweden, items in short supply in wartime Germany. As Kersten reminisced: "Here round the table at my Hartzwalde house were peacefully seated the representatives of two races who had been at daggers drawn, each regarding the other as its mortal enemy. And this attitude had demanded the sacrifice of millions; the shades of those dead hovered in the background. It was a shattering reflection." No less shattering, to be sure, than the blindness in Kersten's words of equivalence.

As Masur described him, Himmler was dressed in a well-fitted uniform, decorations prominently displayed, his manner calm and self-controlled. Masur could not believe that the man in front of him was history's worst mass murderer. Himmler soon launched into a monologue. Like other Nazi leaders whose point of reference was the defeat in World War I, he recalled that he was 14 when that war began and

he blamed the Spartacist uprising and Jews for the social upheavals that followed. The Jews were a foreign element, he said, that had been driven out of Germany but always returned. He was always in favor of emigration as a solution but not even countries that claimed to be friends of Jews wanted to accept them. When Masur interjected that it was not customary to expel people from their homes and from a country where they had lived for generations, Himmler argued that it was mainly the eastern Jews who created new problems and that "Jewish masses were infested with severe epidemics." He conflated the conditions in Germany in the 1920s with those that prevailed in the ghettos and camps that he himself established.

Himmler bemoaned his poor image in foreign media, and complained that when Bergen-Belsen and Buchenwald were liberated it provided "mud slinging propaganda," and that when he released 2,700 Jews to go to Switzerland he was accused of doing it to get an alibi. "I do not need an alibi. I have always only done what I have considered necessary for my people, this is my belief." As for the crematoria, these were built because of epidemics in camps, an argument that anticipated that used by Holocaust deniers.† He wished that the camps had been called "training camps," rather than concentration camps, since the purpose was to incarcerate and punish criminals. He wanted them to be like Theresienstadt, a community inhabited by Jews who governed themselves. "My friend Heydrich and I wanted all the camps to be patterned this way." He did not say that Theresienstadt was designed for propaganda and that many of its "privileged Jews" ended up in the crematoria of Auschwitz.

Masur finally found it difficult to contain himself. He sensed that Himmler's self-pitying pleadings were a sign of

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*Himmler was dressed in a well-fitted uniform, decorations prominently displayed, his manner calm and self-controlled. Masur could not believe that the man in front of him was history's worst mass murderer.*

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weakness and he reminded Himmler of the "gross misdeeds" that were perpetrated in camps. "I could not nor did I want to control my indignation . . . it was a great satisfaction to me to tell him to his face of some of the crimes. . . ." Masur sensed that he was now "the stronger one" and that this enabled him to make the request that all Jews in camps which were close to Scandinavia and Switzerland be evacuated. Supported by Kersten, he asked for the release of all the inmates of Ravensbrück.

Himmler conferred with his aides and returned to say that he was willing to release 1,000 women from Ravensbrück, as long as the Jewish women were referred to as Polish. He also agreed to release a certain number of prisoners and hostages in other camps. The meeting lasted two

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\*The author is grateful to Andrzej Kobos of Lund, Sweden, for obtaining for him a copy of the Masur booklet and to Christina Gravdahl for translating it.

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†The bodies of the sick were ostensibly burnt in the crematoria in order to prevent the spread of typhus or other infectious diseases. No responsible historian has accepted the Nazi account on this matter.

and a half hours. Masur, who had bargained for the lives of Jews with the devil incarnate, wrote proudly that "a free Jewish man was alone with the feared and merciless Chief of Gestapo who had the lives of five million Jews on his conscience." He characterized Himmler as an intelligent and educated man and contrasted Hitler's "idiosyncratic" view of Jews with Himmler's "rationalist" attitude, one that allowed him to bargain for the release of some Jews, a policy Hitler opposed to the end. Still, Masur found no "logic in construction, no grandeur of thought," only "lies and evasions" in Himmler's arguments.

In the morning Masur left for Berlin, the road filled with a "stream of human misery. . . . [T]he Germans," he wrote, "finally had a taste of what they had inflicted on other people." He could hear the sound of bombing nearby. Now he saw Berlin in daylight, a "field of ruins of a gigantic proportion." They went to the Swedish legation to meet Count Folke Bernadotte, a Swedish nobleman who had been involved with Kersten and Himmler in earlier releases, such as the freeing of 423 Danish Jews from Theresienstadt on April 14, but he was away. In the meantime, many thousands of prisoners were being marched away from Ravensbrück as the Western and Russian armies were approaching. These cruel evacuations took a terrible toll and hundreds of women died from exhaustion or were shot to death by the accompanying SS. Some were killed by Allied bombs and German civilians. Schellenberg assured Masur that Red Cross transports, the white buses that would eventually take the Ravensbrück inmates to Denmark and Sweden, were being prepared. Masur flew back to Copenhagen, his mission completed. By the time he got to Stockholm, he was informed that Folke Bernadotte succeeded in having the women from Ravensbrück evacuated to Sweden. The Swedish Red Cross was subsequently able to rescue 7,000 women, of whom about half were Jewish. Many were physical wrecks. In Masur's opinion, "only Palestine offered these long-suffering Jews a normal life."

*The Memoirs of Felix Kersten* (1947) fills in some gaps in Masur's overly formal account. Kersten, a physiotherapist, who had also treated Rudolf Hess, Robert Ley, Joachim von Ribbentrop, Count Ciano, as well as the Dutch Queen Wilhelmina's husband, realized as he began treating Himmler for painful stomach spasms that his "magic touch" made him indispensable. Kersten, the "Magical Buddha," as Himmler referred to him, found the "recumbent" patient at his weakest. "I used my power over him to save the lives of hundreds, perhaps thousands," he recalled proudly in notes he had hidden in a brick wall. The decorations he received after the war testified to the truthfulness of this, even though his closeness to Nazi party leaders made him suspect in the eyes of many. Kersten's description of Himmler as a "narrow-chested, weak-chinned man . . . with a high-pitched shrill voice, an ingratiating smile and eyes owlshly innocent," a copy of the Koran always at hand, a man who believed himself to be the reincarnation of Henry the Fowler and Genghis Khan, provides us with a unique portrait of the maniacal personality that impressed Masur with his intelligence. Himmler, according to Kersten, accused Goebbels as the one who planned the destruction of European Jewry, a plan that included Hitler's intention of exterminating the

Jews of Latin and North America and handing over to the Arabs the task of exterminating Jews in their territories.

According to Kersten, Himmler told him: "I want to bury the hatchet between us and the Jews. If I had my own way many things would have been done differently. But I have already explained to you how things developed with us and also what the attitude was of the Jews and of the people abroad." And he added that "the Fuehrer gave me his personal orders to follow the harshest course." Himmler's shared confidences with Kersten included the "blue folder" with Hitler's medical history and plans for a tomb with a hall that was to be over 1,600 feet high and a mile in diameter, that would hold 300,000 people.\* "Hitler," he said, "was in extremely poor state of health." Kersten recorded that one of the last conversations he had with Himmler was about a "secret weapon," more powerful than the V-1 and V-2 rockets, that was to end the war. "One or two shots and cities like New York or London will simply vanish from the earth." He

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*Himmler told him: "I want to bury the hatchet between us and the Jews. If I had my own way many things would have been done differently."*

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was told of a village built near Auschwitz where the new weapon was tried out. Twenty thousand Jewish men, women, and children were brought to live there. A single shell according to Himmler caused 6,000 degrees of heat and everything and everybody there was burned to ashes. Kersten assumed that the Germans had nearly completed constructing an atomic bomb.†

The publication of Kersten's personal papers, *The Kersten Memoirs* (1956), with an introduction by H.R. Trevor-Roper, sheds additional light on those momentous meetings. Trevor-Roper, while praising Kersten, downplayed the role of Folke Bernadotte. In an essay, "The Strange Case of Himmler's Doctor Felix Kersten and Count Bernadotte" (*Commentary*, April 1957), Trevor-Roper elaborated on Folke Bernadotte's shortcomings both as a person and a diplomat. He referred to the Himmler-Masur meeting at Gut Hartzwalde as "one of the most ironical incidents in the whole war." From Kersten's personal papers one learns that when Masur arrived at the Tempelhof airport he was saluted by "half a dozen smartly turned-out men with *Heil Hitler*." It was surely the only time in the history of Nazi Germany that an SS detachment saluted a Jew! According to Kersten, Masur took off his hat and politely said: "Good evening."

### Schellenberg's Account

It remained for one more participant, Walter Schellenberg in his book *The Labyrinth* (1956), to comment on the astounding Himmler-Masur meeting. As one of Kersten's patients (Himmler insisted that all his SS leaders undergo an examination), he said that the gifted masseur could feel nerve com-

\*Kersten has been proven to be a very reliable recorder of information, and likely reports correctly here as well.

†Himmler's startling revelations are unconfirmed.

plexes with his finger tips and through manipulation increase blood circulation, thus reconditioning the entire nervous system. Schellenberg said that he had indirect contacts with the Russians through Switzerland and Sweden after 1942, was involved in the proposals made by Himmler to the Allies as late as March 1944, and was negotiating with Folke Bernadotte a surrender to General Eisenhower. All these attempts failed to break the fanatical phalanx around Hitler. Schellenberg remembered telling Himmler that there were only two courses open to him. He should confront Hitler and force him to resign or remove him by force. Himmler responded that if he did that Hitler would shoot him out of hand. Small wonder that Schellenberg's desk was built like a fortress with mounted automatic guns that could spray his office with bullets. He also equipped himself with an artificial tooth and a signet ring that held cyanide, poisons he never used.

### Ravensbrück

There were many hells on earth in Hitler's imperium, and Ravensbrück was one of the worst. Hitler's only major camp for women, it was one of four prewar camps in Germany. Of the 132,000 imprisoned there, 92,000 were cruelly murdered. Built in May 1939 on reclaimed swampland, its barracks were constructed by the women first sent there, a majority of them Polish. In April 1941, a men's camp was added. Ravensbrück also included a separate camp for children. Michael Hershon, an experienced Holocaust researcher in Australia who has studied the Masur story, noted that the Ravensbrück complex included other *Aussenlager* or sub-camps, some located as far away as Mecklenburg, Bavaria, and Bohemia-Moravia. At one point Ravensbrück had 34 such subcamps. The Nazi system was a veritable *Arbeitsamt* (labor office), selling or leasing concentration camp inmates to German industry and agriculture. In addition, German

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*"It was a horrifying idea," he wrote a year after the meeting, "that I would be confronted and negotiate with the man responsible for the extermination of millions of Jews."*

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courts consigned women there for short sentences. The inmates produced SS uniforms and sorted such items as furs, an "enterprise" detailed in Raul Hilberg's *The Destruction of the European Jews* (1961). Eventually, Ravensbrück included women from over 20 countries as the Germans sent victims from areas threatened by Red Army advances. The camp also served as training ground for the female SS guards of whom it had the largest contingent. Some 3,500 of these became guards there or were sent to other camps. The sadistic Irma Grese who mutilated women at Auschwitz had been a trainee at Ravensbrück.

Konnilyn Feig, in her work *Hitler's Death Camps: The Sanity of Madness* (1981), wrote about the "the healthy young women who were infected with various diseases" and on whom the camp "doctors" performed the most disfiguring and bizarre surgical procedures. Feig's account of this bar-

barism is shattering. Those that did not die became cripples, kept in a separate block as *Versuchskaninchen* (guinea pigs). At Ravensbrück, Dr. Karl Gebhart removed leg muscles from young Polish women and transplanted amputated limbs from the victims to patients at the SS hospital. The experiments included regeneration of bones, use of sulfanilamide for infections, operations, and sterilization. Much of the surgery was conducted without anesthesia. The procedures made no scientific sense. One inmate referred to them as "useless knowledge." Almost half of the women who endured these particular experiments died. The ghastly oper-

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*The torturers were ordinary people: dentists, a former printer, doctors, nurses, middle-level workers, without criminal records.*

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ations were presented before Germany's medical conventions and were written up in Germany's medical journals.\*

The final six months of the camp's existence were the worst. The commandant of the camp stated that Himmler had ordered him in February 1944 to gas all but the young and healthy. Germaine Tillion, a survivor of Ravensbrück, in her book *Ravensbrück* (1975), suggests that Himmler only wanted to save enough women to trade for his peace proposals two months later. As Russian troops approached, more and more victims were brought in from other camps and room was made in the already overcrowded barracks by gassing and cremation. The roads between Auschwitz and Ravensbrück were littered with bodies of those who died on "death marches." Among the many who transited through the camp were prominent inmates such as Gemma La Guardia Gluck, sister of New York Mayor Fiorello La Guardia; Genevieve de Gaulle, niece of French General Charles De Gaulle; Rosa Thaelmann, wife of Ernest Thaelmann, chief of the Communist Party in Germany (whom the Nazis executed in Buchenwald); Franz Kafka's love, the writer Milena Jesenska; and the poetess Charlotte Delbo. These were "protected" prisoners, held as hostages. As for the other inmates, Tillion related that even as Himmler held discussions with Folke Bernadotte and Kersten, the crematoria at the camp did not cease consuming their victims. The torturers, she noted, were ordinary people: dentists, a former printer, doctors, nurses, middle-level workers — without criminal records. Yet these men and women "drowned infants in pails, poisoned the soup given to the sick, and planted gangrene in the wounds they had opened in the legs of school children."

Fifty-eight years ago this past April, dozens of buses painted white and bearing the emblems of Sweden and the Red Cross left the hell of Ravensbrück for Denmark and eventually Sweden, carrying with them thousands of women of different nationalities. The buses included many Jewish survivors. Eventually, some 13,500 women were released

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\*See Benno Mueller-Hill, "The Blood from Auschwitz and the Silence of the Scholars" in *History and Philosophy of Life Sciences* 21, pp. 331-365 (1999).

# Ideohabits

*by Colleen Coleman*

Habits, like death, taxes, mildew, and Barbra Streisand, are a part of life that we must struggle against and sometimes just accept.

Everyone has habits. Some habits, such as brushing one's teeth at 11:00 every night after taking Geritol with milk, are good for one's health. Other habits, such as biting one's nails, are detrimental to one's appearance. Some habits, such as kissing each of one's nine cats good night before putting them out, are peculiar to a single individual, whereas other habits, such as biting the end of a pen, are shared by millions. Habits, like death, taxes, mildew, and Barbra Streisand, are a part of life that we must struggle against and sometimes just accept.

However, there are some habits that are beyond mildly damaging to the habit-holder and slightly annoying to his neighbors. There are habits that enter the realm of the truly dangerous. I'm talking here about habits that people have adopted out of ignorance and superstition; habits that have been inculcated in an individual because he or she has uncritically or unconsciously accepted the cultural Zeitgeist. To coin a new sniglet, I call this particular category of habits "ideohabits" because they involve behaviors born of the pernicious ideologies that infect our civilization. (I'm sure some French post-structuralist theorist out there has come up with a more eloquent name for the concept, but I like "ideohabit" because it is so close to "idiot-habit.")

Unlike many other kinds of habits, ideohabits are almost never apparent to the sufferer. Moreover, his chances of breaking his ideohabit through friends and family calling attention to it are almost nil since they all likely have the same ideohabit.

Recently, I had a fortunate epiphany borne out of frustra-

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tion whereby I discovered one of my own ideohabits.

I teach remedial writing part-time at a community college. Among the many common mistakes that students, a handful of whom have the excuse that they only started learning English a couple of years ago, make is that they use the simple past tense of a verb with don't or didn't. One classic example is, "I didn't wanted to." A couple other of my favorites include: "My parents don't spent that much money on me" and "I didn't had to do it."

Often, the same students will, despite having the mistake pointed out to them multiple times by multiple tutors, repeatedly use the past tense form of a verb. It's like a habit with them.

Anyway, my instructional technique is to circle the sentence in which the offending verb phrase appears and to ask the student to tell me what is wrong with what they have written. About half of the time the student can pick out the problem fairly quickly.

When the student doesn't see the problem, my typical response has been to say something like the following: "Had is not the correct form of the verb here. What you really want to use here is have. Okay? This had that you wrote here is

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from Ravensbrück, of whom 3,000 were Jewish. In fact, the Swedish white buses left thousands behind. When the Russian troops entered Ravensbrück on April 30, the day that Hitler committed suicide, there were still 23,000 Jewish and non-Jewish women and children in Ravensbrück. Now, almost six decades after the women of Ravensbrück were transported to freedom, we can finally "hear" the victims speak. Lund University in Sweden has been the repository of hundreds of oral testimonies recorded as soon as the Ravensbrück victims arrived. In what can only be characterized as a heartless exercise of bureaucratic caprice, the entire manuscript collection deposited at Lund was closed to the public until 1995. These testimonies are slowly being translated into English and are only now being made available to the public on the University of Lund website. For reasons that make little sense, the brave women are not identified by a name but by a number — a terrible reminder of their earlier anonymity.

### Recovered Testimony

Testimony #111 is from a Jewish woman from the town of Tarnow, 25 years old at the time of liberation, a dressmaker by profession, who was first imprisoned in the town's ghetto. In eleven pages she recounted the conditions under which she lived through deportations and punishments. She came to Auschwitz as a political prisoner. An orchestra was playing as she stood naked at "selections" and saw children going directly to gas chambers. She suffered a beating for having a fever and worked in a laundry washing out the bloodied clothes of those who died. As the Russians approached, she and several hundred women walked 30 kilometers daily and then traveled in open coal cars until they arrived at Ravensbrück where she heard the overseers shout at them "*Schmutzstucke!*" (dirty things), the insult hurled at those at a

fatal stage of starvation, women about to be sent to the gas chamber. "One beautiful day," as she put it, the order came for all Jewish women to leave camp, and from there they went by bus and boat, "led like children," until they arrived in Sweden on May 1, 1945. She had lost her entire family.

Another testimony is that of a Jewish woman, #242. At 19, she was held as a political prisoner in Majdanek and Auschwitz. In the pages of her testimony she told of wandering around the countryside before deportation with her brother's 9-year-old son, using her diminishing funds to find a place to sleep, and later hiding in Warsaw, always in danger of the *szmalcownicy* (blackmailers). After hair-raising escapes she was denounced to the Gestapo by the wife of her former teacher. The child was shot and she was sent to Majdanek death camp, where 20,000 Jews had been killed with grenades as a camp orchestra played.\* She was transferred to Ravensbrück in November 1944, as the Allied armies advanced.

Throughout recorded history prisoners were able to communicate with their loved ones, and even those condemned to death made statements and penned letters. The Holocaust destroyed lives and memories. The hermetically sealed ghettos and death camps denied the innocent what the most guilty had been granted. For more than half a century we have not been able to hear the "voices" of the women freed from the hell of Ravensbrück. As more and more testimonies finally become available on the Lund website we may learn the names of #111 and #242 and of the many others so we can honor them and in that way pay homage — even so late — to the many nameless ones whose lives and deaths should never be forgotten. □

\*To quote #242: "The Jews were taken out in groups to the sixth field, the 'death field' at Majdanek. As an orchestra played, twenty thousand Jews were killed, with grenades. First they were told to undress. The action was carried out over the course of one day." From *Voices from Ravensbrück*, Interview No. 242, March 20, 1946.

## Tax Limits, from page 22

Colorado border would have to be posted with signs reading, "Colorado is closed for business."

However, since 1992, nothing of the sort has happened. In fact, Colorado's economy has been exceptionally strong. Between 1995 and 2000, Colorado ranks first among all states in gross state product growth. Additionally, during the same time span it ranks second in the nation in personal income growth.

In addition to providing tax relief and fostering economic growth, TABOR has also forced Colorado residents to see the costs inherent in government programs. In other states, residents often support higher government spending because they can see the benefits of a particular program but remain blissfully unaware of the costs that they and other taxpayers will be forced to bear.

In Colorado the annual tax rebates bring these tradeoffs into focus. In every year from 1993 to 1999 there was a proposal on the ballot to either raise taxes or increase spending in excess of the TABOR limit. Knowing these initiatives would markedly reduce the size of their annual tax rebate, voters soundly defeated each of these measures. In 2001, an initia-

tive to increase spending for Colorado schools passed. However, Colorado taxpayers still received tax rebates totaling more than \$900 million from fiscal 2001 revenues.

### Conclusion

Proposition 13 remains one of the most important victories for conservatives and libertarians. It resulted in some much-needed tax relief, stimulated California's economy, and generated nationwide momentum for tax reform. In fact, property taxes in California remain low to this day because of both Prop. 13 and the willingness of watchdog groups like the Howard Jarvis Taxpayers Association to defend the proposition in court.

However, Proposition 13 failed to impose any real discipline on state spending. Indeed, when the courts weakened California's spending limit in the late 1980s, expenditures soared. This dramatic increase in state spending is largely responsible for California's current fiscal predicament. Still, one important lesson from the 1990s is that well-designed TELs can both effectively restrain spending and provide tax relief. Stringent spending limits modeled after Colorado's Taxpayer Bill of Rights may well be the best strategy for those seeking to reduce the size of government during the next 25 years. □

# Reviews

*To Begin the World Anew*, by Bernard Bailyn. Knopf, 2003, 185 pages.

## The Virtue of Provincialism

Timothy Sandefur

The American frontier of the 18th century was more isolated than modern Americans can readily imagine. News traveled slowly, books were rare, colleges rarer. Even the aristocrats, pampered and educated as they were, lived on the margins of the West, physically and intellectually, and were far below the level of European nobility. In *To Begin The World Anew*, Bernard Bailyn argues that this very provincialism accounted for the originality of America's Founders' thinking.

This combination of rustic and refined accounts, Bailyn argues, for America's unique political heritage: it led to a special combination of idealism and realism that reveals itself in several aspects of the era. *The Federalist Papers*, for instance, the most important book on politics America has produced, is not a lengthy rumination on abstract philosophy, but the product of a political campaign, written in a frenzy to get the Constitution ratified. That Constitution was itself the product of a convention whose debates are surprisingly devoid of abstract arguments. This has led some conservatives to exaggerate the Framers' pragmatism, and to ignore their deep philosophical backgrounds. Bailyn happily avoids this extreme. The Framers may have

been rustics, but they were extremely well-educated ones, who knew what went on in Europe's capitals. Bailyn thus analogizes the Founders to art historian Kenneth Clark's description of provincialism in art: the artistic trends of cities set the artistic standards, "but in time metropolitan art, for all its successes — and in part because of them — becomes repetitive, overrefined, academic, self-absorbed. . . . Artists on the periphery introduce simplicity. . . . [They] are concrete in their visualization, committed to the ordinary facts of life as they know them . . . they celebrate the world around them and strive to realize their fresh ambitions." In Bailyn's view, the Founders reacted toward European intellectual traditions in the same way — both skeptically and creatively.

Americans have long been proud of their pioneer roots, and have celebrated common sense over the pomp of aristocracy. This is just one of the more visible results of our founding provincialism. In fact, from the beginning, observers noted the salubrious consequences of America's distance from Europe. Thomas Paine wrote in *Rights of Man* that:

As America was the only spot in the political world where the principle of universal reformation could begin, so also was it the best in the natural world. . . . Its first settlers were emigrants from different European

nations, and of diversified professions of religion, retiring from the governmental persecutions of the old world, and meeting in the new, not as enemies, but as brothers. The wants which necessarily accompany the cultivation of a wilderness produced among them a state of society, which countries long harassed by the quarrels and intrigues of governments, had neglected to cherish. In such a situation man becomes what he ought. He sees his species, not with the inhuman idea of a natural enemy, but as kindred; and the example shows to the artificial world, that man must go back to Nature for information.

The ethic of rugged individualism is not the only manifestation of American provincialism. Another is the contrast between the American Revolution and the European revolutions which followed it. The French Revolution, for instance, differed disastrously from its American predecessor in at least two ways: first, France, unlike America, had a social system built up around centuries of European aristocracy. Although America had a degree of social hierarchy, it reached nothing like the extremes of Europe, where mores and family histories had become completely entangled with feudalism and its aftermath. Simply eradicating government interventionism was enough for most (white) Americans, but in France, generation after generation of ill-gotten gains had been piled up by monarchs and their rivals, and this led to the second difference: France, unlike America, embraced a notion increasingly popular among 18th-century intellectuals: that government should redistribute wealth and opportunity as a means of freeing men not only from unjust laws, but also from unfair poverty.

The Jeffersonian emphasis on the self-reliant farmer was built in conscious contrast to such collectivist thinking. City dwellers, Jefferson thought, were dependent and meek; farmers were independent and proud. Of course he exaggerated, as always — claiming once that "our farmers are the only ones who can read Homer" — but

there was a kernel of truth to it. Jefferson well knew the lessons of Roman history; how a dependent urban proletariat had grown around increasing demands for wealth redistribution, while politicians came to depend on their votes, and thus to pander to them by giving them other people's money. The result was the death of freedom. Provincialism, therefore, had an important political purpose in Jefferson's

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*The Framers may have been rustics, but they were extremely well-educated ones, who knew what went on in Europe's capitals.*

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eyes: it kept the people honest, and skeptical of their rulers' honesty.

Provincialism, balanced by a deep understanding of European civilization, made the Founders into practical idealists rather than utopians; they were both speculative philosophers and practical men. Thus "Dr." Franklin — world-famous scientist and man of letters — had no formal schooling and was not a "Dr." at all. He was a printer and an eminently practical man, originator of clever technological improvements that mattered to real people. The Founders' more abstract pursuits reveal their constant desire to make ideas matter in the real world. "The blending of realism and idealism permeates the entire history of the Revolutionary era," writes Bailyn. The Constitution, for instance, a practical document, setting out the rules for political order, was thus appended with a Bill of Rights which has become an icon of founding idealism. It "is two documents, one creating the powers necessary for survival, the other expressing enlightened aspirations . . . it reflects precisely the creative tension between idealism and realism in American life. . . ."

Thus Bailyn rejects the fashionable myth that the Constitution was a retreat from the radical ideology of the American Revolution, a politically motivated misreading which has unfortunately gained adherents even within the libertarian world. There are three causes of that myth's survival: first, a misunderstanding of the American Revolution; second, a misunder-

ing of the Constitution; third, an anachronistic tendency to see the 20th century's abuses of government as the inevitable result of the Federalists' creation. This is understandable; it's hard, when reading "Brutus'" essay on the federal taxing power, to resist the feeling that he was right; that we should have heeded his warning and refused to ratify the Constitution; that the seeds of the New Deal and Great Society were sown in 1788. But surely this is throwing the baby out with the bath water. The American Revolution was not some proletarian uprising for the redistribution of property and the exile of capitalist exploiters, and the Constitution was not a humbug put over on the working class to lure them back under the yoke. The revolution's principles were extremely well-formulated, and the drafters of the Constitution candidly relied on them when writing the Constitution. At the Massachusetts Ratification Convention, one delegate complained that "[t]hese lawyers, and men of learning, and moneyed men, that talk so finely, and gloss over matters so smoothly, to make us poor illiterate people swallow down the pill, [will] . . . get all the power and all the money into their own hands, and then they will swallow up all us little folks, like the great Leviathan. . . ." But another delegate rose to calm him:

I am a plain man, and get my living by the plough. . . . I beg your leave to say a few words to my brother ploughjogger. . . . I have lived in a part of the country where I have known the worth of good government by the want of it. There was a black cloud that rose in the east last winter, and spread over the west . . . and produced a dreadful effect. [Shays' rebellion] brought on a state of anarchy. . . . People that used to live peaceably, and were before good neighbors, got distracted, and took up arms against government . . . and then, if you went to speak to them, you had the musket of death presented to your breast. They would rob you of your property; threaten to burn your houses; oblige you to be on your guard night and day; alarms spread from town to town; families were broken up; the tender mother would cry, "O, my son is among them! What shall I do for my child. . . !" Our distress was so great that we should have been glad to snatch at any thing that looked like a government. Had any person, that was able to protect us, come and set up his standard, we should all have

flocked to it, even if it had been a monarch; and that monarch might have proved a tyrant; — so that you see that anarchy leads to tyranny, and better have one tyrant than so many at once.

This is the sort of common sense that laid the foundation for the American experiment. Political philosophy served the practical needs of real life, rather than changing people to fit utopian fantasies. The Constitution, as written, created a limited government of enumerated powers, with checks and balances to protect the prerogatives of the states and thus prevent centralization. It recognized and built upon the known weaknesses and strengths of real human beings. It prevented states from taking property from some people and giving it to others. It forbade the income tax and paper currency. It protected the free flow of commerce between states, and the right of private property. That we have fallen from these principles reveals the degree to which plain common sense has been subverted as provincial America (the red spots on the famous 2000 election map) grows into the urban (blue). But the Framers warned us about this. For instance, writes Bailyn, "the phrase 'general welfare' . . . is no open-ended license to prey on the community. It is specifically explained and qualified, Madison wrote, by the enumerated particulars in the clauses that immediately follow. Shall these 'clear and precise expressions,' Madison asked, 'be denied any signification' and only 'the

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*Provincialism, balanced by a deep understanding of European civilization, made the Founders into practical idealists rather than utopians; they were both speculative philosophers and practical men.*

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more doubtful and indefinite terms be retained in their full extent? That, he said, would be absurd."

Today, absurdity is a matter of course in American law, as the plain words of the Constitution are strained and twisted to suit the needs of the modern regulatory welfare state. Take the Supreme Court's recent decision in

*Tahoe-Sierra v. Tahoe Regional Planning Agency*. The Fifth Amendment does not require just compensation when laws prohibit all construction for 20 years, wrote Justice Stephens, because government couldn't afford that. Bailyn writes of Jefferson's letters from France, which described how government employed "the flower of the country as servants," leaving the masses unemployed . . . while vast lands [were] set aside as game preserves." What does this sound like if not present day America? Government is the nation's largest employer, leaving private schools and other businesses unable to compete for employees; vast areas of land are put off-limits, to preserve endangered insects, rats, and ferns. It is not the Constitution that has reduced us to our present state, but our own failure to keep it. The Framers told us, as Bailyn writes, that "if it ever happened that [the Constitution's] restrictions [on power] were ignored by federal officeholders, then the whole Constitution of government would be at an end and private problems would scarcely matter in the general catastrophe that would result." That our era has abandoned the Constitution's limits on government in order to purchase the liberties of the people with their own tax dollars is our own fault.

Our intellectual class no longer shares the Founders' provincial common sense — if anything, it scoffs at their alleged primitivism, because (it is said) they didn't imagine how complex and interconnected our world would become. Like the Old World elites our Founders reacted against, today's leaders — including Supreme Court Justices — can no longer really understand the Framers as anything but quaint historical curiosities. This accounts for an observation Bailyn makes in a brief note on the influence of *The Federalist* on the Supreme Court's jurisprudence. He notes that in the first few years of American history, *The Federalist* was rarely cited as an authority, and then the court disagreed with Publius' analysis as frequently as it agreed. Over the past decades, references to *The Federalist* have grown very common; "twentieth century justices have shown little restraint in using the papers to support their opinions, and increasingly as an irrefutable authority." But this should not be surprising. The collapse of politi-

cal philosophy in modern America has rendered the court unable to understand, let alone carry on a sensible conversation with, the concepts in *The Federalist Papers*. They are no longer seen as arguments, but as oracles, expressing some deep and mystical truths inaccessible to the judicial mind. They are no longer food for thought, but merely time capsules. This parallels

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*The corruption of constitutional understanding has led to this point: the court no longer has access to the reason of the Constitution, so instead it appeals to authority.*

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the court's descent from the realm of logical moral philosophy to the recitation of tradition.

The corruption of constitutional understanding has led to this point: the court no longer has access to the reason of the Constitution, so instead it appeals to authority. Bailyn is puzzled that while "respect for the papers' authority has grown" in recent years, there has also been a growing "absence of references to papers and arguments that the *Federalist* authors themselves

believed to be fundamental." But the answer is clear: many members of the bar are no longer able to comprehend the argument of *The Federalist*. It is not that today's judges rely on *The Federalist* "to guide the[ir] reasoning," but that they have come to see it as a substitute for reasoning.

The justices have abandoned the notion that there are any moral truths, let alone self-evident ones, and, as the court itself put it in a 1984 case, "[t]he 'natural rights' theory . . . was discarded long ago" (*New Hampshire v. Piper*). Instead, to determine what the Constitution protects, the court analyzes "our nation's history and tradition," which, while often enlightening, is in the end, deeply cynical: it turns away from what is true, and asks only what people say is true. So the words, rather than the thoughts, of the Founders remain. As José Ortega y Gasset wrote, "the advantage of the words which offer material support to thought has the disadvantage that they tend to supplant that thought; and if, some fine day we should set ourselves to plumb the repertory of our most customary and habitual thoughts, we would find ourselves painfully surprised to discover that we do not have actual thoughts, but merely the words for them." □

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**Jarhead: A Marine's Chronicle of the Gulf War and Other Battles**, by Anthony Swofford. Scribner, 2003, 260 pages.

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# A Warrior's Tale

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Clark Stooksbury

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War has been one of the more widely chronicled human endeavors. It is a fascinating and critically important aspect of history. As a young boy, I often dreamed of glorying in war, my fantasies fueled by John Wayne movies and books in the school library featur-

ing heroic World War II pilots who would marry their P-51 Mustang if only it could cook. Years later as a young neoconservative under the influence of *National Review* and the *American Spectator* and hawks such as George Will and Richard Perle, I joined the Marine Corps Reserve.

The Marine Corps can with some

justification lay claim to being the literary branch of the armed services. From Smedley Butler to James Webb, former Marines have drawn upon their experiences to create memoirs, political tracts, and novels. The late Eugene B. Sledge wrote two excellent memoirs about his experiences in World War II and afterwards: *With*

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*In places Jarhead resembles the confessional — or perhaps exhibitionist is the better term — memoir one often sees these days.*

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the *Old Breed* and *China Marine*. Historian and biographer William Manchester published a Pacific war memoir in the 1970s. Now we have Anthony Swofford, who served in the first U.S.-Iraq War.

Swofford wasn't just any grunt, he was part of a scout/sniper platoon. In an organization that prides itself on its marksmanship training, that is impressive. *Jarhead* is a memoir of the war, but it is also a remembrance of events that shaped Swofford, leading him to join the Marine Corps in the first place, along with details about training, the fate of various friends after the war and his own pre- and postwar activities. While the aforementioned Sledge wrote in a straight chronological narrative format, Swofford goes backward and forward in time.

Why would anybody ever do something as crazy as enlist in the Marine Corps? Surely everybody who has ever found himself being

screamed at by a drill instructor while getting off of a bus late at night at Parris Island or San Diego has asked himself that question. One of the events that molded young Anthony Swofford into Corps material was his witnessing, as a young teen, the 1983 (Swofford incorrectly reports the date as 1984) barracks bombing of Marines at the Beirut International Airport. "I was fourteen when the marine barracks in Lebanon was bombed, killing 241 U.S. servicemen, mostly marines. The number of dead was burned in my consciousness. As I folded my newspapers each morning, staring at the front-page images of the marines, the carnage crept into my brain, and also the sense that my country had been harmed and that I was responsible for some of the healing, the revenge." A few years later, his Vietnam-veteran father refused to allow him to join up before reaching adulthood. So off to boot camp went an 18-year-old Anthony Swofford in 1988.

*Jarhead* is short on action, but that is not Swofford's fault. He didn't have much material to work with. As a scout/sniper, he "saw more of the Gulf War than the average grunt." Still, he could not see the whole picture. "My vision was blurred — by wind and sand and distance, by false signals, poor communication, and bad coordinates, by stupidity and fear and ignorance, by valor and false pride."

Instead of the riveting action of the sort depicted in *With the Old Breed*, Swofford offers up tedium in the Saudi Arabian desert. After the air attacks begin, his fellow marines experience increased anxiety and sleepless nights. The Iraqi enemy offers only inept opposition, and poorly aimed artillery fire. They experience, however, at least one horrific attack:

Rounds pass directly over our heads while I retrieve my spotter's scope from my ruck. As they pass over, it's as though all sound and time and space in their path are sucked into the rounds. A five-ton truck blows one hundred yards behind us. . . . I gain visual. The tanks shooting at us are M-60A1s, friendlies. . . . Unlike the minor enemy assaults with

artillery and rockets we've experienced over the days prior, we know that our own guys will not stop until the entire convoy and all nearby personnel are annihilated, because that is the way of the Marine Corps. We are fighting ourselves but we can't shoot back.

Some of Swofford's experiences in the desert are typical to the military experience. The troops, never having been issued desert camouflage chemical protection suits, instead wear the normal jungle camouflage, making them look like a "movable forest," when they fear a gas attack from Iraqi

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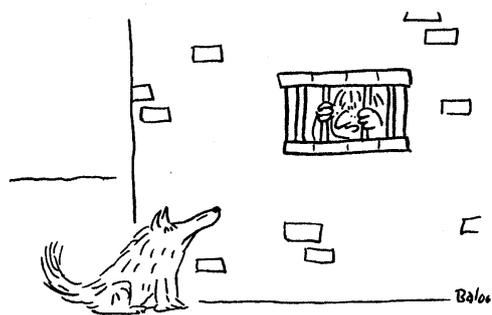
*One is tempted to rewrite an old adage: people who live in glass houses should paint the walls.*

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artillery. Rumors and lies abound as well. At one point, while Swofford's unit is stationed in the Saudi Arabian desert, the company First Sergeant calls for volunteers to try out for the marine band (and escape the desert, and prospective war). When he had five volunteers, he handed them kazoos and ordered the humiliated marines to play "Mary Had A Little Lamb" and other tunes for their fellow Marines.

In other places *Jarhead* resembles the confessional — or perhaps exhibitionist is the better term — memoir one often sees these days. Swofford comes from a dysfunctional family; his sister spends time in a mental hospital; his girlfriend cheats on him, etc. On top of that, he is inordinately concerned with bodily functions, to the point of discussing his public pants wetting as a young boy in Japan. One is tempted to rewrite an old adage: people who live in glass houses should paint the walls.

In spite of its faults, *Jarhead* is a worthy addition to the literature of war. "The real war will never get into the books," states a chapter heading of Paul Fussell's *Wartime*, and that is presumably true of the first Gulf War. But with *Jarhead*, Anthony Swofford has given us a portrayal of the war that he witnessed. □



"Go get bail money, Lassie. Understand, girl? — Go get bail money."

*The Language Police*, by Diane Ravitch. Knopf, 2003, 255 pages.

# White Bread Text

Stuart Williams

The textbooks used in America's elementary and secondary schools have always undergone a highly political approval process, with predictable results: back in the mid '60s, my seventh-grade Virginia history textbook intoned that the antebellum South was "perhaps the finest civilization the world has ever known." Diane Ravitch, a professor of education at NYU and Department of Education official in the first Bush administration, has written an informative and often entertaining account of how today's textbook and test publishers practice self-censorship to avoid stirring up political controversy. *The Language Police* recounts how all the major educational publishers have adopted similar "bias and sensitivity" guidelines to satisfy state departments of education, particularly those in California and Texas (dominated by the Left and the Right, respectively). As a result:

- Controversial subjects are prohibited. These include sex, drugs, abortion, religion, evolution, divorce, owls (offensive to Navajos), challenges to authority, and racially mixed families, to name a few. To comply, Ray Bradbury's publisher removed 75 passages from Bradbury's classic book about censorship, *Fahrenheit 451*, without his knowledge.
- Junk food is also taboo. Two publishers liked a story called "A Perfect Day for Ice Cream," but both(!) removed references to chili burgers, pizza, and ice cream and changed the title to "A Perfect Day."

(Additionally, the publishers removed references to "kamikaze ball" and Gloria Steinem to avoid complaints from California about ethnic stereotyping and from Texas about feminism.)

- The terms "America" and "Americans" are not acceptable; preferred are "the United States" and "citizens of the United States."
- Literary anthologies must be demographically balanced, in terms of both authors and subject material. Females, ethnic and racial minorities, the aged, and the handicapped must be represented according to their proportion of the population as a whole. (A court case unearthed this memo from a top editor: "I like the ethnic aspect. I like the use of a girl as a lead. I don't like the story. The urban setting is a plus.")
- Stereotypes must be avoided. For example, text and illustrations must portray seniors engaged in active pursuits such as shopping or jogging, not in domestic or sedentary activities. Stories and illustrations should not portray African Americans as athletes, musicians, or entertainers, or Asians as "model minorities."
- Bias is redefined and prohibited. A test publisher rejected as biased a story about a heroic young blind man who hiked to the top of Mount McKinley. Ravitch explains, "In the new meaning of bias, it is considered biased to acknowledge that lack of sight is a disability."

The net result of these policies is to make literature bland, irrelevant, and wholly subservient to political agendas. As Ray Bradbury said about a high school anthology in 1979: "Every

story, slenderized, starved, blue-penciled, leeches and bled white, resembled every other story. Twain read like Poe read like Shakespeare read like Dostoevsky read like — in the finale — Edgar Guest. Every word of more than three syllables had been razored. Every image that demanded so much as one instant's attention — shot dead." The situation in 2003 is worse, as most of the Twain, Poe, Shakespeare, and Dostoevsky has been replaced with works by Sandra Cisneros and other contemporary writers that fit the guidelines.

In contrast to literary anthologies, history textbooks have always been transparently political. For years, books like *The Triumph of the American Nation* conveyed the message expressed by its title. In the last decade, however, the political agenda underlying the books has changed. The most important goal today is to advance multiculturalism. Therefore, textbooks on American history have adopted the "three worlds meet" paradigm, downplaying the relative importance of European influence and

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*The Language Police is an informative and often entertaining account of how today's textbook and test publishers practice self-censorship to avoid stirring up political controversy.*

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devoting more attention to pre-Columbian civilizations and African kingdoms. To flesh out this framework, texts stretch the facts or simply fabricate them. World history textbooks have as their dominant theme the vapid concept that "civilizations are flowering everywhere"; thus the books portray every religion and every political and economic system in positive terms. Mao is described as a friendly, inclusive leader whose reforms modernized China. The Ayatollah's Iran freed women to express their beliefs by permitting them to wear black from head to toe.

*The Language Police* does a nice job of describing some of the problems

with today's textbooks and tests. It falls short in placing the problems in context and in devising solutions. One key question is how much textbooks even matter. When I was in school I derived little value from literary anthologies or history textbooks. No doubt there are students who find school a turbocharged learning experience, but for the tens of millions of students who experience the intellectual boredom that I did — some academically mediocre, others very good students indeed — it matters little what textbooks are used. Ravitch disagrees, arguing that few history teachers have much background in history and that therefore they are quite dependent on textbooks. But just because students

read a chapter in a textbook and then pass a test a week later does not mean that they will retain much months or years later. The fundamental problem is that elementary and secondary school textbooks are part of a coercive educational system, and coercive systems are not very effective except at creating resistance and pathology.

Ravitch does not share that assessment, so the solutions she offers are inadequate. Her first proposal is to improve teacher training. In particular, she would like English teachers to have greater familiarity with the Western literary tradition. Teachers would then not be as dependent on their textbooks. As Ravitch surely knows, however, the reasons teachers

do not assign many books like *Ivanhoe*, *Moby Dick*, or *The Deerslayer* are complex. For example, such difficult assignments would violate the unspoken social norms that exist between teachers and students (students expect teachers to be easy and friendly; in return, students are cooperative). Additionally, studying a significant number of difficult books may not be the best way to prepare students for standardized tests, which after all is the main purpose of government schools. Furthermore, most students — and some teachers — would likely get no closer to the books than CliffsNotes. (Note how many of the problems with schools logically derive from coercion: testing is a means of enforcing control, and CliffsNotes are a way for students to pretend to do work that they don't want to do.) In sum, improving teacher training is probably not the magic bullet of educational reform, though it might be an interesting experiment to try. Of course, there is reason to suspect that

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*The fundamental problem is that elementary and secondary school textbooks are part of a coercive educational system.*

additional teacher training would focus on multicultural education and bias and sensitivity issues rather than on the Western literary tradition.

Ravitch's other key policy recommendation is to remove textbook selection from the hands of states and give it to school districts or individual teachers. This reform is unlikely to occur. What is the incentive for state education bureaucrats and their special interest allies to abdicate their power? As a leader in the educational establishment, Ravitch needed to conclude her book by offering solutions to the problems she raises, but her recommendations are merely a rhetorical device, not feasible solutions. Lacking any realistic hope of solution, the problems discussed in *The Language Police* are likely only to get worse until the day when the whole American educational edifice is dismantled and rebuilt from the ground up. □

*The Wealth of Nations*, by Adam Smith. Various editions, 1776–2003.

# Two Centuries of Adam Smith

Mark Skousen

I collect various editions of Adam Smith's *The Wealth of Nations*. My first edition copy is a valuable book, a two-volume leather-bound tome whose provenance includes the National Library of Scotland, the Rothschild Library, and the late Paul Mellon, son of Andrew Mellon and past president of the National Gallery of Art.

Subsequent editions are hardly worth investing in; I collect them because I am interested in who wrote their prefaces. I am surprised that few are prefaced by libertarians or free-market economists. George J. Stigler of the University of Chicago wrote the 1976 bicentennial introduction, but his comments are short and non-political. Stigler wrote eloquently about his favorite economist elsewhere, but not here to the general public. A pity.

Ludwig von Mises did a better job in his introduction published by Regnery in 1952, which was reissued in 1998 in a hardback version of *The Wealth of Nations* and made available to Conservative Book Club members as the third volume in CBC's Conservative Leadership Series. According to Mises, Smith's magnum opus "paved the way for the unprecedented achievements of laissez faire capitalism." Mises added, "There can hardly be found another book that could initiate a man better into the study of the history of modern ideas and the prosperity created by industrialization. Its publication date — 1776, the year of the American Declaration of Independence — marks the dawn of freedom both political and economic.

There is no Western nation that was not benefited by policies inspired by the ideas that received their classical formulation in this unique treatise." Well said.

Unfortunately, Stigler, Mises and other pro-Smithians have been given little chance to express their views about the premier advocate of laissez-faire capitalism.

Almost every popular edition of *The Wealth of Nations* has been introduced by statisticians such as Max Lerner, Robert Reich, and, in the latest paperback, Alan B. Krueger. Instead of focusing on Smith's grand vision of economic freedom, they highlight Smith's endorsement of various forms of government intervention.

From 1937 to 1976 (nearly 40 years!), the most popular printing by Modern Library offered an introduction by Max Lerner, a social critic more inclined toward Marx and Veblen than Smith's free-market thinking. As Mises observed, Lerner attacked Smith as "an unconscious mercenary in the service of a rising capitalist class [who] gave a new dignity to greed and a new sanctification to the predatory impulses." Lerner also noted that Marx's views on alienation, exploitation, and labor theory of value came from reading *The Wealth of Nations* (though in truth these came more from David Ricardo).

Fortunately, the Modern Library replaced Lerner's introduction in 1976 with George J. Stigler's. But Stigler's preface was surprisingly dull for a man known for his wit. It was replaced for the 2000 edition with one by Robert Reich, Clinton's secretary of labor.

Reich welcomed Smith's revolutionary "invisible hand" of self-interest, but then spent the rest of the time lauding Smith's advocacy of universal education and a progressive income tax, and his criticisms of the wealthy merchant class.

But the worst is the latest — a Bantam Classic paperback of *The Wealth of Nations*. Bantam has created a handsome one-volume thick pocket-book (1,231 pages!) of the Edwin Cannan unabridged edition. It looks inviting: something you could take to the beach. That's the good news. The bad news is that the introduction is written by Alan B. Krueger, who is famous for making an economic case for a higher minimum wage. In his preface, Krueger cites favorably the strange claim made by Cambridge economist Emma Rothschild that Smith disliked the invisible hand metaphor. Krueger spends an inordinate amount of time citing Smith's criticisms of merchants and the market, and support for interventionist policies such as universal government-financed education, irrational market behavior, and progressive taxation. He says Smith was "a Rawlsian before the philosopher John Rawls" by expressing compassion for the poor. His recommendations for additional reading include two works by socialist Robert Heilbroner, *The Worldly Philosophers* and *The Essential Adam Smith*. Among free-market economists, only Stigler is

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*Ludwig von Mises observed that Adam Smith "paved the way for the unprecedented achievements of laissez faire capitalism."*

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mentioned. Not Ludwig von Mises, Benjamin Rogge, or Edwin West. It's a sad circumstance.

But then again, there may be a silver lining. Students who recognize the names of Krueger, Reich, or Lerner might be tempted to read *The Wealth of Nations* and may be convinced by Smith's "invisible hand" thinking and the powerful case he makes for laissez faire and economic liberalism, as were

many economists and government leaders in the 19th century.

Admittedly, Smith did say a few things that indeed led to Marxist and interventionist thought, but they are parenthetical comments, not his main message. By reading Smith cover to cover, one is more likely to come away

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*Almost every popular edition of *The Wealth of Nations* has been introduced by statist.*

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recognizing the genius of Smith's "system of natural liberty." Who could not be swayed by these lines of Adam Smith (none of which were cited by Lerner, Reich, or Krueger):

"To prohibit a great people . . . from making all that they can of every part of their own produce, or from employing their stock and industry in the way that they judge most advantageous to themselves, is a manifest violation of the most sacred rights of mankind."

"Whenever the law has attempted to regulate the wages of workmen, it has always been rather to lower them than to raise them."

"Every man, as long as he does not violate the laws of justice, is left perfectly free to pursue his own interest his own way, and to bring both his industry and capital into competition with those of any other man, or order of men."

"There is no art which one government sooner learns of another, than that of draining money from the pockets of the people."

"It is the highest impertinence and presumption in kings and ministers to pretend to watch over the economy of private people, and to restrain their expense. Government officials are themselves always and without exception the greatest spendthrifts in the

society. Let them look well after their own expense, and they may safely trust people with theirs."

"Great nations are never impoverished by private though they sometimes are by public prodigality and misconduct. The whole, or almost the whole public revenues, is in most countries employed in maintaining unproductive hands. Such are the people who compose a numerous and splendid court, a great ecclesiastical establishment, and in times of war acquire nothing which can compensate the expense of maintaining them, even while the war lasts. Such people, as they themselves produce nothing, are

all maintained by the produce of other men's labour."

"Little else is required to carry a state to the highest degree of opulence from the lowest barbarism, but peace, easy taxes, and a tolerable administration of justice."

And finally: "The uniform, constant, and uninterrupted effort of every man to better his condition . . . is frequently powerful enough to maintain the natural progress of things toward improvement, in spite both of the extravagance of government, and of the greatest errors of administration."

I can't wait to write my introduction to *The Wealth of Nations!* □

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*The Light in the Piazza*, music & lyrics by Adam Guettel. Book by Craig Lucas. Directed by Craig Lucas.

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# A New Light

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Katelyn B. Fuller

"But the music is very discordant," I overhear a middle-aged theatergoer protest to his woman friend as I sip my Cabernet from a cheesy, plastic cup in Seattle's Intiman Theatre lobby during intermission. I can't think of a more disagreeable thought. The music is perfect.

It is a lovely, cool, gentle summer evening, so typical of early summer in the Northwest — a perfect night to be in love with the world. Yet, as the intermission bells toll I am relieved to find my way back to my seat in the black box.

"The Light in the Piazza" is a getaway. A romance, a comedy, a pulls-at-your-heartstrings piece of magic. And it is the first musical-drama to grace the Intiman stage. When Adam Guettel began work on "Piazza," he said that his goal was "to make the audience feel like they're in love or desperately want to be in love"; he "want[ed] people to feel that feeling for those two hours." Drawing inspiration from

Elizabeth Spencer's novel of the same name, Guettel and Craig Lucas, the director and author of the play's book, have succeeded tremendously and also spectacularly, for this love story faces challenges far more trying than the typical boy-meets-girl, boy-loses-girl, boy-gets-girl-back storyline: "The Light in the Piazza" is a story that bends social rules, questions conventional ideas of human limitations, and decides firmly that it is not need or ability or disability that defines us, but our capacity for enjoying the experience of life.

"What happened here?" the unassuming Broadway veteran Victoria Clark intones as Margaret Johnson, facing the audience and inviting us into her world. "What happened here?" Margaret is our gentle guide into the summer of 1953 in Italy, where she vacationed with her daughter Clara, played by the appropriately strident Celia Keenan-Bolger. "Nobody with a dream should come to Italy," Elizabeth Spencer wrote in the novel that the play is based on. "No matter how dead

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and buried the dream is thought to be, in Italy it will rise and walk again." And this, to much joy, heartache, comedy, and strife, is precisely what happens. Through this rising dream we meet the young Fabrizio Naccarelli, played by the runway-gorgeous (if not yet a master of his high notes) Steven Pasquale; Signor Naccarelli, Fabrizio's

by the Intiman's logo alone. Developed in Utah and Wyoming in association with the Sundance Institute, workshopped in NYC in February 2002, and world-premiered in Seattle in June, "Piazza" will run in Chicago next January and February at the Goodman Theatre. I doubt it will stop there.

The music? Well, the middle-aged theatergoer was right, in a sense: sometimes, the music *is* discordant. But it is a discordance come of the struggle of existence, of existing with a dream. There is no sap in Guettel's score; there is struggle, there is uncertainty, there is doubt: the kind of discordance born of true experience that is uncomfortable to recognize. Reminiscent of the modern art of the period, the angular melodic lines of Clara's and Margaret's struggles punctuate Guettel's other-

wise highly lyric score, written for violin, cello, harp, and piano. But the beauty of Guettel's work is that he has turned this discordance on its head, notably with the duet "Let's Walk," Franca's "The Joy You Feel," and Clara's "The Light in the Piazza." The discordance of the score, of the book, of this musical theatre piece in its entirety is not what is important, but rather the beauty and the lyricism which is found by the voices and the hearts of its characters. What is important in life and in love, I think, as I dreamily exit the theatre, is to notice the sweetness of the cool night air, to watch the chiaroscuro of the people and buildings, and to see with a wonder-filled heart, the light in the piazza. □

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*There is no sap in Guettel's score; there is struggle, there is uncertainty, there is doubt: the kind of discordance born of true experience that is uncomfortable to recognize.*

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father, comes to life through the gifted and charming Mark Harelik; we come to know Signora Naccarelli, Guiseppe Naccarelli (Fabrizio's brother), and Guiseppe's wife, Franca Naccarelli, played by the show-stopping Kelli O'Hara. And the "shadow couple," a pair of dancers who, more than dance, move beautifully, lend through their non-speaking supporting roles a sophistication to the physical rhythm of "Piazza."

The production of "The Light in the Piazza" takes a simple, inartificial hand, and offers gasp-inducing moments of delight and hilarity: Clara's hat, blown away by the wind, wooshes across the stage and in another instant is caught just at the right moment by Fabrizio. This is the magic in which they meet. In another scene, set in a museum, a well-placed anatomically correct statue, a pool of light, and certain blocking is all that is needed to induce hearty laughs.

"Piazza" is an attractive show. And not only because Catherine Zuber has the cast dressed to the nines in fabulous fifties fit and flare dresses, double-breasted Italian suits, and shoes to die for. It is not insignificant that a theatre known for its heady, critical approach to "New Masters/Classic Work" should decide, for the very first time, to find interest in a musical — a brand, spanking new musical — that is no "Carmen" or "Sound of Music," with guaranteed sales. Guettel and Lucas can take justifiable pride in this staging

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Jo Ann Skousen

*Whale Rider* is about tradition, about religion, and most of all, about family relationships. The title refers to "Paieka," the legendary founder of the Maori race, who is said to have traveled from Hawaii to New Zealand on the back of a whale. The chief in each generation must be a first-born son of a first-born son, tracing his lineage back to the original Paieka. As the movie begins, Koro (Rawiri Paratene), the current chief, awaits the birth of his first-born son's first child. Twins \are born, a boy and a girl, but both the mother and the son die during the birth, leaving behind the "useless" girl. Ugly words are exchanged between the insensitive chief and his grieving son, who gives his baby daughter the sacred name of "Paieka" to outrage the grandfather and then leaves the country and his daughter behind to be raised by Koro and his wife.

In spite of himself, Koro grows to love the granddaughter he is raising,

and a warm affection develops between the two. But Koro loves tradition even more. He has already driven away his son because of his obsession with tradition, and he now drives away the granddaughter who adores him. Since his own first-born son has failed to produce a son, he turns to the other first-born sons of the village, training them in the sacred Maori arts with the hope of discovering which one has the special gift to become the next chief. Although Paieka (Keisha Castle-Hughes) has a greater interest, aptitude, and respect for their ancient culture than any of the boys, she is not allowed to join the training sessions. Anguished, Paieka asks her grandmother, "Why doesn't he want me?" Nanny replies, "He's looking for something that doesn't exist anymore." Koro turns to the boys and welcomes them to "the sacred school of learning." But how can it be sacred if it harms a child?

Tradition, and religion too, must be strong enough to provide support, but

# Father Flicks

flexible enough to bend without breaking the spirit. At its best, tradition binds a culture together. It provides a sense of history and belonging, a set of values that helps a person make wise decisions, and a place to come home to when life seems hard. But when tradition is so rigid that it drives a wedge between family members, it is the tra-

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*Mel Gibson's Patriot, a film about a father's vendetta not a soldier's patriotism, should have been called "Patriarch."*

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dition that must adapt. Religion should mend rifts, not widen them. The Old Testament ends with the prophet Malachi proclaiming, "And he shall turn the heart of the fathers to the children, and the heart of the children to the fathers, lest I [God] come and smite the earth with a curse." Such a curse seems to have struck this village, but turning the hearts of fathers and their children back to each other is the theme of *Whale Rider*, and it is a film that succeeds on every level.

Like many foreign films, this story develops calmly and rises to an emotional crescendo that is powerful and believable. The actors are natural and unassuming, their costumes a mismatched hodgepodge of hand-me-downs and castoffs that are appropriate to their lifestyle. The cinematography shows off the New Zealand landscape without letting it overpower the story. If dinner and a movie is your usual routine, make this one a movie and then dinner. You'll want to talk about it for a while.

Another great film dealing with the hearts and hurts of fathers and sons is *October Sky*, set in the coal mines of West Virginia at the time of Sputnik's launching. It's based on the true story of Homer Hickam Jr.'s (Jake Gyllenhaal) escape from the coal mines to become a NASA engineer, largely through the support and encouragement of a teacher (Laura Dern) who recognizes his potential and urges him to enter his rocket project in the county science fair. But what Homer really yearns for is the support and encour-

agement of his father (Chris Cooper, in an Oscar-worthy performance) who can't see beyond the coal mines that have been his life. Homer sees his father as a cold, harsh, stubborn man,

*Whale Rider*, directed by Niki Caro. Newmarket Films, 2002, 105 minutes.

*October Sky*, directed by Joe Johnston. Universal Studios, 1999, 108 minutes.

*Frequency*, directed by Gregory Hoblit. New Line Studios, 2000, 118 minutes.

*Obsession*, directed by Brian De Palma. Columbia/Tristar, 1976, 98 minutes.

*Heidi*, directed by Allan Dwan. Twentieth Century Fox, 1937, 88 minutes.

*A Tree Grows in Brooklyn*, directed by Elia Kazan. Twentieth Century Fox, 1945, 128 minutes.

unbending and uncaring. Like Koro in *The Whale Rider*, the elder Hickam is blind to the abilities and possibilities of his precocious progeny. Homer tries to explain his dreams to his father, but the father refuses to listen and, also like Koro, forbids his son even to try. In many respects, their story mirrors that of countless fathers and their children who cannot agree on the proper path the child should take. Homer's yearning for his father's approval is not just about rockets, it's about that bond Malachi described. Which of us has not searched for our parents' watching eyes as we have accomplished something we considered worthwhile?

As the movie progresses, Homer begins to see his father through the eyes of the community. A harsh life has led to a harsh exterior, but he is a man known to others for his fairness, courage, compassion, and honor. In some ways, this makes their own rift even harder to bear.

Some genuinely funny moments

occur as Homer and his friends experiment with their rockets; watch for the scene where they salvage old railroad ties. Two moments of cinematic perfection also occur. The first is Homer's wrenching view of the sky from deep within the pit of the coal mines. The second occurs when Chris Cooper finally reaches a tentative arm to Gyllenhaal's shoulder. It matches Yul Brynner's hand dropping to his side at the end of *The King and I* for masterfully controlled emotion.

Who wouldn't like the opportunity to go back and change the past? *Frequency* adds the mind-tickling concept of time travel to its exploration of father-son relationships. The premise is this: John (James Caviezel) is a New York City cop whose father (Dennis Quaid), a New York City firefighter, was killed while fighting a fire when John was a little boy. Without his father's guidance and companionship John's life has seemed empty and dead-ended. Now, 30 years later, John discovers that he can communicate with his father in the past through their ham radio. Of course, his first goal is to convince his father who he is and to prevent his father's death the next day. But, as anyone who has watched the *Back to the Future* trilogy knows, changes in the past affect the future, and through a series of chain reactions, father and son must work together to solve a 30-year-old murder now turned into a serial killing by their tampering with the past.

More significantly, we watch how the son's life gradually changes (for the better) as his relationship with his father is restored. The point of the film shines through: the importance of a father's influence in a son's life. In an age where fathers are becoming less significant (many women are picking up their sperm at a bank and raising their children alone), it is refreshing to see the traditional family unit reinforced. It will make you want to call your dad.

Some viewers will find the murder mystery and its resolution a little far-fetched, but this is time travel — it isn't supposed to be realistic!

Getting a second chance as a father is also the theme of Brian De Palma's

1976 thriller, *Obsession*, starring Cliff Robertson and Genevieve Bujold. What would you do if your wife and daughter were kidnapped? Would you pay the ransom money, knowing that the odds of getting them back are less than 50/50 whether you pay the money or not? Okay, so you make the wrong choice. What if you got a second chance? Jack Benny's classic response to "Your money or your life!" was "I'm thinking." De Palma gives this old joke a new twist. Worth watching!

Getting a second chance is also one of the themes emphasized in the 1937 version of *Heidi*. Shirley Temple got top billing, but Sidney Blackmer is the real star in my book as the grizzled, embittered old man whose heart is softened by the unrelenting love of his granddaughter. Years earlier the grandfather had banished his daughter, Heidi's mother, from his home because she married a young man of whom he did not approve. Like many fathers, he thought that the only way to raise a child properly was to stand firm and not back down. He never saw her again. But he also never stopped thinking about her. When Heidi asks him to help her read from the Bible, the book falls open to the story of the prodigal son. The grandfather recites the story from memory, his pained

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*When tradition is so rigid that it drives a wedge between family members, it is the tradition that must adapt. Religion should mend rifts, not widen them.*

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eyes looking off into the valley. His daughter was banished from his home, but not from his heart. Yet his stubbornness kept him from making amends. Now, with Heidi, he is given a second chance. When she is kidnapped and taken back to the city, the grandfather stops at nothing to bring her back to him and prove himself as a father. One does not need to be a child to want that kind of love from a parent.



In *A Tree Grows in Brooklyn*, Francie

Nolan (Peggy Ann Garner), a precocious young girl who has read every book in the public library, does her best to rise above the tenements of Brooklyn in the era between the world wars. Her mother (Dorothy McGuire), hard-working and practical, struggles to support the family while her father (James Dunn), a charming Irish drunkard, breezes in when he feels like it. By today's standards, the children would have been taken away and put into foster care "for their own good." But while her father is clearly a bum, Francie loves him dearly. Mama provides her with food and a home and the physical necessities, but Papa fills her life with laughter, song, and affection. A child needs both. Francie loves her mother, but she adores her father. The family manages to get by, like the seedling that manages to push its way through the concrete of Brooklyn to become a tree. A great film about the redemptive power of forgiveness and acceptance. Stellar performances by Dorothy McGuire as the strong-willed mother, James Dunn as the cheerful

alcoholic, Joan Blondell as the flamboyant Aunt Sissy, and Peggy Ann Garner, who won a special Oscar for her performance as Francie. (The film ends about halfway through the book, by the way, so if you like the movie, read the book!)

You probably have your own favorite father films; I deliberately chose some that are lesser known. Steve Martin's *Father of the Bride* is an obvious example in the genre. James Stewart's *Shenandoah* is a great film about a father who simply wants the government to leave him and his family alone. Mel Gibson's *Patriot* is a film about a father's vendetta, not a soldier's patriotism; it should have been called "Patriarch." The *Back to the Future* trilogy deals with a father's redemption from his own ineptness through a son's unflinching efforts. And the *Star Wars* trilogy, for all its high-tech, science-fiction saving of the universe, is ultimately about a father and son who have chosen opposing political philosophies but finally manage to mend the rift between them. □

## Booknotes

**Priests in Space** — In Mary Doria Russell's novel *The Sparrow* (Fawcett Books, 1997, 432 pages), radio signals from an intelligent civilization on the planet Rakhat are picked up by an observatory on Earth. The public sector can't make up its mind about how to respond, but the Jesuits, with private money, ingenuity, and their trademark frontiersmanship, send an exploration party on a mission to Rakhat.

Having spent twelve years in Catholic schools, four of those under the tutelage of Jesuits, I was immediately drawn to this novel about Jesuits in space. Though it sounds at first absurd or comical, the story is moving, complex — and even a bit libertarian, in that it speculates that our first contact with an extraterrestrial race might be brought about by something other

than a government space agency. To imagine the governing authority of such a venture being neither public nor secular is a fun, compelling *gedanken* experiment.

I liked the book and went back for seconds; I'm halfway through the sequel, *Children of God*.

— Patrick Quealy

**Batman Gets Political** — One of the great things about Batman, as many fans will tell you, is that he doesn't have any super powers — doesn't have them, and doesn't need them.

Another great thing about Batman is that he's never overly concerned with working within the system. He's made many a Gotham City bureaucrat nervous over the years.

Superman, on the other hand, has

always been a bit too eager to please the authorities. Since Action Comics #1, he's been throwing around as much muscle as it took to keep the system working. Oh yeah, and he has super powers. Lots of them.

Frank Miller's *The Dark Knight Returns* (DC Comics, 1997 [1986], 224 pages) tells the story of Batman's coming out of retirement. It's been ten years since he last donned the cape and cowl, and Gotham has changed. Nihilistic, amoral, postmodern punks roam the streets in search of the thrill of the knife. The agents of the therapeutic state have decided that Batman's greatest enemies, Two-Face and the Joker, are ready to rejoin society. Batman is all but forgotten, even to Bruce Wayne, his playboy alter-ego.

Ordinary people have become prey for criminals, but this isn't a Charles Bronson movie. When Bruce Wayne decides that Batman's retirement won't work out as planned, it is not simply to return to the business-as-usual stomping of would-be muggers, rapists, and maniacal arch-villains. *The Dark Knight Returns* is also the tale of Batman's political awakening. He sees Gotham's citizens conditioned into helplessness. They're more terrified of the necessity for self-defense than they are of crime. He sees the authorities and their courtiers scurrying to maintain the mass somnambulism upon which *their* security depends. For the first time, Batman begins to recognize that the politicians, their laws, their "order," the system itself — that these are the enemies of justice, peace, and freedom. In other words, Batman begins to see the state as the ultimate criminal force.

As Batman goes about trying to

stem the tide of chaos and crime in Gotham, he starts to spook the sheepie and their shepherds. The mayor's vigilante problem is passed up the line, punted by the governor, and lands in the president's lap. (The president in *DKR* is a creepy but apt caricature of Ronald Reagan.) These events are the catalyst for the confrontation that has been building in the background of *DKR* almost since page one.

Superman flies into Gotham to talk Bruce down, or, failing that, to force him into permanent retirement. But Superman, who has long been witlessly devolving into the world's most dangerous neoconservative, isn't prepared for the Batman that he finds.

*The Dark Knight Returns* is a brilliantly executed graphic novel, stuffed with delicious satire. The climactic Batman vs. Superman confrontation, emblematic of the whole story, is compellingly realized and satisfying. Libertarians, especially those with an anarchistic bent, will not be disappointed. — Thomas Fuller

**Still a Man's World** — The measure of an alternative publisher is the production of books that no one else would do (or has done); for if commercial publishers routinely measure a prospective title by how well they or others have done with "that kind of book," the radical bookie takes a greater risk, usually with something he loves. By this simple criterion, I rank Los Angeles' Feral Press among the most valuable in America — a kind of smaller Loompanics in its taste for the outrageous, but with thicker, more expensive books. Of the Feral Press titles I've read, the most invaluable has been David Hoffman's *The Oklahoma City Bombing and the Politics of Terror* (1998), a neglected masterpiece really.

*It's a Man's World* (2003, 288 pages) is a tea-table-sized anthology with commentary about "Men's Adventure Magazines" in the post-World War II decade. The author is Adam Parfrey, who is Feral's publisher and, I assume, its principal backer. By "Adventure Magazines,"

he means not *Playboy* and its imitators but periodicals with titles such as *True Adventure*, *Battle Cry*, *Untamed*, *Man's Life*, *Male*, *American Manhood*, *Fury*, et al., representing that intersection of violence (rare in *Playboy*, though not in *Hustler*) with scantily clad women, with fantasies probably aimed at teenagers. (I was reminded of Gershon Legman's classic 1949 polemic, *Love and Death*, which argued that the censoring of sex directly caused the obsession with violence.)

Parfrey's scholarly conceit is that, differences in titles and corporate sponsors notwithstanding, these magazines represented a single entity, much as, say, slick sports magazines of a certain period, or slick women's magazines, could be remembered as a single entity. He's right.

Parfrey the anthropologist chooses to represent these magazines not with reprints of texts but with images, usually covers, mostly reproduced in color in sizes varying from two inches high to a full 8 1/2" x 11" page. Respectful of his sources, Parfrey often identifies the illustrator by name and concludes this book with an impressively elaborately annotated bibliography.

The book also includes a memoir by Bruce Jay Friedman, who edited such periodicals before publishing fiction; another by his son, Josh Alan Friedman, also a writer, who respects his father's career; and yet others by veteran illustrators. My old friend Mel Shestack is interviewed about his specialty:

The Adventure jobs. I made them all up. That was a real problem because people used to call and ask, "Where do I get a job milking snakes?" There was big money, you got \$50 every snake you milked the venom out of in Ocala, Florida. I came up with another neat job, keeping the whores in good shape in Las Vegas by being their masseur. The best one of all was a job where you made \$50,000 marrying hookers to save them, through a foundation out West that I made up.

Even though I was a teenager during the heyday of these magazines, their world I never made or much liked; but, as a connoisseur of cultural magazine retrospectives, I find that, between hardback covers, this *Man's World* has both charm and strength.

— Richard Kostelanetz



"I blame myself — I didn't listen when he said he couldn't live on what I paid him."

**Irreverent Populism** — The subtitle of Greg Palast's *The Best Democracy Money Can Buy* (Plume, 2003, 368 pages), "The Truth about Globalization, Corporate Cons, and High Finance Fraudsters", at least establishes without pretense the level of objectivity to be expected in this book's pages. An accomplished activist for several leftist causes before writing for the UK's *Guardian* and *Observer* newspapers, Palast leaves little doubt about where his sympathies lie. His writing about the Bush family goes beyond well-deserved excoriation and into childish name calling. Clear explications of complicated situations are sometimes laid aside in favor of tabloid-style self-promotion and slick prose.

And that's why this book is a refreshing read, despite its author's leftist slant. Palast has the chutzpah to say things the mewling American pet press won't, to deal with taboo topics on which no American anchor would risk his neck, and to do journalism the old fashioned way. Too much "reporting" is complacent parroting of politicians' platitudes and reprinting of tripe from press releases. Palast asks questions, demands answers, and does research.

Nothing he writes should be believed without fact checking of one's own, but he has guts and style which make this book a welcome addition to the library of an American reader thirsty for journalism with more reporting and less preening.

— Patrick Quealy

**Conservatism for Grownups** — In the age of Bush, the label "conservatism" means little more than bloated deficits, perpetual war and boot-licking obeisance to the president. For a good hard look at the modern conservative movement, check out its flagship, *National Review*, in either its online version, or the print magazine, cloyingly called "on dead tree." Its celebrity symbol is Jonah Goldberg, who rode his mother's coattails, and Monica's blue dress, into the world of professional punditry. His literary signatures include an excess of *The Simpsons'* references along with revelatory details about his expanding girth and heroic diaper duty. His adolescent

pose, however, is comparatively mature next to the tantrums of Ann Coulter and Rush Limbaugh. For anyone interested in conservatism for

grownups, a good starting place is *The Present Age* (Liberty Fund, 2003, 149 pages), from the late Robert Nisbet, which was originally released in 1988.

## Notes on Contributors

*Baloo* is a *nom de plume* of Rex F. May.

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The premise of his book is that the Founders, if they were to return on the occasion of the bicentennial of the Constitution, would notice dramatic changes in the rural, decentralized republic that they midwived. He designates 1914 as the beginning of the age that the title refers to. That period began what he calls a "75 years war," which transformed America.

Nisbet has none of the intellectual ticks one tends to associate with modern conservatives. While the Goldberg

crowd equates all criticism of Bush II with treason, Nisbet denounces the Reagan administration's deceit and incompetence in the Iran-Contra affair. He also deflates American military prowess, explaining how tales of heroism in battle cloak the truth about bureaucratic incompetence and intelligence failures in episodes such as the battle for Tarawa in 1943. Although lacking proper preparation for that invasion, "Marines, it was trumpeted, Can Do and already have innate Know

How." Advancing 40 years, Nisbet reflects, "Presumably the hapless marines in Lebanon, over two hundred in number, were ascribed the same innate attributes when they were sent by Reagan in 1983 without arms, without vital intelligence, and without instructions — ending up, as we know, without lives." Don't look for such a candid assessment of the Iraq war coming from the camp followers of modern conservatism.

— Clark Stooksbury

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## The Truth vs. the truth, *from page 56*

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news release said only that he had "filled various administrative capacities." It was a far cry from the leader-worship of Rutherford's day, or the corporation-worship of Knorr's. It was as if the presidency had never existed, or as if Henschel had been an interchangeable part of some electronic device. Once again, the Society was acquiring the characteristics of its surroundings. It was succumbing, at least in style, to the age of the Internet — not, to be sure, to the Internet's wild, demotic individualism, but to its other characteristic, its capacity for remoteness and anonymity. The digitized world was now inhabited by a digitized Society, with the Governing Body its shadowy webmaster. Dodging attempts at refutation, Witness literature grew grayer and blander, as if its content were computer-generated from some remote source.

Meanwhile, the Society's foes continued building their own institutions. H2O remains, and it has been joined by other well-mounted message boards, such as the Jehovah's Witnesses Discussion Forum ([jehovahs-witness.com](http://jehovahs-witness.com)). The conflict between the Internet and the Society is decidedly unequal. The Society's task is, first, to convince people that it has a comprehensive and fully consistent explanation of reality; then, to organize these people into a force that can support a vast profusion of *things*: printing plants, assembly halls, local churches, mortgages, investments, legal offices. The task of the Internet dissidents is simply to show that the Society's ideas aren't true, and to organize such inexpensive virtual institutions as may be useful in spreading that message. The dissidents have a considerable economic advantage.

Can the Society, or anything like it, have a future in an Internetted world?

Perhaps. There are several options available to it. The most obvious is to do what Raymond Franz tried to get it to do, a quarter-century ago: admit it was wrong. But this, of course, is the least likely option to be taken. Only one modern American institution has ever admitted that it was fundamentally in error — the Worldwide Church of God, an Adventist church that, influenced by the Witnesses, once referred to its members as "in the Truth," and to everyone else as out of it. During the 1990s, the WCG leadership surveyed its distinctive teachings and announced that they could not be squared with the Bible. The reward for its courage was the loss of 50–60% of its membership. This is an

example that the Watchtower Society will be very reluctant to follow.

It is much more likely to choose one of two other options, roughly the same two that confront all other truth-challenged institutions in the modern world.

The first option is for the Society to keep trying to isolate its own version of truth from the checkable truth of the Internet. If it does that, the Watchtower movement will

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## *The Internet broke the Witnesses' isolation from truth.*

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become a living fossil, a fellowship confined to people who, like the Amish, are content to remain in a world that pre-dates the net.

The second option is for the Society to adapt its version of truth, bit by bit, to the fact-gathering capability of the Internet and the free society that the Internet exemplifies.

This second option is almost certainly the one that will be taken. Like other earthly authorities, the Society has a will to live at almost any cost. It will try to live even if the cost is a quiet coming to terms with its own mistakes. The real question is whether the speed of the Internet will give it time for an orderly evolution. We have seen, in Eastern Europe, how quickly glasnost can be followed by oblivion. The crucial factor may be the morale of the leadership, its ability to live with the same truth that normal people live with, while simultaneously acting as if it were still in possession of its higher truth.

Raymond Franz told me the following episode from the life of his uncle, Frederick Franz, the fourth president of the Watchtower Society. In old age, Frederick Franz was taken to an eye doctor, who found that he couldn't read even the first line on the eye chart. The doctor pronounced him almost totally blind, with no possibility of improvement. "Well," Franz said, slapping his knees, "as long as I'm here, I might as well get my eyeglass prescription brought up to date!"

That's morale for you. Does the Society still have enough of it, at a time when morale has so few ways of evading the embarrassments of truth? We'll find out — because the Internet will tell us. □

## Ideohabits, from page 61

not correct." I usually follow this response with something about how using the past tense of the verb with the modal *didn't* is grammatically incorrect, but it's too late to bring grammar into it; the damage is already done.

There are two major problems with my approach. The first problem, while a serious one, is fairly obvious and straightforward and as such is not particularly interesting. Notice, of course, that I'm telling the student that her use of *had* is "not correct." This is very different than telling her that what she wrote is "wrong." After all, as the claptrap goes, if you tell a student that her answer is wrong, it is the same as saying she is wrong or stupid. My ideohabit of saying "not correct" stems from my desire not to hurt the student's feelings by sounding judgmental. This desire in turn emanates from the sense among many in contemporary society that only "mean" people are judgmental.

The second, less obvious, problem with my approach does great harm to the student. This problem concerns my emphasis on "here" while pointing to the offending verb within the circled sentence. In telling the student that using *had* or *wanted* "here" is not correct and that she "wants" (We would never want to say "should," of course, would we?) to use *have* or *want* "here" instead, I am, without meaning to, subtly suggesting that the past tense is wrong in this particular construction in this particular sentence in this particular context. No wonder she keeps making the same mistake; she no doubt thinks that the past tense may be correct other times and places.

Now, I happen not to have a degree in English and I don't profess to be much of a grammarian, but I can't for the life of me think of a time when the simple past tense would ever be used with *didn't*. Therefore, I would be well within my rights to say to the student something akin to the following: "This is wrong. You should never use the simple past tense with *didn't*. Always use the present tense. Got it? Do not use the past tense with *didn't*. It is wrong." (Ideally I would also say to her, "Only uneducated, illiterate people write, 'I didn't wanted to.' If you write something like this on a literacy test for a job, they will consider you to be a graduate of a diploma mill and you will not get the job." However, I would probably get fired for this and I rather like my little job.)

But until very recently I haven't been able to tell a student

that "didn't wanted to" is just plain flat-out wrong. It was not in my nature. I was habituated to do otherwise. It wasn't that I consciously chose to dismiss the alternative approach. I simply hadn't even thought of it. Why would I? In our society it is politically incorrect to be certain about many things, including rules of grammar. Certainty bespeaks of rigidity, which bespeaks of acceptable standards, which bespeaks of superiority. Only mean people believe they are more correct, and hence better, than everyone else.

I'm certainly no liberal, nor, it may surprise you, are many of my fellow tutors. We bemoan the monopoly of the teachers' unions. We feel that school choice is the only remedy for low standards. We believe that too many children are coddled by their parents and teachers and grow up flattering themselves that they can read, write, and think well. However, despite how successful my colleagues and I have been in repelling the socialist witch doctor's spells of enchantment, we are not completely immune to his charms. Some potions have been effective. Some of the voodoo of liberal political correctness has managed to unconsciously seep into our brains, causing us to unreflectively say or do stupid things for stupid reasons.

Even after my epiphany, I am still somewhat uncomfortable telling students that "didn't wanted to" is always just plain wrong. Part of me feels that this is just too harsh, even as another part of me knows that students need some harshness if they are ever to have any hope of being literate. I do not want to seem to suggest to them that they are stupid for not knowing that this construction is wrong, even though upsetting them may be the best thing for them. My internal conflict is testament to the strength of liberal orthodoxy's power over society.

Overcoming this ideohabit has proven to be even more difficult than breaking my habit of biting my nails. With the very visible habit of nail-biting, it was others' nagging about how childish it is that helped me put a stop to it. But ideohabits, because they are so pervasive, deeply ingrained, and virtually unnoticeable, are difficult to recognize. Once recognized, they are impossible to break unless they become uncomfortable and embarrassing. And we all know how comforting habits can be. Ask any two-year old who sucks her thumb. It is only when the habit itself is more discomforting than breaking it that we can loosen the chains and truly be liberated. □

## Letters, from page 46

nothing more than a single, isolated incident of a Union and Confederate soldier trading a cup of coffee for a pipeful of tobacco at a river. And while that particular incident might not have occurred at that particular battle, such isolated incidents did occur during the Civil War. So Skousen's comment was misleading and her criticism misplaced. And while I do agree that the movie should have been shorter, I also think Skousen is off in saying that the legend at the end of the film means there will follow two more movies. *Gettysburg* has

already been made and was released some years ago. There is only one movie in this trilogy yet to be filmed.

Miles Fowler  
Charlottesville, Va.

### Goodbye, Good Manners, Hello SUVs

Jeff Riggensbach's comments about SUVs are right-on. I recall Bob Lefevre's comments that "my freedom ends with your nose." Such might be modified by saying that your SUV's freedom ends with my ability to implement safe driving. Having those big sheets of metal blocking vision makes

driving less safe. Also, if my sensible urban vehicle, my little hybrid Insight, were to meet up with an SUV, I doubt that my experience would turn out to have been safer, in spite of the perception that SUVs are safer.

Good manners have gone by the wayside. This is particularly evident if one does much urban driving. Too bad that some states are so hung-up on carrying weapons in cars. After all, an armed society is a polite society! Maybe I need to put my NRA stickers on the fenders.

Bud Wood  
Las Vegas, Nev.

## California

Dietary advance for man's best friend, reported by the *Chicago Sun Times*:

K9 Water Co. has bottled water for dogs: Toilet Water, Puddle Water, Hose Water and Gutter Water. The water is flavored with chicken, beef, liver or lamb, and fortified with vitamins.

## Iraq

The *Sydney Morning Herald* reports that the invading allies' military equipment is in good supply:

Danish troops in Iraq were recently sent a snowplow and lawnmowers along with other essential desert supplies.

## Berlin

A dispatch from *Reuters* outlines Germany's new list of non-tax deductible gifts:

A group of naked men in a van threw underwear into a Volkswagen Passat as they passed it on the Autobahn, causing a crash.

## Japan

Curious wedding ritual in the socialist paradise of North Korea, from a dispatch in *The Japan Times*:

Kenji Fujimoto, a former sushi chef of Kim Jong Il, reports that on the morning of his wedding: "Kim Jong Il came to me and asked me whether I had pubic hair. I answered, 'Yes,' but he said to me, 'Let's go to the bathroom and check.' We went to the bathroom and checked, but it was all gone. Kim Jong Il said, 'That's how we celebrate weddings,' and smiled."

## Thailand

Dispatch from the War on AIDS, from the *Chicago Sun Times*:

Thai community groups want to use a logo featuring two elephants having sex for next year's World AIDS conference, but the plan has been criticized by health authorities because the bull is not using a condom.

## Peru

Specimen of the kind of care available when the profit motive is removed from the administration of health care, reported by *Reuters*:

Dr. Cesar Venero, a physician at a state hospital in Peru, used a drill and pliers to perform brain surgery on a man who had been injured in a fight. The patient is doing fine, reports Dr. Venero.

Special thanks to Martin Solomon, Russell Garrard, Owen Hatteras, and William Walker for contributions to Terra Incognita. (Readers are invited to forward news clippings or other items for publication in Terra Incognita, or email to [libertymagstaff@yahoo.com](mailto:libertymagstaff@yahoo.com).)

## Israel

Odd insecticide, reported by *The Associated Press*: A 32-year-old housewife swallowed a fork in an attempt to catch the beetle that flew into her mouth while cleaning. Surgery was required to remove the utensil.

## Berkeley, Calif.

Berkeley seeks to distinguish itself outside the realms of politics and the academy, according to *Oakland Tribune*:

This August, over 1,130 lactating mothers and their babies will attempt to defend Berkeley's world record for the most mothers breastfeeding simultaneously in the same location on the planet.

## Sarasota, Fla.

Peculiar criminal episode in this Gulf Coast community, from that city's *Sarasota Herald-Tribune*:

An assistant manager at a grocery store was arrested after a female employee accused him of strip-searching her on orders from an man on the telephone who claimed to be a police officer.

## Greenacres, Fla.

Strange arboreal episode in this Gold Coast community, from a dispatch in *The Greenacres City Link*:

"During [Greenacres' annual Arbor Day] Celebration, eight Slash Pines were planted along with the children of 'Tiny Kingdom Private Pre School.'"

## Arkansas

A small victory for human rights, reported by *USA Today*:

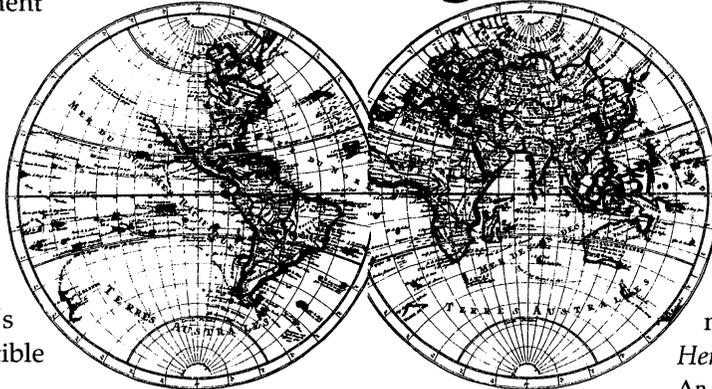
An inmate who lost his job when he transferred from one prison unit to another must receive unemployment benefits, the Arkansas Court of Appeals ruled.

## Houghton, Mich.

Enviro-nomenclatural note from Houghton, the home of Michigan Technical University and the gateway to the Keweenaw Peninsula, from a report by the news department of WLUC-TV:

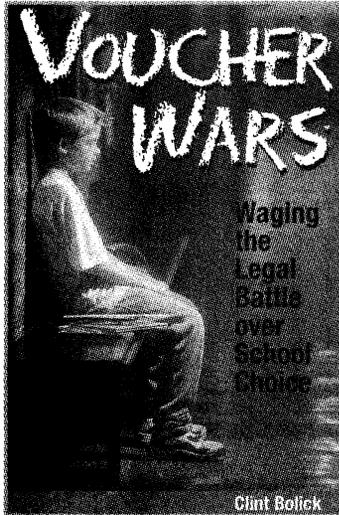
The city of Houghton has changed its mind about relocating Huron Creek to enable Wal-Mart to expand, while satisfying state wetland protection legislation. "Based upon the input we received at the public hearing," city manager Scott MacInnes said, "the city has revised its wetland mitigation area for the Wal-Mart project." Instead of "relocating" the stream, the city will "adjust" its route.

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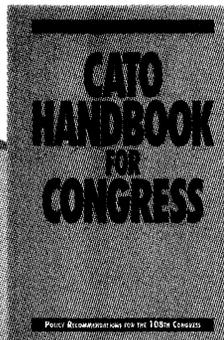
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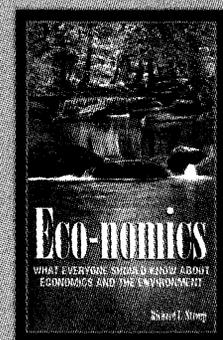
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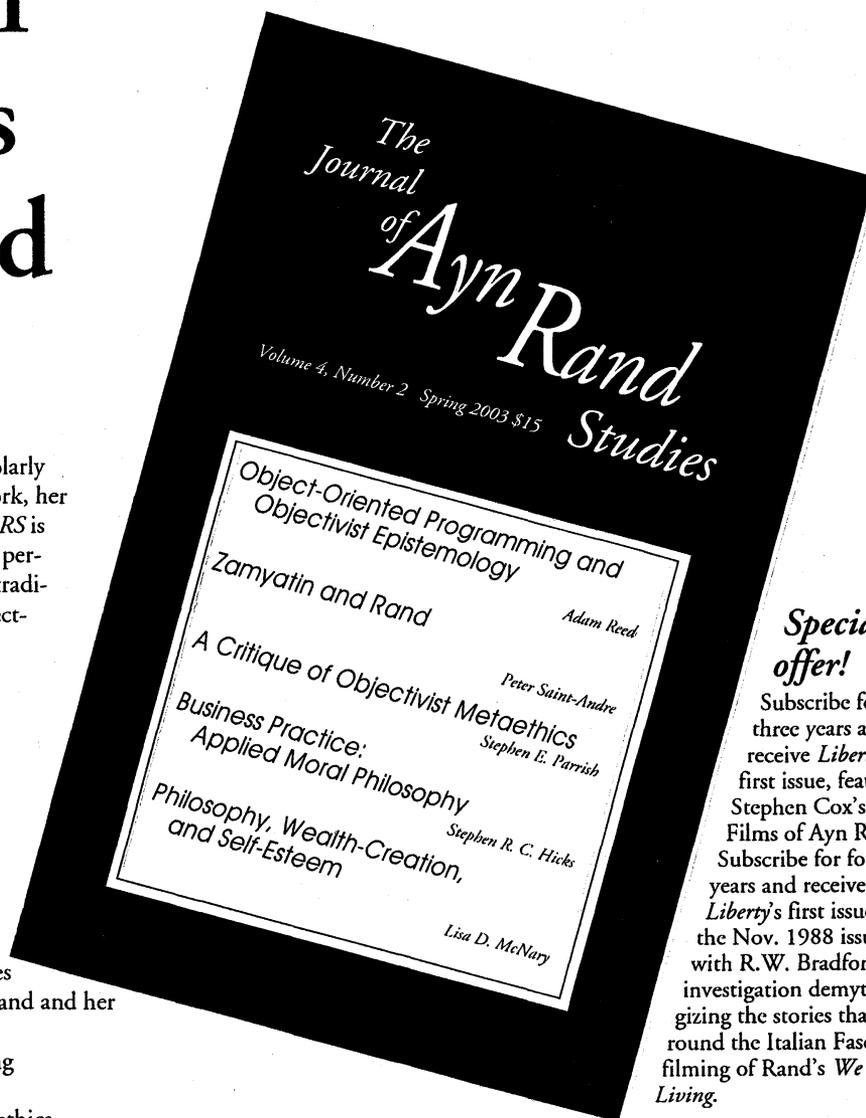
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