

Liberty

September 1996

Vol. 10, No. 1

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Why the
AIDS Heretics
Are Wrong

The Viper Militia: Menace or Victim?

by Vin Suprynowicz

Orwell's Wartime Romance

by Martin Tyrrell

Guns and the Power Elite

by William R. Tonso

The Battle Over Schools

by Kathleen Harward & Nathan Crow

Pundits and Other Fools

by Clark Stooksbury

Also: C.A. Arthur on liberty inside the Beltway, Harry Browne on restoring American freedom, Leland Yeager on the evolution of evolution, Leon Hadar on sabotaging peace in the Middle East . . . plus other Articles, Reviews, and Humor



"I am an aristocrat. I love Liberty. I hate Equality." —John Randolph

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The 1996

Liberty

Liberty's editors, contributors, and readers will meet near Seattle over Labor Day weekend to light the flame

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The 1996 *Liberty* Editors' Conference will bring together the world's leading libertarian writers, theorists, journalists, economists, and historians, plus scientists, entrepreneurs, and futurists. In addition to the speakers listed below and on the opposite page, our guests will include Bruce Ramsey, Jack Shafer, Scott Reid, Timothy Virkkala, Jesse Walker, Clark Stooksbury . . . and those are just our *confirmed* speakers. Additional editors, contributors, and special guests will be announced as they confirm.

Past attendees will attest to the pleasures in store — the repartee, the information, the argument, the camaraderie; the food, drink, and friendly faces.

- "I have been very impressed, energized, enlightened, and motivated by this conference."
- "No speakers I heard were not interesting."
- "I could have stayed for a week!"
- "I have never been a joiner. I enjoyed myself so much that I definitely plan on 'joining' the conference next year. It was a delight . . ."

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Special Panel:

What Is Living and What Is Dead in the Philosophy of Ayn Rand?

The '96 conference will include a special session exploring the art, life, philosophy, and significance of Ayn Rand. Confirmed participants include Rand's biographer Barbara Branden, philosopher Lester Hunt, Rand's philosopher-friend John Hospers, and R.W. Bradford. And they'll be joined by several surprise guests with even more insights to offer!

John Hospers, author of *Introduction to Philosophical Analysis*, *Human Conduct*, *Libertarianism*, and other books. Prof. Hospers is the only major philosopher to have had extended philosophical dialogues with Rand.

Barbara Branden, one-time confidant of Rand's and leading light of the Objectivist movement, now the celebrated author of *The Passion of Ayn Rand*. A brilliant speaker and defender of the best in Rand's philosophy, she is also a witness to its worst.

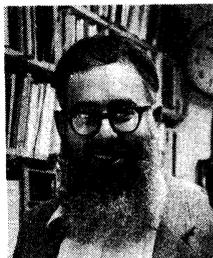
Lester H. Hunt, author of *Nietzsche and the Origin of Virtue*. Prof. Hunt is a leading individualist philosopher, a sophisticated interpreter of Randian thought, and a provocative explorer of the outer limits of the ethics of selfishness.

Bill Bradford, editor and publisher of *Liberty*. Mr. Bradford writes frequently about Rand and her movement. He will moderate the panel.



Editors' Conference

of liberty. The result will be intellectually stimulating and tremendously fun. And you're invited!



Loren Lomasky — philosopher; wit; author of *Persons, Rights, and the Moral Community*; theorist of voting and other rituals of American public life.

Jane S. Shaw — journalist, expert on protecting environmental integrity through private property, senior associate at the Political Economy Research Center.



Randal O'Toole — independent auditor of the U.S. Forest Service; pork-buster; editor of *Different Drummer*, a maverick journal of ecological thought.



Robert Higgs — author of *Crisis and Leviathan*, developer of the ratchet theory of government growth, now engaged in study of (and against) the FDA.



Victor Niederhoffer — innovative financial speculator who knows more about how markets actually function than any other scholar Harvard ever produced.



David Friedman — economist; legal philosopher; poet; author of *The Machinery of Freedom*, *Price Theory*, and *Hidden Order*.



Bill Kauffman — acid-penned essayist, critic of the New World Order, author of *America First!* and *Every Man a King*, advocate of local culture.



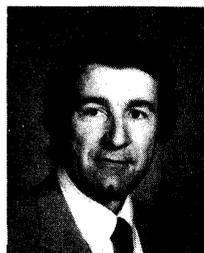
Wendy McElroy — leading individualist feminist and voluntarist, author of *Sexual Correctness* and *XXX: A Woman's Right to Pornography*.



Douglas Casey — author of the all-time bestselling investment book, *Crisis Investing*; world traveler; interviewer of tinpot dictators.



Rick Stroup — innovative economist, textbook-writer, free-market environmentalist.



Durk Pearson & Sandy Shaw — research scientists, sagebrush rebels, self-medication advocates, authors of *Life Extension* and *Freedom of Informed Choice: FDA vs. Health Care Supplements*.



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Letters

Big Mack Attack

It would have been nice to have had a review of *Liberty for the 21st Century* by someone willing and able to read and comment upon its contents.

Unfortunately, *Liberty* chose to publish a "booknote" by Mina Greb ("Liberty for *What Century?*," July 1996) which does little more than disclose her hostility to ideas and arguments that cannot be fully conveyed in the most simple of slogans.

As the special object of Greb's animus, let me add that Greb doubly mischaracterizes the two sentences from my essay that she quotes. I argue that the natural right of property complements the natural right of self-ownership, not that the former "extends" from the latter. And the sentences quoted represent, not my argument for that right of property, but a statement of the argument's conclusion. Of course, for Greb, all of this will be boorish obfuscation.

Eric Mack
New Orleans, La.

Maximum Rage

In "Occam's hammer" (July 1996), R.W. Bradford states that a "hack economist" did a study of the effect of an increase in the minimum wage on employment. The study showed that increasing the minimum wage had no adverse effect on employment. We all know, because our prejudices tell us so, that can't be the case, don't we?

In fact, the study I believe Bradford is referring to was done in 1994 by two

Princeton economists, David Card and Alan Krueger. The study compared businesses in New Jersey, which raised the minimum wage in 1992, with comparable businesses in Pennsylvania, which did not.

Card and Krueger studied 331 fast food restaurants in New Jersey and 79 restaurants in Pennsylvania by doing phone interviews just before the April 1992 increase took effect. They re-interviewed the same restaurants about eight months later. They found that employment actually grew more in New Jersey than in Pennsylvania, although the difference was not statistically significant. Several other studies, cited in Card and Krueger's paper, have shown similar results. The study represented a methodological improvement over earlier studies relying on aggregate government data. The Card and Krueger paper was published in *The American Economic Review*, a peer-reviewed professional economics journal.

If anything, it was the counter-attack that was conducted by "hack" economists. The Employment Policies Institute, an employers' group opposed to the minimum wage, gave data to economists David Neumark and William Wascher drawn from payroll records of 71 fast food restaurants in New Jersey and Pennsylvania. Neumark and Wascher's analysis of this data showed that employment fell in New Jersey after the minimum wage increase. However, in one statistical test the EPI employment data did not show a significant loss in employment, and a second test was only marginally significant.

Neumark and Wascher then set out to verify the data on 80 restaurants given them by the Employment Policies Institute. In addition, they did their own survey of payroll records of 150 restaurants in the same areas surveyed by Card and Krueger. When they analyzed this data, the EPI study indicated a drop in employment in one statistical test. But their own data from 150 restaurants showed no drop in employment in New Jersey. Far from contradicting the Card and Krueger study,

Neumark and Wascher's followup supported and confirmed it.

Statistical analysis of the two samples suggested that the Neumark and Wascher followup data and the EPI data were unlikely to be random samples drawn from the same population. It seems likely the EPI data was selectively provided to support a foregone conclusion. EPI and Neumark and Wascher have refused to make their data available to others; Card and Krueger's data is available on the Internet.

In other words, you've got it backwards. If any study was "flawed," it was the Neumark and Wascher study based on the EPI data. Card and Krueger did not simply phone "a bunch of fast food businesses and [ask] whoever answered the phone whether anyone had been laid off lately." The study was based on a before-and-after design and was much more carefully conducted than previous studies.

Now every time I read an article in your magazine I will have to wonder whether there are similar distortions and inaccuracies.

Michael Wogan
West Collingswood, N.J.

Bradford replies: The Card-Krueger study contains several crippling flaws, starting with the fact that it dealt only with fast-food chains, which may well benefit from the law's effect on other businesses. It also posed overly vague questions to the restaurants, failing, for example, to define the term "part-time employee." Similar problems plague Card's other studies on this topic. To my mind, this justifies a little invective; I apologize to Mr. Wogan if my choice of the word "hack" offended him.

Literary Note

Contrary to Matt Asher's statement ("A Very Brady Irony," July 1996), "Tomorrow and Tomorrow and Tomorrow" was written by Kurt Vonnegut, not John Updike.

Thomas Sipos
Santa Monica, Calif.

Asher replies: Oh. That explains it.

Mr. Black and Mr. Flash

Imagine my surprise when I read Bob Black's slam of the Common Law ("White Man's Ghost Dance," July 1996) and found that I was not only footnoted twice, but mentioned several times in the main text. Unfortunately, the ego

Letters Policy

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

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Inside Liberty

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trip of seeing one's name in a prominent national publication quickly faded when I noticed that Mr. Black had stood me up as a strawman in someone else's field. I am indeed an avid student of Pennsylvania's Common Law and have publicly written and spoken much on the subject, both in court and out, but what Mr. Black ascribes to me simply misses the mark.

For example, while Mr. Black accurately quotes my observation that there are certain rights in the Magna Carta

that we still enjoy today, he then proceeds to elaborate on portions of the Magna Carta which I never referenced. In the article he footnotes, I wrote: "Common Law is based on a number of time-honored maxims, some which are as old as the Magna Carta, going back to 1215. For example, in paragraph 39 of the Magna Carta, it says that no one is harmed except by lawful judgement of their peers. This is still a basic tenet of the law today." Although this was the only time I ever referenced any portion

of the Magna Carta, Mr. Black uses it as a basis to say: "Constitutionalists revere the Magna Carta, but if they were to read it, they'd be baffled. Expecting to find, as libertarian constitutionalist Ken Krawchuk says, 'many of the rights we enjoy today,' they'd find themselves adrift in an alien feudal world of 'aids,' 'wardships,' 'scutage,' 'knight service,' 'reliefs,' 'wainage,' 'castle guard,' 'socage,' 'burgage,' and other arcana."

I can't imagine how Mr. Black could possibly read all that arcana into what I wrote. At best, his comment is an interesting piece of historical trivia; at worst, it's an off-the-point obfuscation of the Common Law. But to what end? Of course much of the Magna Carta is not relevant today. Who said it was? He also accurately notes that my illustrious predecessor, Sir Edward Coke, explained to King James that the Common Law is based on "Natural Reason — as Krawchuk would say, common sense — . . . but was not identical with it." But two paragraphs earlier, he rejects my generalization that the Common Law is based on common sense. Saying I'm wrong, then quoting the master of the Common Law to show that I'm right adds nothing to the clarity of his presentation. Which interpretation would he have us believe?

He also makes no mention that one of my articles (which he footnotes) chronicles a successful Common Law argument to defeat an oppressive local ordinance. If the Common Law is merely a ghost dance, why has it produced victories?

Even those portions of his article which do not refer to me are replete with errors, baseless innuendos, and word games. For example, although he accurately notes that "the Constitution of 1787 does not even mention the Common Law," he then chooses not to tell the reader that the Seventh Amendment in the Bill of Rights (ratified in 1791, a mere four years and two months later) mentions it explicitly. Why the hair-splitting? Who is he trying to confuse? To what end? If Mr. Black took the effort to employ his statutory law degree in the service of liberty, he might consider teaching the facts of the Common Law rather than attempting to discredit the subject.

The Last Democrat



You know that Bill Clinton is the most blatantly corrupt president in years. But you may not know that he will probably be the last Democrat to be elected president for a long, long time — maybe the last one ever.

Dismissing the conventional wisdom, R.W. Bradford predicts that Clinton is

Why Bill Clinton Will Be the Last Democrat Americans Elect President

but the last, futile hope of the fraudulent dogma misnamed "liberalism": the insane idea that government can rob everybody, pay off anybody, and leave us all richer in the process.

It's all here: the criminally fraudulent commodity trades — the endless lying about Whitewater — the ill-fated health care plan — the terrible holocaust at Waco — the embarrassing bimbo eruptions — the endless taxes, regulations, and pork — and much, much more.

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Reflections

Brunch with greatness — While my foot was encased in a temporary cast, I had the opportunity to go to opening night at the Washington Opera. Whenever I go to the opera, especially in black tie, I can't help fantasizing that it will turn out something like the Marx Brothers movie. *Mephistopheles*, however, was uneventful.

I figured a better opportunity for amusement might present itself the following day, with brunch at the White House hosted by Hillary Clinton. What could I say to her? "Hey, nice digs you got here." No, too generic. "I'm really enjoying *Primary Colors*." No, not enough time for a literary discussion — besides, it really isn't very good, however accurate. "Say, I was wondering where Vince Foster's office was." No, too personal.

After we arrived at the White House, the rumor started circulating that Hillary wasn't going to be there. I discounted it, since the place was aflutter with the pert young female velociraptors that accompany her as predictably as do F-14s a carrier, tickbirds a rhino, or bats a vampire. But, as it turned out, Hillary had begged off and sent in the B Team: some bubba who claimed to be secretary of education, and Donna Shalala, secretary of Health and Human Services. When Shalala asked after my foot, I said, "Donna, this wouldn't have happened if you all had nationalized health care."

She laughed nervously, uncertain whether or not I was kidding. I should have asked her to sign my cast. —DC

Leave them kids alone — Schools in my county are considering adopting a year-round schedule. This would go against my belief that every child has a God-given right not to be pestered by a teacher during June, July, and August. But having seen that this, like so many natural rights arguments, fails to persuade the tinkers, I have surveyed research in the area. So far, it seems to indicate that the extra three months don't help students improve.

This brings up the interesting question of whether we should not lengthen, but *shorten* the school year. After all, if adding months doesn't help, can taking them away do harm? American schools might begin by taking off all of September. If scores don't fall, we can continue from there, gradually chopping months from each end. Considering that the average student does perhaps three months worth of work anyway, we may be able to get by just on winter. Or nothing.

Of course, parents would have to do *something* to fill up those long hours. And more of them would choose to stay home with the kids, possibly starting up homeschools. There you have it: a practical, incremental program for separating school and state. —NC

Arkansas burning — In response to the recent alleged wave of church-burnings in the South, President Clinton commented, "I have vivid memories of black

churches being burned in my own state when I was a child." Mr. Clinton has evidently been drinking from the same waters as those colorful folk who recall being ritually abused by extraterrestrial Satanists: the *Arkansas Democrat-Gazette* reports that, if anyone has ever burned down a black church in Arkansas, no record of the crime remains.

Somewhere out there, there must be a psychologist with a compelling explanation for why the president can remember ancient arsons that all others have forgotten, yet cannot recall relatively recent developments regarding Whitewater. —JW

Bob Dole, logician — Bob Dole's weekly radio broadcast of July 13 followed Bill Clinton's talk, as usual. And, as usual, Clinton was a tough act to follow. The president struck all the heartfelt notes without choking, talking about Americans uniting for the good of all, how great it felt to raise the minimum wage, and so on. But follow it Dole did, and in grand style.

The Republican candidate's topic was taxation, and his primary message was that taxes are too high. He stressed that the Republicans in Congress had provided tax relief in the form of numerous tax credit proposals, but that they had all been vetoed by the taxlover Mr. Clinton.

Then he went on to state that he was very proud of his own efforts to help pass Ronald Reagan's 1987 tax reform bill, and argued that its simplifying measures were a boon to the citizenry and the economy. He asserted that there is still room for improvement, that tax forms should be much simpler than our current 1040 nightmare, and that people should be able to send their forms in over the Internet.

He failed to observe that his simplifying agenda was completely at odds with the tax-break proposals he had mentioned moments before.

American politicians are unmatched in their desire to have their cake and give it to the taxpayers, too. Bob Dole is the most capable of the lot, able to resolve the most glaring contradictions without a moment's wince. —TWW

Final solution? — *The New Republic's* editors recently noted their concern about the "social ills" of what they call the "Arab world." Chief among these is "overpopulation." I wonder if they have any particular, uh, solution in mind? —NC

Dr. Keynes, I presume — I get the International Monetary Fund's *Survey* twice each month, and rarely find anything of interest in it. The publication consists largely of the mindless blather of bureaucrats playing bigshot with other people's money. They run around the Third World wreaking havoc with the most cockamamie schemes imaginable, funded by taxpayers in developed countries.

An article in the March 19 issue notes that "tax collection

in Africa is a frustrating business" — a surprisingly astute observation from authors who, I suspect, have rarely ventured far from their five-star accommodations while on the benighted continent. Even more surprising, they are aware that all the other problems of tax collection "are compounded by a general refusal to accept the right of government to collect revenue from its citizens, and a corresponding tendency to engage in extensive tax evasion."

One reason for this is that not one African country south of the Sahara is a "nation" in the Western sense. All these countries were arbitrarily cobbled together by colonial powers, most with dozens of antagonistic ethnic groups with different languages and cultures. Throughout Africa, society revolves around the extended family, the clan, the tribe, and the village. The concept of national government is alien and meaningless to most Africans.

Residents of advanced countries at least get *something* of value, however minimal, back from their governments. In Africa, however, the national government is always — without exception, as far as I can tell — a pure predator. This fact is most in evidence with the army. In Africa, the army isn't something that defends society from foreign aggression; it's an instrument of political control used mostly against its own people. Rwanda and Burundi are recently noteworthy examples — but this is true to an equal degree in Zaire, Nigeria, Liberia, Sierra Leone, Uganda, the Central African Republic, Angola, Mozambique, Zimbabwe, and on, and on. African armies traditionally provide a direct route to the top for thugs who don't have the charisma needed in conventional politics.

But the army isn't the most destructive manifestation of government in Africa. The continent has spawned as corrupt and obtrusive a collection of bureaucracies as can be imagined — as bad even as those in the old Soviet states and China. The system of government prevalent on the continent can most accurately be described as *kleptocracy*. Everyone in every government seems to hold as a model Zaire's Mobutu, a man reputed to have personally stolen as much as \$20 billion since taking over the country in the mid-'60s.

Foreign aid to Africa (or anywhere, really) amounts to nothing more than a transfer program from poor people in rich countries to rich people in poor countries. It would be much more efficient for the U.S. and the other OECD states to cut out the middleman and deposit the money directly in the dictators' Swiss bank accounts.

But back to our story. The nincompoops at the IMF seem aware that the average African pays no taxes (even if he has a cash income, which most don't) because he understands the nature of his government. Despite this, the IMF wants to increase tax collections through "presumptive taxation," which means — and I'm not exaggerating — shaking down citizens precisely the way the Mafia does. They advocate "lump sum levies," "estimated assessments," and "minimum taxes," techniques in which the official, whether from the mob or the government, guesstimates what he thinks should be paid

— an arbitrary "fair" amount.

Of course, "presumptive taxation" has long been the practice in Africa, as an excuse to elicit a bigger bribe from a given citizen. But the IMF recommends enshrining this *de facto* practice into law. It's completely perverse, utterly insane. Any diversion of capital from enterprise will only impoverish Africa more. The same is true of any infusion of capital into their governments: whatever remains after most is siphoned off to Swiss banks is used only to further entrench their Kafkaesque bureaucracies.

The IMF bureaucrats belong in an even lower rung of hell than the dictators they help prop up. Africans all know their rulers are criminals. The IMF endeavors to legitimize them. —DC

Let Freedom wing — To commemorate July Fourth, President Clinton released into the wild a three-year-old bald eagle named "Freedom." Almost immediately, two ospreys (fish hawks) attacked the eagle, driving it into the water, where it was rescued by the Coast Guard. One hopes that this will be the only occasion in which the military is required to rescue Freedom after its encounter with Clinton. —DB

The voting booth is a harsh mistress — Recently, a frustrated friend suggested that only those people who studied up on an issue should be allowed to vote. I could see his point. Most of the people who argue about politics do nothing more than let fly with a prejudice picked up like herpes sometime between junior high school P.E. class and college Poli Sci 101. Only the sophisticated few manage even to regurgitate some bigoted pundit's half-baked notion.

But why not apply the same logic to those representatives who vote in Congress? Perhaps each representative should be given a little quiz right before voting. If he (or she) fails . . . no vote. And then there's Robert Heinlein's suggestion that no one should be allowed to vote who cannot work a quadratic equation.

As a matter of honor, and private morals, I cannot help but suggest some guidelines of my own:

(1) No one should vote for or against any wage-related law who cannot intelligently discuss the difference between the "marginal productivity" and "bargaining" theories of wages.

(2) No one should vote for or against any tax measure who cannot distinguish between the rate and the revenue yield of a tax.

(3) No one should vote for or against any measure dealing with our legal system who cannot distinguish civil from criminal law, or define "tort."

(4) No one should vote for capital punishment who cannot imagine themselves or their loved ones serving on a firing squad.

(5) No one should vote against capital punishment who cannot write a convincing 100-word essay on "why life imprisonment is less cruel than a death penalty."

(6) No one should vote for any subsidy

Liberty's Editors Reflect

CAA	Chester Alan Arthur
JB	John Bergstrom
DB	David Boaz
RWB	R.W. Bradford
DC	Douglas Casey
SC	Stephen Cox
NC	Nathan Crow
MG	Mina Greb
CS	Clark Stooksbury
TWV	Timothy Virkkala
JW	Jesse Walker

who cannot discuss the theory of "positive externalities" as it relates to unsubsidized activities.

(7) No one should vote on any environmental issue who cannot define "hormesis," distinguish between "symbiotic," "commensal," and "parasitic" relations among organisms of different species, and . . . well, you get the idea.

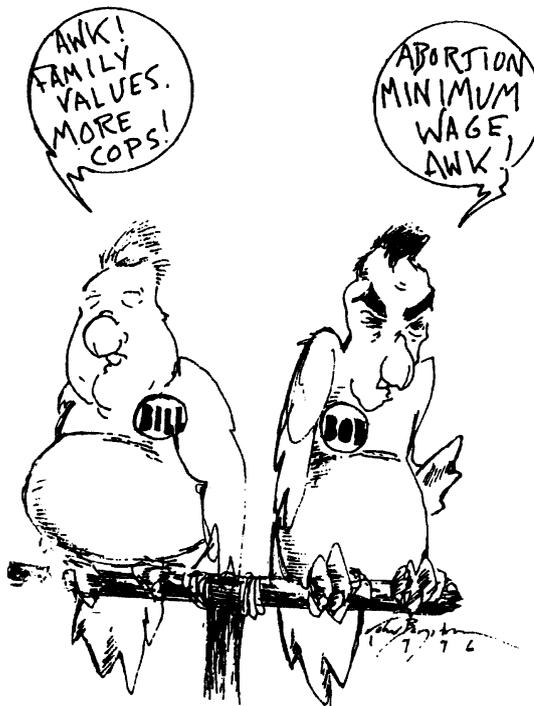
Alas, I'm still eligible. Maybe we should throw in Heinlein's proposal, and I won't brush up on my algebra. —TWV

Clinton – Dole = 10¢ — According to some commentators, the 1996 elections are a watershed. Gloria Steinem, writing in *The Nation* about Ralph Nader's Green Party candidacy, worries that if the "progressive" vote is split, both the White House and Congress will be controlled by "right-wing extremists."

"Extremists"? Steinem might be on solid ground if the nominee were Bob Dornan or Helen Chenoweth. But it's Bob Dole, a political chameleon who adapts to whatever opinions are in fashion. Further, she wrongly assumes that if the Republicans control both Congress and the presidency, they can do whatever they want. From 1992 to 1994, the Democrats held all the marbles and had an ambitious program — and we all know what happened in 1994. The Democrats might not be able to replicate the Republicans' 1994 coup, but they would strongly resist proposals from President Dole that they would swallow if presented by President Clinton.

Steinem has not been paying close attention to conservatives. If she had, she would realize what a paper tiger "the right" is. Conservatives, convinced the war was won on November 8, 1994, spent all their time congratulating themselves until Clinton started whipping their asses on the budget. Rush Limbaugh declared that America was now the "way things ought to be" before one welfare mother (or, God forbid, one defense contractor) had been expelled from the dole.

Of course, we all know that Steinem was adjusting the tail on her bunny costume when they were passing out brains. But the same can't be said of Thomas Sowell, who more or less endorsed Dole on the grounds that the country can't afford another four years of Clinton's appointments to the judiciary (at all levels) and the bureaucracy. It's true that Clinton will put a few lefty crusaders in these positions and that they will do some damage, but they'll hardly be enough to make a real difference. Remember that the ATF bureaucrats who framed Randy Weaver and began plotting the assault on Mount Carmel did so during the administration of NRA life member George Bush. And three of the five Supreme Court justices appointed during the terms of two "pro-life" presidents voted to uphold a slightly toned-down version of the right to abortion discovered in *Roe v. Wade*.



In spite of what you might otherwise hear, the 1996 presidential contest is almost devoid of importance. Any difference between Clinton and Dole will disappear next year, when the two heads of our one-party system come together to run the country. Clinton has continued the Bush program, and Bush enacted the Dukakis program. Whoever wins in November will continue the tradition.

George Wallace was exaggerating when he made his famous claim about the two major parties. There is a dime's worth of difference between them — but a dime won't buy you much these days. —CS

The crime of Ms. Lynne Cheney — Lynne Cheney, the Republican kulturkampfster who in the '80s strove to advance federal control of grammar-school education, is having second thoughts. The revised federal history standards have been issued with politically judicious cuts, but they still espouse notions of which Cheney disapproves. For example, students are supposed to understand that America no longer dominates the world the way it used to, a fact that causes Cheney pain and must, therefore, be suppressed.

Of course, Cheney herself was one of the instigators of national standards, back when she was working for cultural luminary Lamar Alexander at the Department of Education. Standards, she dreamed, would ensure that states straying from the path of righteousness would be cracked firmly across their knuckles with a federal ruler. Out beyond the Beltway, intellectual inertia had reached new lows, but the boondockers' failure to lift themselves by the bootstraps could be cured by *federales* willing to lift them by the ears. So experts were commissioned, reports produced, textbooks reworked. The sun sets and rises, and lo: Cheney is dazzled to find that relativists, revisionists, and multiculturalists have jumped on the bandwagon and yanked the reins sharply to the left.

Well, let us be charitable; it is never too late to arrive at wisdom. But Cheney's partial *mea culpa* is not just overdue; it's uninformed. The history curriculum that roused her to recant is merely the latest in a string of whimsical federal commandments blending ed-school fads with leftist cultural passions.

The English standards, for example, finally released two years after exasperated federal bureaucrats had cut funding, are simply vague nonsense, classic committee work designed to please everyone and offend no one. "Students need to understand different cultures, the workplace, themselves, and the many dimensions of human experience," the document declares. "Reading materials should include a wide range of print and nonprint texts [yep, that's what it says, "nonprint texts"] and literature from many periods in many genres." These miracles of homespun prose are the work of the International

Reading Association (the folks who gave us look-say) and the National Council of Teachers of English (whose leaders' mastery of English is aptly demonstrated by the above quotation).

But even the widely hailed mathematics standards, which passed unnoticed by Cheney, repeatedly recommend procedures that either have already been proven not to work or lack any support at all from research. They are the spawn of ed professors enthralled by mathematics education as warm bath. Already the new math curricula are wreaking havoc on student achievement, and hordes of youngsters need a calculator to perform even the simplest arithmetic. As these standards become entrenched and produce ever more innumerate nitwits with coddled self-esteem (American students believe they are wonderful at math), the U.S. will find itself deeper than ever in a post-industrial funk. Oh, jobs will be found, and no one will ever say there is a shortage of engineers, any more than there is a shortage of computer programmers in, say, Cameroon.

Cheney, of course, is a social engineer, not a real one, and must have considered the math "standards" a triumph of New Right paternalism.

A perhaps more important consideration than particular history standards is the appalling inability of public schools to get students to learn history of any kind. What most high school seniors "know" about history could probably be listed in one or two paragraphs, a rather small payback for the twelve years invested. And what students and graduates know that is true is outweighed by a distressingly larger fund of things they know that aren't so — like the belief that our Constitution authorizes federal bureaucrats like Cheney to monkey with the contents of public school curricula. —NC

The mailman cometh — The letter was addressed to me. It had my full name, my license plate number, a date, and a compass direction on it. Was I busted? Caught on video with a big red 75 mph flashing? Being served notice of my transgression?

Nope. It was just the state of Washington's never-ending quest to serve me better. "The Washington State Department of Transportation," the letter explained, "is studying ways to improve traffic conditions in the S.R. 16/Tacoma Narrows corridor. We need information on one of your trips to effectively plan for transportation improvements in this area." My panic over, I went on to read that, "Rather than stop vehicles on major highways, we have scanned randomly selected

license plates . . . and are sending out survey forms."

Inside, the survey asked for the start of my trip (Street Address or Nearest Intersection), the end of my trip (Street Address or Nearest Intersection), and urged that I be "as specific as possible." Additionally, it asked whether I started from "Home, Work, Shopping . . . or Other," and whether I ended the trip at any of these same locations. Lest respondees fear such information might be, well, a tad too personal, WashDOT reassured: "When you detach the survey form there will be no way to associate your answers with your name and address."

Comforted by this, I volunteered a personal admonition, in three big red words, then dropped it in the mail slot, postage paid.

—guest reflection by Matt Asher

Take the money and run — The Libertarian convention seemed a success. It was well-orchestrated, with intelligible speeches, and they got rid of that creepy children's rights plank. Then, on the last day, I saw something so stupid I wanted to bang my head against the wall. Harry Browne has qualified for federal matching funds, or, as I call it: free money from fools. He swore not to take a dime, much to the approval of the crowd.

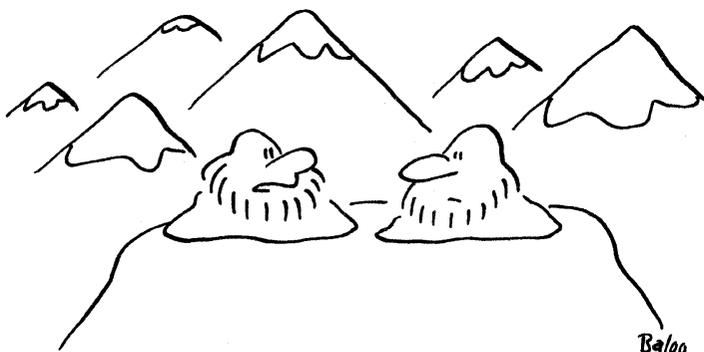
It is all very nice for a politician to have principles. But libertarians will never become politicians without cash. —JB

Spinning in their graves — For the Clinton administration, a political "spin" is not a mere swerve but a spiralling transition from *my* mistake to *your* mistake.

The classic form of the Clinton spin appears in Mrs. Clinton's response to rumors that she has been spending her time communing with the spirit of Eleanor Roosevelt, as that spirit has manifested itself in sessions with an advisor of advanced psychic powers. Mrs. C reportedly expressed surprise that anyone else could possibly be surprised. Yes, she did have "imaginary conversations" with Mrs. R, querying what the latter might think about modern social problems. But after all, Mrs. Clinton had been carrying on the same conversations "in front of large audiences" for a long time. Look at her speeches — there it is!

In other words, when Mrs. Clinton, or her speechwriter, uses the ancient rhetorical ploy of speculating about what old so-and-so would think about the difficulties of modern times, she's really clueing us into the fact that she is addicted to a kind of spiritual therapy that would be regarded as quaint and silly if practiced by the nice lady next door. (Notice that Mrs. Clinton picked Mrs. Roosevelt to talk to, not my great-grandmother or yours, or some provincial lawyer like herself. It's that little trace of social ambition that gets the neighborhood psychic's cake to rise.) But of course, since Mrs. Clinton is doing it, it must be all right. In fact, it must be laudable. If you have a problem with this, it's because *you* haven't been listening to what *she* says.

The classic spiral transformation has been particularly in evidence in the Clintonians' treatment of the Filegate matter. After the first, entirely predictable, performances of Just Tell Them Nothing, the act changed to therapeutic "apologies" and takings of "responsibility." This was also an imaginary conversation, in the sense that the audience was not expected to do much talking back. For one thing, what do you say to



"I've done some really heavy meditating today — would it be okay if I sleep in tomorrow?"

people who take responsibility for what happened in their offices but become intensely irritated when people suggest that they may actually, ah, have some serious responsibility?

Then the pack of Democratic Party attack dogs goes into action, ravaging the Bush administration and the Secret Service for leaving poor confused Democratic boys like Craig (Nobody Is Sure Who Hired Him) Livingstone in a situation where he would have to try to figure out all sorts of hard issues on his own — like the difference between the Democrats who now inhabit the White House and the Republicans who have long departed. Whose FBI files should we have for security checks? Gee . . . I don't know. But obviously, to subject Mr. Livingstone and his associates to intense scrutiny is either "McCarthyism" or just not "nice," depending on which expression is most likely to impress American voters of the current period.

The gist of these recent imaginary conversations is, "We're not to blame — you are." But, come to think of it, what happens in the voting booths in November will also be an imaginary conversation, though the silent party will be the Clintonians themselves. For once, they won't be spinning in our ears. It would be interesting if the content of the conversation were identical: "We're not to blame — you are." —SC

Health note — As a fellow horseman, I feel a deep sadness and profound sympathy for Christopher Reeve for the paralysis he's suffering due to a fall some months ago. He was recently interviewed by Larry King, who described him as having a "super attitude." This seems accurate in many ways. But one of Reeve's comments was, "Look at your catastrophic insurance policy, if you have one. I'll bet there's a cap on the total amount of money that can be spent on your treatment. . . . Do you know how much these companies make? Do you know what their CEOs are paid? It's ridiculous."

As a factual matter, many — if not most — major medical insurance companies offer unlimited maximums. So if Reeve had wanted one, they were easily available. And while I do think that the empty suits that fill most executive suites are overpaid, let's remember that top movie stars are getting \$15–20 million per picture. —DC

Small-town boys — At this dead point of a sluggish summer, the political question is, How can President Clinton seem so likely to win the election, when he's so widely regarded as a charlatan and a fool?

This is a question that one overhears even in wine bars, Starbucks cafés, and other preserves of the liberal left. And no wonder. Polls indicate that most people plan to vote for Clinton, unfazed by their increasing suspicions about Whitewater, Filegate, and all the rest of it. Most people have clearly become convinced that the president has neither the sense to avoid improprieties nor the skill to cover them decently up. So why go ahead and vote for him?

The secret lies, I believe, in America's small-town mentality.

I consider myself fairly well qualified to talk about this. I come from a small-town family. When Sinclair Lewis launched his assault on the small town with his novel *Main Street*, one of my uncles sent a copy to my grandmother; it was inscribed, "To my mother, who lives there." She literally

did live on Main Street. My parents continued the pattern. I was brought up two miles from a small (actually, tiny) town that was 15 miles from a small midwestern city.

Later, I lived in the heart of the nation's second-largest metropolis, but it was a small town, too. Ease of personal transportation allowed me to find the small communities of people who were most like me, and to do my real living among them. I noticed that everybody else did pretty much the same.

Later still, I moved to what is accurately, though very misleadingly, known as the sixth-largest city of the United States, a city that is nothing more than a collection of small towns united under a mayor whom everyone calls by her first name. Here, the most powerful political group is the executive board of the condominium. No one seems to regret the absence of a Champs-Élysées or a sense of Municipal Purpose.

What I have said about my city probably applies as well to your own, nth-largest, town. *Main Street* continues to be popular because Americans continue to live *Main Street* lives. We acknowledge the limitations of the small town, while enjoying its familiarity and its freedom from alleged higher purposes. Even in New York City, you can spend your life in a small town, climbing the social ladder in Queer Nation, the Russian Orthodox Church, or the Titanic Historical Society, or all of them at once, without bothering much about what's going on in anybody else's small town.

The founders of the republic believed that a diversity of local interests would produce a self-limitation of political powers. Their vision endures, in a way. Americans have a healthy habit of putting the visible interests of their own small town, however they care to define it, above an abstract allegiance to national ideals and goals. Of course, Americans are often naive and dull, in ways in which peoples subjected to centralizing political influences — Berliners, Muscovites, and Parisians — appear not to be. Well, that's a fair bargain with history. There's no such thing as a free sophistication. But while small-town politics is ordinarily free from terror, it's never free from absurdity and amiable contempt.

We all know who Bob Dole is: he's a typical denizen of an American small town. He's the wizened little guy who runs the garage down the street. You take your car in there, and he's very clever about knowing what's the matter with that widget next to the carburetor. He peers under the hood for a



minute or so, and then he says more or less what he thinks went wrong, and that it'll cost you only about 60 bucks; you can pick it up this afternoon if you like. Newt, over there, will *probably* be able to take care of it. That's one of Mr. Dole's little witticisms. He gives you a wink when he says it. He knows, and you're supposed to know, that Newt, who's one of the mechanics, and who's just a bit younger than Mr. Dole, is apt to get a trifle ahead of himself sometimes. It's funny.

Heirs of the most sophisticated political and economic theories ever constructed, progeny not of John Doe and Mary Roe but of Madison and Hayek, Jefferson and Friedman, we have to insist on the problems that confront all the communities of America.

Ha, ha. The whole town shares this little joke, sort of behind Newt's back, but sort of in front of him, too. Well, on your way out you see Mr. Dole go back into his office and slip on his blue blazer and start walking over to the Rotary Club. He has lunch there every weekday.

And we all know who Bill Clinton is. He was the president of his class, down at the high school, but we were all wondering if he would amount to anything, once he got back from college. Then he married that Hillary (you know, with the glasses), the one whose father made his money in the tool-and-die. Not that Bill ever wanted to run a business. He was one of those guys who hang around the courthouse until they get elected to something. So he did. Every once in a while, when he's running for reelection, he comes around to the gas station and shakes everybody's hand, and they go out and vote for him, meanwhile making a few sarcastic remarks about ol' Billy Boy and the things that go on in his back room. Not to mention his wife. Nobody else's wife can stand her. But I reckon that that's all right. You've gotta vote for somebody, and it's either him or Mr. Dole. After all, my parents were Democrats. And he hasn't burned down the courthouse — yet.

The premise of small-town life is, What difference does it make?

Well, that's the premise of the 1996 election. It's the American form of cynicism, and it might work out all right if the ambitions of one particular small American town were as limited as those of the others. The town I have in mind is the incredibly small and narrow but incredibly powerful Main Street burg inhabited by the American ruling class. In that little, ignorant, self-complacent town, old Mr. Dole doesn't contract to fix your carburetor; he contracts to fix up Social Security. And Cousin Billy, the class president, sways the destiny of nations.

What's to be done? As libertarians, we cannot simply stay in our own small town and ridicule other people's well-known idiocy. Heirs of the most sophisticated political and economic theories ever constructed, progeny not of John Doe and Mary Roe but of Madison and Hayek, Jefferson and Friedman, we have to insist on the problems that confront all

the communities of America. We have to explain why the coming presidential election will be lost, whoever wins it. We have to convince our fellow-citizens that if they continue to think that none of this makes a difference, and amicably continue to let such local wizards as Mr. Dole and Mr. Clinton squander their neighbors' money and power, they are condemning all the small towns of America to the death that some of them have suffered in the past. When I return to Jackson, Michigan, I can stand on the main street of town and see nothing moving from one horizon to the other. —SC

FICA off — Reforming Washington is, as public choice economists have long pointed out, a prisoner's dilemma: it doesn't seem rational to give up your own pet subsidy as long as you have to keep paying for everyone else's. So public support for cutting back the state, always strong when the problem is stated vaguely, tends to melt away when the specifics are put on the table. Libertarian presidential nominee Harry Browne has a creative approach to this problem, summed up in the question that has become a staple of his speeches: "Would you be willing, to give up your favorite government program if you didn't have to pay any income tax for the rest of your life?" The idea is to bundle together all those little programs that cost us "just pennies a day," and kill the resulting billions-a-day monster in one fell swoop.

But not everyone is going to be impressed by Browne's bargain, at least as he phrases it right now. The typical young worker doesn't pay much income tax, after all, and often receives a substantial benefit from the government — a student loan, for example. Since Browne already plans to abolish the payroll tax and the heavily regressive FICA tax, why not work these reforms into his line? It would increase his appeal to the poor and the young. And it would make his intentions even clearer. —JW

The disutility of mendacity — The low point of C-Span's coverage of the recent Libertarian Party convention occurred even before the event formally began. A C-Span interviewer asked David Nolan, the party's founder and unofficial spokesman, how many votes the Libertarian presidential nominee had received in 1992. "About half a million," Nolan responded, without batting an eye. In actual fact, Andre Marrou received fewer than 300,000 votes.

Lying like this (or any other way) is not only wrong; it is counterproductive. It may seem to save some embarrassment, but in the long run, it doesn't serve the LP's cause. As long as the Libertarian Party is a fringe player, reporters won't bother to check up on such claims. But if and when the LP becomes a real force, such statements will be checked and such spokesmen will be characterized accurately as liars, costing them and the LP credibility with the media as well as with voters. —CAA

Visiting the relatives — A photocopied newspaper article is thrust at me as I enter the house. It has been tucked away for months, in anxious anticipation of my arrival. My heart sinks as I see the word "libertarian" in the title along with a photograph of an intense-looking, wild-haired man. Suddenly I feel a heavy sign hanging around my neck,

emblazoned with the words "Official Libertarian Ambassador" (and something in small print about my disease not being incurable). The article is about a Libertarian selectman in New Hampshire who hasn't paid taxes on his small business earnings since 1987. The IRS threatens to take his land, but he says, "There ain't no way that I can think of, outside of putting up a twelve-foot fence around these six acres, that they can keep me off this land. What's mine is mine and stays mine."

I quietly tuck away the article and begin to talk about the weather. —MG

A founding mother — If you're old enough to remember the 1950s, you may remember Vivien Kellems, a single-minded, strong-willed Connecticut spinster gadfly who tried to rid the country of the withholding tax that had been imposed as a "temporary" war measure in 1942. Kellems, a successful industrialist, was the only employer in the country with the temerity to take on the federal government on this issue. In 1948, she announced that, since the war was over, she would cease to collect wartime withholding taxes from her 75 employees.

Her position was that the money belonged to the employees of the Cable Grip Company, and that forcing her to collect from them violated her constitutional rights. She proceeded to pay workers the full amount of their earnings, helping them keep proper records so that they could pay income taxes when due. She actively encouraged them to pay, and all of them did. Kellems also wrote to the IRS, the

secretary of the Treasury, and President Truman, telling them exactly what she was doing and challenging them to indict her so that she could test the law before the U.S. Supreme Court.

So what did the feds do? They couldn't let this dizzy dame in Connecticut get away with thumbing her nose at the entire government. But they refused to bring criminal charges — in Kellems' view, because they feared the courts would overturn the law, which had proved enormously profitable: the amount of income tax collected from wage earners had increased enormously. Instead of arresting Kellems, they demanded that her bank hand over her money, without even acquiring a court order. The bank resisted at first, but caved in when the IRS threatened to seize the bank's own cash.

After two years of harassment, it became clear that the IRS was never going to arrest Vivien Kellems. But if they were afraid to go to court, Kellems was not. She sued the government to get her money back. Surprisingly, she won. A federal jury in New Haven ordered the IRS to return the money it had illegally confiscated. The IRS did not appeal the verdict, but it continued forcing employers to collect taxes, avoiding the issue by altering the tax code to allow employers to not withhold taxes but requiring them to make up whatever employees failed to pay.

Kellems, however, had had enough. Although she continued for the next two decades to battle the tax cops over various constitutional issues, withholding was here to stay.

Vivien Kellems died in 1975. She would have been 100 years old on June 7, 1996. —*guest reflection* by Tom Tarrant, Jr.

Medianotes

Browne and Reason — Harry Browne "is quite possibly the strongest candidate the L.P. has yet to consider. He is a thoughtful fellow and a persuasive polemicist for libertarian ideas. His campaign book, *Why Government Doesn't Work*, hit bookstores in January and has sold about 40,000 copies — a respectable if not spectacular showing. Having appeared on any number of radio and TV programs over the years, Browne is a seasoned, articulate pundit. He looks and sounds, in demeanor if not content, like a senior senator."

So begins an essay about Harry Browne's candidacy in the July issue of *Reason*. It is hard to believe that David Nolan is describing the same article in his "A Critique of Impure Reason" published in the July *Libertarian Party News*: He writes:

The June [sic] 1996 issue of *Reason* contains a six-page article by Senior Editor Nick Gillespie, belittling the Libertarian Party and the Browne campaign. It is filled with disparaging words like "quadrennial train wreck" and "yet another dispiriting performance." Harry Browne is labeled a "sad-

sack third-party presidential hopeful," and a "clown"; other choice phrases include "like a drunk," "ridiculous," "ludicrous," and "a one man wrecking crew."

Of the eight epithets Nolan found in the article, Nolan claims that only two apply to Browne or the LP. The others either "fill" the article or are "included" in it. The two that, he claims, "label" Browne are "sad-sack third-party presidential hopeful" and "clown." Here are the passages from Gillespie's essay in which those words appear:

Far from influencing the national political debate, Browne has received next to no media attention, aside from *de rigueur* stories about sad-sack third-party presidential hopefuls. Last fall, for instance, *The New York Times Magazine* ran a piece about fringe candidates. Titled "What Makes Billy Joe Run?," it featured squibs on presidential hopefuls good for a laugh or two. And there Browne was, cheek to jowl with such yuk-getters as the Rev. Billy Joe Clegg, whose campaign slogans include "What the world needs today is Jesus" and "Clegg won't pull your leg"; Millie Howard, an Ohio switchboard operator and mother of four who proposes a \$10,000 "yearly birthright stipend" for all Americans . . .

Browne's serious demeanor and the *Times's* ostensibly respectful treatment, however, didn't help much. Just appearing in such a piece is the equivalent of putting on a clown suit . . .

You get the picture. It's obvious from the context that when he used the phrase "sad-sack third-party presidential hopefuls" Gillespie was describing the *Times's* portrayal of third-party candidates. And his claim that appearing with these ludicrous candidates is "the equivalent of putting on a clown suit" is certainly not intended to "label" Browne a clown.

Browne added his own response to Gillespie's article, broadening the criticism: "No libertarian magazine has reviewed my book *Why Government Doesn't Work*, and none of them bothers to seek out news about the LP to report." Since *Liberty* is probably the only magazine other than *Reason* that is usually described as libertarian, I imagine we are the target here. If so, the aim is plainly bad. Chester Alan Arthur's 1,000-word review of *Why Government Doesn't Work* appeared in the January 1996 issue of *Liberty* as part of a longer article on the presidential race, which featured extensive commentary on Browne's campaign.

Nor have we ignored the LP. Since *Liberty's* inception, we have always published extensive analysis and commentary on the Libertarian Party and its activities — the same sort of analysis and commentary that, say, *The New Republic* and *National Review* publish about the mainline parties. The very first issue of *Liberty*, in 1987, had three lengthy articles about the race for the LP nomination, and *Liberty* has published detailed analyses of the LP's showing in every election as well as detailed coverage of every LP convention since we began publishing. I believe we are the only publication in America that has done so, outside of the internal publications of the LP itself.

Of course, we get a fair amount of criticism from readers who object to the sort of coverage we give the LP. Some readers would prefer that we act as a public relations medium for the party, and that we avoid independent criticism. To these readers, I respectfully point out that the *Libertarian Party News* is the LP's public relations medium, and that *Liberty* is an independent journal of politics and culture, one that celebrates the diversity of libertarian thinking. Our editorial independence is not negotiable.

I can see why so many in the Libertarian Party who upset with Gillespie's article, which criticized the basic strategy of the LP and suggested it was unlikely to have much success.



For more than a decade, *Reason* has pretty much limited its coverage of the LP to a single uncritical article in each presidential election year, an article that could very well have been written by the candidate's public relations agent. Suddenly and without warning, *Reason* has decided to publish an independent view of the LP, and that view is generally unfavorable.

Personally, I am less pessimistic than Gillespie. I also believe he certainly was guilty of a bizarre non sequitur when he concluded that "Candidate Brown seems ill at ease with the party" from the fact that Browne said in an interview that he was "not at all involved [with the LP] other than being sympathetic to what they were trying to do. I don't think the Libertarian Party is the best vehicle. I think it is the *only* vehicle." So while I wasn't particularly impressed with Gillespie's article, I applaud *Reason's* decision to stop its practice of limiting coverage of the LP to softball, public relations fluff.

I'm told that the LP has organized a campaign to encourage *Reason* to return to its old policy. I hope that campaign fails.

—RWB

The medium is the moonshine — A friend of mine subscribes to *Newsweek*. He gets it for free, he explains to me apologetically — apparently there was some screwup in the magazine's circulation department — and reads it for insight into what our Masters want us to think about the world. I envy his stomach: I see *Newsweek* on newsstands, in the laundromat, in the library, at friends' houses, and can rarely bring myself to read past the cover.

Last year's October 30 issue, for example, displayed a photo of Louis Farrakhan, fresh from his Million Man March. Beside him, in big words: "The Two Faces of Farrakhan." And in slightly smaller lettering: "Self-Help or Separatism: What's Next for Black America?"

After a cover like that, does anybody really need to read the story inside? I'm no separatist, but it doesn't seem obvious to me that black separatism and black self-help are mutually exclusive. This "two faces" business is clearly a red herring. An honest cover would read: "Farrakhan: Sometimes He Sounds All Right, But He Still Scares the Pants Off of Us."

Or what about this cover story, from July 17, 1995? "Bisexuality: Not Gay. Not Straight. A New Sexual Identity Emerges." Talk about your Columbus complexes! I imagine *Newsweek's* editor jumping out of his chair in story conference — "Wait a minute! You say they sleep with men *and* women? Stop the presses!"

Who can stand to read this stuff? Not I. Nor can I make it through a whole issue of *Time* without breaking out into an uncomfortable, itchy sweat. No: for my insight into Our Masters' Voice, I skip the "news" weeklies and read *TV Guide*. I started buying it just to see what movies were coming on television, but before long was sucked into its surreal world of breathless celebrity journalism, dumbed-down social commentary, idiotic letters, moronic ad copy, and "Cheers and Jeers." Reading *TV Guide* is like driving by a road accident: you don't want to look, but some primal, animal fascination within forces you to stare. And stare. And stare.

A few months ago, Thomas Fleming suggested in *Chronicles* that the only intellectuals with any business

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Investigation

The Real Viper Conspiracy

by Vin Suprynowicz

Don't believe the hype.

On July 1, a dozen citizens of Phoenix were arrested and charged with being members of the "Viper Militia." The next day, President Clinton stood on the White House lawn, saying, "I'd like to begin today by saluting the enforcement officers who made arrests in Arizona yesterday to avert a terrible terrorist attack."

But as the indictments are made available to the public and more evidence about the Vipers' activities emerges, it is becoming increasingly clear that the Viper case is merely the government's latest assault on citizens exercising their Second Amendment rights. No "terrorist attack," terrible or otherwise, was planned or even mentioned in the charges. In fact, as the indictments show, the Vipers' supposedly criminal acts consist merely of (a) the day's work of a "well-regulated militia," (b) petty tax violations, and (c) ownership of books, magazines, and insignia (shoulder patches) — which are, of course, constitutionally protected under the First Amendment. Furthermore, whenever the indictment refers to a plan for a genuinely criminal act, it appears to have been instigated by ATF (Bureau of Alcohol, Tobacco, and Firearms) infiltrators — and rejected by the membership.

Conspiracy?

To obtain an indictment on charges of conspiracy, prosecutors must prove to the grand jury that at least one member of the alleged conspiracy committed an "overt act" — usually interpreted to mean either an outright felony or an act unmistakably prepara-

tory to committing a felony, such as planting explosives in a bank.

But the "conspiracy," in this case, was not planning to blow up any particular building. It was a "Conspiracy to Furnish *Instruction* in the Use of Explosive Devices and Other Techniques in Furtherance of Civil Disorder," and "Furnishing *Instruction* In the Use of Explosive Devices and Other Techniques in Furtherance of Civil Disorder" (my emphases). "Instruction" in the use of weaponry is, of course, essential to a "well-regulated militia." But did the Vipers really intend to "further civil disorder"? Not as far as anyone can tell. A week after the arrests, U.S. District Judge Earl Carroll sent six of the suspects home, ruling they constituted no threat to their communities.

You couldn't say the same about the government agents who had infiltrated the organization. During the July 8 hearings that led to those releases, ATF supervisor Steven Ott admitted under oath that an ATF mole in the "Viper Team" had urged the other members to rob banks to further their cause. According to Louis Sahagun of the *Los Angeles Times*, they

all refused.

Much of the government's case appears to hinge on creating the impression that the Vipers owned weaponry of a destructiveness that is *ipso facto* excessive for a militia — an obviously implausible claim, at least in the case of the group's military rifles. The Phoenix indictment contends that the defendants "did knowingly and intentionally combine, conspire, confederate and agree together to teach and demonstrate to each other and other persons the use, application, and making of firearms, explosive and incendiary devices, and techniques capable of causing injury and death." But to charge militiamen — or anyone — with merely owning "firearms" seems odd. Every time your local NRA-affiliated shooting club holds a match, and the range supervisor walks down the line to recommend that one of the younger fellows wrap his sling around his arm to steady his rifle, he is "teaching and demonstrating a technique capable of causing injury and death." In fact, under the government's Director of Civilian Marksmanship program, any law-abiding American can sign up to shoot in a "DCM" match, with those

who shoot adequately qualifying to buy a surplus military rifle, at cost, from the United States government. The main function of such a rifle is to "cause injury to persons."

So when the Viper case goes to trial, the prosecution will probably focus on the "explosive and incendiary devices."

Some could argue that the Viper arrests constitute exactly the kind of encroachment that James Madison once declared should "provoke plans of resistance."

The indictment charges that four of the "conspirators" met and viewed "a video tape" "for the purpose of training persons in the making and use of explosive devices for use in obstructing the federal government." The tape shows members detonating "multiple destructive devices which ultimately created a crater in open land approximately 6 feet in diameter and 3 feet deep. The exercise also included Dean Carl Pleasant discharging an unarmed M-16 type rifle grenade which travelled approximately 100 feet." The indictment additionally states that one member spoke of his attempts to develop a two-foot-long, PVC-pipe "rocket," fueled with black powder and capable of soaring up to 200 yards, apparently without any internal guidance system.

Such charges sound great on the evening news, of course. But the Vipers' activities are clearly protected by the Second Amendment. The gov-

ernment agents themselves say that this rather ragtag bunch were just doing contingency planning for any future assault on our rights — hardly a far-fetched concern after what Americans have seen at Waco, Ruby Ridge, and Donald Scott's ranch.

As a matter of fact, some could argue that the Viper arrests constitute exactly the kind of encroachment on our liberties that James Madison once declared *should* "provoke plans of resistance," that should be opposed by "a militia amounting to near half a million citizens with arms in their hands." In any event, the Vipers would seem to fall considerably short of that number — news reports indicate that the group's leader talked so much about blowing things up that no other Arizona militia or Second Amendment group would have anything to do with him. His dwindling "Viper Team" had shrunk from 43 members a year ago to the twelve who were peacefully arrested this month.

Did ATF decide it had better act before they were *all* gone?

Further Charges

In what may be the indictment's only valid charge, Viper Team member Gary Curtis Bauer was accused of "knowingly and unlawfully possessing one (1) SKS type, 7.62 x 39mm caliber, full-automatic rifle, a machine gun as defined in Title 18, United States Code, section 921(a)(23)," etc. This small, fixed-magazine carbine became commonly available as military surplus during the 1960s, when Eastern Bloc countries replaced most of their stock with AK-47s. It is not illegal to possess one in the United States, even if it includes an extra little piece of metal that allows it to fire its ten rounds with one pull of the trigger, instead of ten pulls. (The same effect can be accomplished if you purposely break a few internal parts — something the FBI is infamous for doing if it wants to "prove" a seized weapon was "capable of firing full-auto.") All the law says is that you're supposed to pay a \$200 tax to possess such a rifle, which sells for

\$100 to \$150 in its semi-automatic (untaxed) configuration — cheaper than any handgun on the market, except for a few recycled Russian clunkers of equally antique vintage. Thus, the "Viper Militia" is accused of owning (and failing to pay a \$200 tax on) one, 30-years-out-of-date burp gun — a petty tax violation that scarcely amounts to a "terrorist" act. Indeed, since the seizure reports list several other "machine guns" and "silencers" that do not appear to have brought indictments as separate crimes, one can't help wondering whether most of the firearms possessed by this tiny "militia" weren't completely legal, with even the \$200 tax paid. The charge against Bauer may amount to a mere bookkeeping error.

Also seized in the federal raids were "one bag of Viper Militia patches" (sic — the patches did not include the word "militia"), "three magazines," "two books" (including *Homemade C-4 for Survival*), and "books on silencers, bomb recipes," and the like. So now we're down to seizing books, readily

Some more paranoid members of the Libertarian Party have speculated the bust came just in time to throw a cloud over the party's national convention.

available through the mail from publishers who advertise openly in national magazines. In the pre-Civil War South, it was against the law to teach a slave to read. Who are the slaves now?

The Security of a Free State

Four of the Viper defendants are registered Libertarians, and some of the perhaps more paranoid members of the Libertarian Party have speculated that they were busted just in time to throw a cloud over the party's July 4-7 national convention. Maybe. But it seems more likely that the much-touted Libertarian connection is the work of reporters eager to marginalize the party and portray it as a menace. After all,

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"I'm sorry, sir, but the teller who handled your account retired. Would you like to open a new one?"

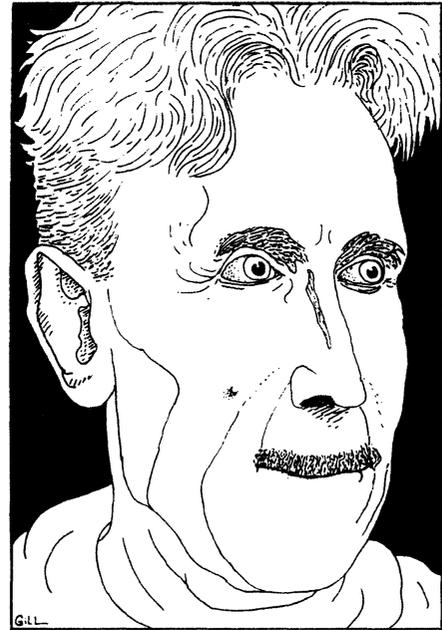
Baloo

Reconsideration

Orwell's Wartime Romance

by Martin Tyrrell

Tribal drums beat loudest during wartime.



Ideologues of all kinds have claimed George Orwell as their own. Libertarians, socialists, and conservatives alike believe *Animal Farm* and *Nineteen Eighty-four* support their political views. Recently, Bernard Crick called Orwell a “writer of historical stature on national character”¹ and suggested that, with both European integration and the breakup of the United Kingdom in prospect, it is this nationalist side of his writing that is potentially the most influential.

This kind of talk is always a pity. Factionalizing an author and his work reduces him to a caricature, and ultimately, that is all that Orwell the nationalist will ever be. There is more to this writer than John Bull with a red flag. The books Crick has in mind — *The Lion and the Unicorn* and *The English People* — were propaganda produced early in the Second World War, a phase in Orwell’s career that he later shamefacedly rejected. By 1945, he was already writing:

[T]he disease loosely called nationalism is now almost universal. . . . I defy any modern intellectual to look closely and honestly into his own mind without coming upon nationalistic loyalties and hatreds of one kind or another. It is the fact that he can feel the emotional tug of such things, and yet see them dispassionately for what they are, that gives him his status as an intellectual.²

Like “any modern intellectual,” Orwell sometimes lapsed into nationalism, even nationalism of a particu-

larly simplistic kind. Yet he was also able to approach the issue of national identity objectively. If nationalism is a disease, then Orwell certainly had it — and, for a while, had it bad. But he also had its measure. This ambivalence is what I will examine: his sudden, underexplained swing from anti-nationalist to nationalist propagandist in 1939 and his abandonment of that position around 1943. Much of Orwell’s best-known writing was produced after the war, and can be read as a comprehensive repudiation of his wartime patriotism. The essay “Notes on Nationalism” (1945), for example, is a considered and dismissive work. But it is not Orwell’s most significant breach with his wartime stance. That honor belongs to *Nineteen Eighty-four*, a novel that explores thoroughly what it is like to live in a collectivized, nationalist, and socialist society at war. Part of what makes it so authentic is that Orwell himself had been a propagandist for such a society.

Anti-Nationalism in Orwell’s Early Writing

Orwell’s early books and essays say little about nationalism, but the

little they say is hostile. In *The Road to Wigan Pier* (1937), Orwell summarily dismisses all claims of inherent national distinctiveness and judges the criteria allegedly underlying them — race, culture — to be bogus.³ Two years later, this gut reaction became more systematized after he joined the revolutionary socialists of the Independent Labour Party (ILP) and began to fellow-travel the Peace Pledge Union (PPU). Both of these organizations agreed that war was imminent, and that it would be no different from any previous war. It would be a fight between nation-states over issues of national prestige and international standing. Like most wars, it would be declared in the name of peace but, at base, there would be nothing special to dignify it, certainly not issues like “fascism versus democracy” or “human rights versus repression.” To the ILP especially, fascism and democracy were just rival forms of capitalism; only officialdom could imagine a difference between them. (Remember that this was the 1930s, when Britain was governed by a national coalition with minimal opposition, the closest the United

Kingdom has ever come to being a one-party state.)

Coming Up for Air, the novel Orwell completed the year the war began, is heavy with this ILP/PPU outlook. In it, he belabors the point that "fascist" is simply a term of abuse, a rhetorical trick to stigmatize one particular set of foreigners so as to exaggerate any actual differences between "them" and "us." Here Orwell equates the anti-fascism stories of 1939 with the tall tales used to justify World War I, fables of "gallant little Belgium" and of German factories where corpses were turned into margarine. For all the talk of fascism abroad, *Coming Up for Air* suggests that there is more than

In 1939, Orwell felt the "emotional tug" of nationalism and could not reason it away. His dissent, like Winston Smith's, had come to an end.

enough of it at home. Thus, when the central character, George Bowling, revisits his childhood home, he sees a quasi-military procession of schoolchildren carrying banners that read "BRITONS PREPARE" and "WE ARE READY, ARE YOU?"⁴ These children, marching in line like the Hitler Youth or Young Pioneers (or the Spies in *Nineteen Eighty-four*), are intended to prick the consciences of others — adult men — to do likewise. However their parents might feel, however much they might object, the British nation-state, like Hitler's, already had the children. *Coming Up for Air* depicts a state preparing its citizens for war, with a mendacious justification (anti-fascism) and a mass mobilization that starts with the young.

Wartime Nationalism

Less than a year after *Coming Up for Air* was published, Orwell's position shifted abruptly. Suddenly the pacifist and international socialist was a pro-war nationalist, an enthusiastic propagandist who blackguarded his former comrades. Soon he was working for the BBC. This change had little to do with any rational sizing up of the situa-

tion. Shortly after war was declared, Orwell wrote, "I know very well . . . the emotion of the middle class man brought up in the military tradition, who finds in the moment of crisis that he is a patriot after all . . . a time comes when the sand of the desert is sodden red and what have I done for thee, England my England?"⁵ In 1939, in the swell of wartime propaganda, Orwell felt the "emotional tug" of nationalism and could not reason it away. His dissent, like Winston Smith's at the close of *Nineteen Eighty-four*, had come to an end.

Orwell had been schooled during the First World War, when children's comics had depicted Germans with the faces of pigs. He had drilled and trained with Eton's military cadet corps; his first published work had been schoolboy odes to his country and its army. Now, when the call to arms came from his nation, he could no longer continue his pacifist revolutionary socialism. He could not even be the indifferent "Tory anarchist" he had been in his twenties. He did not *become* a nationalist; deep down, he had been one all along.

His new ideological vision was expressed in *The Lion and the Unicorn* and *The English People*. Both books are nationalist propaganda of a particular kind, a kind socialists might read and by which socialists might be influenced. The wartime Orwell argued for a nationalism that will make socialism possible, a socialism that will strengthen the nation and help it win the war, and a war that will provide the impetus for both socialism and nationalism. Good old war!

Orwell initially despaired that consumerism was undermining England's war effort and bemoaned England's lack of a centrally planned economy like that of Nazi Germany. For that reason, the early German successes perversely pleased him; they seemed to support his faith in the potential of a national socialist economy.

Did that make Orwell a fascist?

The question is no longer meaningful, because "fascist" no longer carries any precise meaning. Even when Orwell was writing, it had begun to lose all sense; the closest he could get to a synonym was "bully." But equating fascism with bullying is emotive

rather than precise. Worse than that, it is on par with the atrocity stories sneered at in *Coming Up for Air*. All large states have something of the bully about them — not just Nazi Germany and militarist Japan, but 1930s Britain, with its oppositionless government and its sprawling, mismanaged empire. Today we think of racism as an inherent fascist trait, but the prototypic fascist states — Italy, Spain, and Portugal — were hardly more racist than many democratic states, while the *full* extent of German anti-Semitism did not become known until 1945. Thinking of fascism as simply bullying or racism ignores its social and economic traits. During the war, Orwell was certainly something of a bully, albeit a rather half-hearted one — many of those whom he scurrilously attacked in public (John Middleton Murry and George Woodcock, for example) were later soothed in private correspondence — and he was the mildest of anti-Semites; but it is his social and economic outlook that he most clearly shared with the fascists.

Yet this too can be exaggerated. He wanted the best of England, as he saw it, to be preserved — including democracy and free speech. Believing that a consumerist, individualistic society

If nationalism is a disease, then Orwell certainly had it — and, for a while, had it bad. But he also had its measure.

was ill-placed in a war against a planned, nationalistic one, he argued that England should become more like Germany in that respect. Whether England, in becoming like Nazi Germany in that one way, might become like it in others — that is a question Orwell neither asked nor answered in his public writings. However, I think he did so privately — that he recognized the direction the national socialist state he had advocated might travel, and decided he wanted no part in it. *Nineteen Eighty-four* was his response and our reminder. (That the regime in *Nineteen*

Eighty-four is nationalist as well as socialist is frequently overlooked. The book makes it clear that it is crude patriotism that maintains order among the Proles, that it is national loyalty that binds the Party to the State, and that war is the cement that holds it all together. Moreover, politically, *Airstrip One* is a personal dictatorship, to Orwell the style of government best suited to nationalism.)

From English Socialism to Ingsoc

In both *The Lion and the Unicorn* and *The English People*, Orwell presents "Englishness" as the core ideal on which society should be based. But what is Englishness? Orwell cannot say, yet he is for it all the same. In place of a definition, there is sentimentality and propaganda.

Both books are maudlin confessions of faith, sermons of schmaltz. By the time of his death, they were out of print. Orwell's will requested they stay that way, and it is not hard to see why:

Yes, there is something distinctive and recognisable in English civilization. . . . It is somehow bound up with solid breakfasts and gloomy Sundays, smoky towns and winding roads, green fields and red pillar-boxes. It has a flavour of its own. Moreover it is continuous, it stretches into the future and the past, there is something in it that persists, as in a living creature. What can the England of 1940 have in common with the England of 1840? But then, what have you in common with the child of five whose photograph your mother keeps on the mantelpiece? Nothing, except that you happen to be the same person.

And above all, it is *your* civilization, it is *you*. However much you hate it or laugh at it, you will never be happy away from it for any length of time. The suet puddings and the red pillar-boxes have entered into your soul. Good or evil, it is yours, you belong to it, and this side the grave you will never get away from the marks that it has given you.⁶

Only in Orwell's private writing can we see the darker side of England at war. His diary entry for 12 June 1940, for example, records the aftermath of a series of spontaneous public

attacks on foreign-owned businesses in London. In response to this politically motivated vandalism, the Spaghetti House quickly became the British Food Shop, and an Italian grocery store "entirely British." Even a French restaurant became English.⁷ At times, then, Orwell's gentle and law-abiding English were neither gentle nor law-abiding after all. In wartime England,



the jingoist climate was so strong that some foreigners found it politic to lie low, or to disguise the fact that they were foreign. This hostility was so undifferentiated that it extended even to foreigners whose native lands were allies of the U.K.

This was to be expected. As Orwell more or less recognized, it is not abstract issues ("fascism versus democracy") that make a war possible, but the fact that it is being waged against an outgroup. In any national war, the call to arms could be based on old (or not-so-old) rivalries and on the abiding notion that foreigners are not only different from us, but less than us as well. This was the essence of Imperial Britain's war nationalism as much as the Third Reich's. And this was what Orwell supported. At times, indeed, he almost seems to have *wanted* this xenophobia. It is significant that he left this Delphic sentence hanging:

The energy that actually shapes the world springs from emotions — racial pride, leader-worship, religious belief, love of war — which liberal intellectuals mechanically write off as anachronisms, and which they have usually destroyed so completely in themselves as to have lost all power of action.⁸

How will life be lived under the English socialism of *The Lion and the Unicorn* and Orwell's other wartime writing? Unlike many on the Left, Orwell was frank about the kind of society he envisioned: a conformist, regimented, glamorless world regulated by the "done thing" mentality he had dismissed in earlier books — a world of duty and literal uniformity. (At one point, Orwell expressed hope that clothes rationing would continue after the war, leaving the people nothing but dyed battle dress to wear.⁹) The young Orwell, by contrast, was no egalitarian. For him, writers were a breed apart; their selfishness, as Ayn Rand would say, was a virtue. His essay "Why I Write" eulogizes writers, scientists, and other creative people for resisting the self-effacement that most people adopt as they enter middle age. Predictably, in his wartime work, Orwell retreated from this position, notably in his essay "The Art of Donald McGill."

Bawdy humor rich in innuendo and double entendre along the lines of *The Benny Hill Show* have always been popular in Britain. When Orwell was writing, George Formby was still singing about his little stick of Blackpool rock and Mrs. Slocum's Pussy was only a generation away. Donald McGill was a part of this, producing a series of cartoon postcards of a kind still popular in British holiday resorts. The typical McGill card features henpecked middle-aged men; their frumpish, sexless wives; and a succession of impossibly voluptuous girls. The humor centers on the rather sad premise that the men, as they age and decline, can only dream about having the girls; the predatory frump-wife will be theirs for the rest of their lives. There is more than a little of the McGill couple in Orwell's characters George and Hilda Bowling in *Coming Up for Air*, and it is against the McGill vision that Gordon Comstock rails in *Keep the Aspidistra Flying*. But by the time he wrote "The Art of Donald McGill," Orwell's youthful Tory anarchism had been on ice for years, and he could find much to commend in McGill's world. It was, for example, free of "good-looking people beyond their first youth" and thereby free of the narcissism Orwell had come to detest:

[T]he working class outlook . . . takes it as a matter of course that youth and adventure — almost, indeed, individual life — end with marriage. One of the few authentic class-differences, as opposed to class-distinctions, still existing in England is that the working class age very much earlier. . . . [T]he truth is that the working classes reach middle age earlier because they accept it earlier. For to look young after, say, thirty is largely a matter of wanting to do so. . . . The impulse to cling to youth at all costs, to attempt to preserve your sexual attraction, to see even in middle age a future for yourself and not merely for your children, is a thing of recent growth and has only precariously established itself. It will probably disappear again when our standard of living drops and our birth-rate rises.¹⁰

The need to arrest the decline of the English birth rate was a common

The early German successes perversely pleased Orwell; they seemed to support his faith in the potential of a national socialist economy.

Orwell theme during this period. In *The English People*, for instance, he calls for the government to create economic disincentives against childlessness, raise family allowances, establish free schooling, build bigger council houses, and clear more areas in which children can play. A lifelong misogynist, Orwell blamed the more emancipated women of the middle class for the alleged decline in the British population — liberated women who preferred owning pets to having babies and chose glamor over keeping house and raising children. Lingerie was a regular Orwell obsession, but not in any voyeuristic way: he roundly and regularly condemned girdles, silk stockings, and “scanty panties” as the consumerist fripperies of women who refuse to breed. Under English Socialism, all this will change: living standards will fall, the birth rate will rise, we will age before our time, and, in place of the foppish, individualistic middles, the dutiful and selfless working class will

rule. The national socialist utopia will be built on the proletariat’s bovine resignation:

Society has always to demand a little more from human beings than it will get in practice. It has to demand faultless discipline and self-sacrifice, it must expect its subjects to work hard, pay their taxes, and be faithful to their wives, it must assume that men think it glorious to die on the battlefield and women want to wear themselves out childbearing. The whole of what one may call official literature is founded on such assumptions. . . . [T]he high sentiments always win in the end. . . . When it comes to the pinch, human beings are heroic. Women face childbed and the scrubbing brush, revolutionaries keep their mouths shut in the torture chamber, battleships go down with their guns still firing and their decks awash.¹¹

This is a chilling vision, one in which human beings are no more than raw material for “society” (that is, the state). *Nineteen Eighty-four* offers a very different vision of how a country built on these collectivist principles might look. At lunch at the ironically named Ministry of Truth, Winston Smith takes a close look at his colleagues:

Nearly everyone was ugly, and would still have been ugly even if dressed otherwise than in the uniform blue overalls. . . . [T]he majority of people in Airstrip One were small, dark and ill-favored. It was curious how that beetle-like type proliferated in the Ministries: little dumpy men growing stout very early in life, with short legs, swift scuttling movements, and fat inscrutable faces with very small eyes. It was the type that seemed to flourish best under the dominion of the Party.¹²

Winston, like the wartime Orwell, idealizes the workers as the potentially revolutionary class. But Winston’s hopes — and, by implication, Orwell’s — are baseless. In *Nineteen Eighty-four*, the working class is described thus:

So long as they continued to work and breed, their other activities were without importance. Left to themselves, like cattle turned loose upon the plains of Argentina, they had reverted to a style of life that appeared to be natural to them, a sort of ancestral pattern. They were

born, they grew up in the gutters, they went to work at twelve, they passed through a brief blossoming period of beauty and sexual desire, they married at twenty, they were middle-aged at thirty, they died, for the most part, at sixty. Heavy physical work, the care of home and children, petty quarrels with neighbors, films, football, beer, and, above all, gambling filled up the horizon of their minds. To keep them in control was not difficult.¹³

There are further parallels between the “Ingsoc” of *Nineteen Eighty-four* and Orwell’s wartime socialist vision. For example, collectivism is the official ideal. Party members are forbidden to be alone. Away from their work, they are expected to participate in communal activities. Individualism — in Newspeak, “Ownlife” — is discouraged. Even taking a walk is suspect.

Similarly, femininity and fashion are prohibited. Women dress as men. Puritanism and abstinence, inculcated via the Junior Anti-Sex League, are expected of all unmarried female Party members. Joyless, dutiful, procreative sex is the marital norm; Winston and his deceased-wife Katharine are a new twist on the McGill couple. Julia, in contrast, subverts the Party’s sexual mores with her promiscuity and

In wartime England, the jingoist climate was so strong that some foreigners found it politic to lie low — even foreigners whose countries were allies.

hedonism. Part of her rebellion is her attempt to reclaim her femininity by wearing a dress and putting on makeup.

The Nation Spurned

So by 1948, with the satire of *Nineteen Eighty-four*, Orwell was tacitly rejecting his own wartime nationalism. In 1944, as the war was drawing to a close, he started to reject the rosy socialist forecasts he had been making. And as the war came to an end, he began to revert to his earlier hostility — if not to the war itself, then at least

to the nationalism that had inspired and sustained it.

An early signal of this reversal was Orwell's belief that the net effect of scientific advancement has been to facilitate nationalism, not to impede it.¹⁴ The implication is that nationalism is characteristic of technologically sophisticated societies — and thus that national identity is not as innate and "natural" as Orwell once supposed. He was also saddened that foreign travel had become completely bureaucratized, noting that until 1914 only Russia required passports, and that people who had wanted to emigrate needed only to gather the necessary fare and set sail, no questions asked. Even during wartime, travel in "enemy" countries was relatively straightforward. Orwell contrasted this with the situation in the 1940s, when travel restrictions made some countries — China, Russia, Japan, even India — largely inaccessible. The power of national borders was further strengthened by immigration restrictions that restrained even Jews fleeing persecution, by many countries' policy of jamming foreign radio signals, and by most citizens' disinclination to listen to anything but domestic radio anyway. The former BBC radio producer wrote that any state-controlled radio service is "a sort of totalitarian world of its own, braying propaganda night and day to people who can listen to nothing else."¹⁵ In *Nineteen Eighty-four*, technology enables and empowers the panopticon state. It allows the regime to monopolize the flow of information and dictate how things were, how things are, and how things will be. Under Ingsoc, even facial expressions are monitored for signs of inner subversion.

By 1945, then, Orwell had abandoned his wartime view that the nation-state is natural and spontaneous. Nations, he now knew, are statist inventions, and national consciousness is manufactured and imposed, not innate or enduring. From this it was but a short step to his "Notes on Nationalism," which portrays nationalists as the ultimate totalitarians, out to politicize every aspect of life and seize every opportunity, however ridiculous, to compare "us" favorably to "them." The nationalist selflessness

Orwell so recently praised was no longer a good thing. Nationalists, Orwell wrote, submerge their identity into the fatherland and devote themselves to advancing that larger whole. Out of this, he reckoned, grows a dangerous obsession. At best, nationalists want their side to be unsurpassed at everything — war, sport ("mimic warfare"), even trivial things like cooking. At worst, they persuade themselves



that actions deemed bad when carried out by the other side — aerial bombing, forced labor, assassination — are perfectly reasonable from their own.

When Orwell wrote "Notes on Nationalism," the Allies, even as they condemned German and Japanese atrocities, were carrying out massacres themselves, from the carpet-bombing of German cities to the atomic attacks on Hiroshima and Nagasaki. Meanwhile, the original issue over which the war was fought — Polish territorial integrity — was gradually being forgotten in the pragmatics of the British national interest. By 1945, Poland had lost not *some* of its territory to Britain's enemy, but *all* of its territory (and many of its citizens) to Britain's ally. All of these awkward facts were lost in the spin of official propaganda, the quintessential nationalist art. As Orwell wrote:

Every nationalist is haunted by the belief that the past can be altered. He spends part of his time in a fantasy world in which things happen as they should — in which, for example, the Spanish Armada was a success or the Russian Revolution was crushed in 1918 — and he will trans-

fer fragments of this world to the history books whenever possible. Much of the propagandist writing of our time amounts to plain forgery. Material facts are suppressed, dates altered, quotations removed from their context and doctored so as to change their meaning. Events which, it is felt, ought not to have happened are left unmentioned and ultimately denied.¹⁶

This has a parallel in *Nineteen Eighty-four*. Like Orwell, Winston Smith is a minor propagandist. His job with the Ministry of Truth involves small-scale rewriting of the past. The *Times* remains the paper of record. Past issues are full of "errors" — statements that conflict with current Party policy or current events. It is Winston's duty to correct these, then dispose of the originals by throwing them down a "memory hole."

This process of continuous alteration was applied not only to newspapers, but to books, periodicals, pamphlets, posters, leaflets, films, sound tracks, cartoons, photographs — to every kind of literature or documentation which might conceivably hold any political or ideological significance. Day by day and almost minute by minute the past was brought up to date. In this way every prediction made by the Party could be shown by documentary evidence to have been correct; nor was any item of news, or any expression of opinion, which conflicted with the needs of the moment, ever allowed to remain on the record. All history was a palimpsest, scraped clean and reinscribed exactly as often as was necessary.¹⁷

Orwell was frequently haunted by the potential unreliability of history, since records could easily be amended for political purposes. During the Spanish Civil War, he had seen events that had not happened reported as though they had and events that *had* happened written out of existence. Later, he watched the original English-language edition of *Mein Kampf*, with its sympathetic introduction, withdrawn and re-prefaced as soon as war was declared. Later still, he was skeptical that the Battle of Britain had actually been as heroic as was subsequently reported, the more so

Continued on page 44

Suprynawicz, "The Real Viper Conspiracy," *continued from page 16*

seven of those arrested in Phoenix were registered Republicans, yet no reporter that I know of called the Arizona GOP to ask if they were ashamed to be attracting such dangerous radicals. Virtually every LP official in Arizona seems to have been asked that question.

If the authorities' goal really was to protect the Vipers' neighbors, as

opposed to staging some media-event arrests, why didn't they approach the group openly, offering them a safer place to test and store their munitions, rather than sit by and watch them do dangerous things for two years while ATF tried to "build a case"? Or, if the offer failed, why not simply issue a more sensible state or county citation for "reckless endangerment"? But the

Vipers have done nothing wrong.

The best hope of peace and liberty now lies with the fully-informed juries of Arizona, who I trust will laugh out of court the notion that citizens who have done no harm, no matter how incautious their talk, should be jailed for "watching videotapes" of their friends blowing up sand dunes in the desert. □

Medianotes, *continued from page 14*

reading the *Guide* are the satirists. Well, try as I may, I can't satirize *TV Guide*. The magazine satirizes itself. Much as the average infomercial is funnier than the average sitcom, the typical *TV Guide* feature is funnier than most deliberately "humorous" writing.

Recently, I discovered an old issue — October 31, 1992 — in a friend's attic. On page five, I found a brief interview with Tipper Gore, lifemate of Prince Albert and would-be censor of popular music. Asked whether she had seen the film *Wayne's World*, she replied, "As a matter of fact, I just saw it on tape the other night with the kids. I thought it was cute. My favorite scene was the one with all the metalheads in the car listening to the opera."

For those who haven't seen the movie: the "opera" in question is "Bohemian Rhapsody," Queen's 1975 pomp-rock hit. In how many magazines will an alleged music expert confuse Freddie Mercury and Verdi? *Newsweek*, *Time*, *TV Guide* — suddenly, illiteracy seems like an act of resistance. —JW

Microsoft World — Microsoft is suddenly looking a lot like a media firm. In a month's time, it has launched a magazine of opinion and, in partnership with NBC, a cable news network. And according to *The Wall Street Journal*, it's threatening to replace your daily newspaper with a sophisticated online information service.

Hiring Michael Kinsley to edit its opinion magazine was a shrewd move. Kinsley is a good editor and a good writer — why he wasted his time as a television pundit, I'll never know. Kinsley gave *Slate* instant credibility,

and the ability to attract good writers.

The first few issues of *Slate* have been hurled into the ether, available free to inhabitants of cyberspace: just set your web-browser to its URL, and up will pop its table of contents. A quick flick of your mouse, and you're ready to browse any article you want.

Except for a couple of problems. Even with the fastest modem, going from article to article is slow and plunky, especially if you want to see something other than raw text. The delay is usually no more than half a minute. But half a minute seems like an eternity when you are simply, in effect, turning a page.

So instead of reading *Slate* on my regular computer, I usually read it on my laptop while I watch television, giving me something to occupy myself with as my modem does whatever it is that modems do.

From what I've seen so far, the quality of the writing is excellent — no surprise in a publication put together by Kinsley. It's a good-looking product that (thank God!) lacks the glitz of many websites. But I don't believe Kinsley's former employers at *The New Republic* should be shaking in their boots until interfaces get faster and computers get smaller.

There are two major advantages to cyberspace publishing: a webzine can be updated easily and can archive (in searchable form) a great deal of information. Neither of these are critical qualities of a magazine of opinion. But if the technology continues to accelerate and Microsoft remains committed, *Slate* should have its print competitors worried.

Two days before we went to press, Microsoft launched its cable channel

MSNBC. Drawing on NBC's news resources and Microsoft's Internet assets, MSNBC already offers a product competitive with CNN. Its prime-time interview programs feature such NBC stalwarts as Tom Brokaw, Bob Costas, and Katie Couric, as well as smarmy PBS refugee Bill Moyers. Of these, only Costas can really be considered a first-rate interviewer, but they certainly stack up well against the moronic Larry King on CNN.

MSNBC hopes to get a younger audience, with its emphasis on computer culture, web reviews, and technonews. It also airs documentaries about historic events compiled from NBC's archives. I enjoyed watching a retrospective of Ted Kennedy's lies about Chappaquidick and seeing his speech at the 1980 Democratic Convention. (The halfwitted delegates' ecstatic response was especially amusing.)

It's too early to tell, but my guess is that MSNBC may give CNN a run for its money. Bill Gates may not be the new Rupert Murdoch quite yet, but in a couple of years . . . —RWB

Back of the book — Four years ago in these pages, I criticized John Jackley, author of the anti-Congress exposé *Hill Rat*, for being a bit of a weasel: "Jackley . . . can be read by liberals, conservatives, moderates, libertarians, and communists without offending a soul."

Now Jackley has a new book out. And there, on the back cover, under the heading "Praise for John Jackley's *Washington Post* Bestseller *Hill Rat*," were my words.

Praise? Only in Washington would being inoffensive to everyone be considered a good thing. —JW

Report

Liberty Comes to the Beltway

by Chester Alan Arthur

Mr. Browne goes to Washington.

Out in America's hinterland, where I live, Independence Day is special, a time when we celebrate our ancestors' refusal to obey British law by refusing to obey American law. For about 36 hours, people are blowing up stuff everywhere, mostly using fireworks acquired on Indian reservations, where federal and state regulations on the sale of fireworks explosives don't apply. Just taking a walk around my little town is a pleasure on July 4. Wherever I go, firecrackers explode, bottle rockets whistle by, and M-100s kaboom. At night, fireworks light up the sky. They are the same sort of fireworks that in most places are handled by licensed pyrotechnic authorities — only these are set off by anyone who happened to wander through an Indian reservation with a few bucks in his jeans and a desire to celebrate his nation's independence.

I myself always stop by the reservation and buy a variety of brightly colored items, most of which I don't recognize. All have the same instructions: "Use only under adult supervision. Light fuse and get away." So I light the fuse and get away, and wait to see whether I have lit something that explodes or flies into the air or spins on the ground or shoots off a fountain of fire. So far, I haven't lit my house on fire, though once I came close, and once I got my lawn going pretty good. (I've matured since those scary episodes; now I go to the beach and aim my stuff over the water.)

An hour or two from town, there's an airbase with a billboard that reads, "Pardon our noise. It's the sound of

freedom." This always annoys me a little: what does the sound of jets roaring above, keeping their pilots ready to fly off to Panama or Bosnia or Saudi Arabia or Haiti at a moment's notice, have to do with freedom? But when I walk around my town on July 4 and smell the gunpowder in the air and hear the whistling, banging, booming, and screaming of rockets, the words of the billboard come back to me: *that's* the sound of freedom!

Traditionally, the Libertarian Party has held its presidential nominating convention the year before the election, over Labor Day weekend. This year, it was held in Washington, D.C. over Independence Day weekend, four months before the election. The move made a lot of sense. It meant extensive coverage from C-Span, and during an election year, when people's interest would be higher (or, at any rate, less low). It would generate a lot of interest, a lot of calls to the LP's 800 number, and a lot of money. It would mean proximity to the punditocracy, and maybe some plugs in the press. And it would also make it easier for its presidential nominee to raise funds, since individuals are allowed to donate \$1,000 before the

nomination and \$1,000 after.

The LP convention might be fun, but could it compare with Independence Day at home? Sure, Washington, D.C. may be a good place to get press attention and C-Span coverage. But who wants to celebrate the American Revolution with a bunch of politicians, bureaucrats, and other welfare chiselers? Or in a place where the temperature and humidity were both likely to be in the '90s? Where you'd be liable to be arrested for blowing up a simple M-80, not to mention one of those things that look like cannons and shoot those great big colorful starbursts into the air?

Not only that, but for once, it looked like the convention might lack its customary drama. Two years ago, author Harry Browne decided to seek the Libertarian presidential nomination. Browne stood head and shoulders above his competition in terms of intelligence, charm, and wit. In a fit of good sense, enough party members chose to support Browne that it looked like he'd take the nomination in a walk. Only one vice-presidential candidate had tossed her hat in the ring. The race for national chair — the titular head of the party — was going

to be contested, but popular incumbent Steve Dasbach seemed likely to win a second term easily. The biggest story would likely be the platform-wrangling.

So when I agreed to turn over the honor of covering the convention to a volunteer, I was not entirely reluctant. I'd stay home; celebrate Independence

Compared to Harry Browne, Ed Clark seems almost Republican.

Day with incendiaries, the way it deserves to be celebrated; and catch the LP convention on C-Span.

* * *

Two days after the convention ended, I got word that *Liberty's* new correspondent had failed to file a story. So I was thrown into the breach. Unlike in past years, the best I could come up with was a commentary on what I saw on television, augmented by *ex post facto* telephone interviews with participants.

There is a big difference between watching an LP convention on television and attending one in person. C-Span coverage pretty much focuses on the podium, hour after hour. So you can get a pretty good idea of how the official business went, but very little idea of what happens behind the scenes, what deals were cut, who got stiffed, and who got rewarded — and little feel for the atmosphere of the meeting.

* * *

The 1996 convention was far less acrimonious than previous conventions. In 1983, nearly half the delegates walked out after their candidate lost a bitter fight for the nomination; most haven't been heard from since. In 1987, the presidential nominee so disliked the vice-presidential candidate that their campaign staffs didn't even speak to one another during the campaign. In the off-year convention of 1989, after a bitter but lopsided fight over the national chair, supporters of the losing candidate walked out — and once again, most haven't been heard from since. In 1991, the presidential nominee

endorsed a candidate for vice president, only to have her ignominiously rejected by the delegates.

But this year, most delegates came to the convention determined to nominate Harry Browne. It is easy to understand why. Browne is certainly the most articulate candidate ever to seek the nomination. He had already mounted a well-organized campaign that took him to 38 states, got significant media coverage, and appeared on over 200 radio talk shows. He also wrote a book outlining his agenda, and sold it to a major publisher. *Why Government Doesn't Work* didn't make the bestseller lists, but it has sold very well.

There were two other serious contenders: Rick Tompkins and Irwin Schiff. Tompkins, an Arizona activist and former party candidate for public office, promised both to articulate the libertarian principle of the immorality of initiating force and to refuse to compromise, a position that entailed his advocating positions that most voters might find a little goofy (e.g., immediate abolition of all taxes, and hence, presumably, the entire government). Irwin Schiff, a tax rebel, promised to explain to the American people that federal law did not require one to pay taxes, his own felony conviction for failing to pay taxes notwithstanding.

Browne called for radically reducing the size and power of government. He supported the immediate abolition of the income tax, pardons for persons convicted under federal law of victimless crimes (including tax protesters, tax evaders, and drug offenders), the sale of government assets to fund annuities to replace Social Security, and strict limitation of the federal government to those functions authorized by the Constitution.

Tompkins criticized Browne for having such a specific program: "The message that Browne is taking to people is not an accurate message of what I believe the Libertarian Party stands for. He doesn't talk about anything other than utilitarian arguments. I believe that that just begs the question of why. And I believe that if people don't understand why, then all you're doing is you have dueling salesmen, so to speak, and whoever can [tell] the best-sounding story is going to win the

argument temporarily. We have to explain to people the philosophy of inalienable rights."

In an important sense, Tompkins' argument was reminiscent of the early days of the Libertarian Party. The LP's first candidate, back in 1972, was John Hospers, a professional philosopher whose campaign focused on the philosophy of individual rights. In 1976, LP nominee Roger MacBride eschewed specific policy programs in favor of general statements of libertarian thinking.

MacBride got 174,199 votes in the first truly national Libertarian campaign, a total that disappointed many within the LP. Ed Crane in particular campaigned for the LP to commit itself to nominating a candidate who had specific stands on specific issues. In 1979, the party nominated Ed Clark, an LP activist who had received 5.5% of the vote as an independent in the 1978 California governor's race. Crane ran the presidential campaign, which featured a coherent program for decreasing the size and power of government, complete with detailed "white papers" explaining just what programs would

Charles Collins spoke like your slightly drunk right-wing uncle who manages to get people's attention by standing on a table at a church picnic.

be eliminated and what taxes would be cut.

It was a heady time for Libertarians. Charles and David Koch, wealthy Kansas oilmen, were willing to donate a substantial amount of money to the campaign, but were prohibited from doing so by federal law. It occurred to someone that if a Koch were on the ticket, he could donate as much as he wanted. So David Koch accepted the vice-presidential nomination and pumped several million dollars into the campaign. Koch's millions put organizers in the field, got ballot status, and bought television advertising and visibility. Clark got 921,199 votes, still the high point in LP presidential campaigns.

The Koch millions were probably

more responsible for the large vote total than Clark's well-defined program and white papers, which played a relatively minor role in the campaign. Rather than focusing on policy or ideology, the campaign emphasized Clark's similarity to John F. Kennedy, discretely showing a photograph of Kennedy in Clark's campaign literature, describing Clark as a "low-tax liberal," and even reportedly restyling Clark's hair to resemble JFK's. In an interview on *Nightline* five days before the election, Clark described his program in these words:

We want to get back immediately to the kind of government that President Kennedy had back in the early 1960s, which I think was much more benevolent . . . had much lower inflation, much higher growth rates, much lower levels of taxes.

Clark's vote total disappointed many Libertarians at the time, partly because the campaign had raised expectations so high. There followed a period of internal strife, driven partly by personal differences and partly by concerns that Clark's campaign had blurred the libertarian message too much. The conflict came to a climax at the 1983 presidential nominating convention. When Crane's choice, Earl C. Ravenal, lost the nomination, the Crane faction walked out, never to be heard from again within the LP. Without the Koch money (the Kochs had left with Crane) and with so much energy dissipated by the internal battle, David Bergland's 1984 presidential campaign hardly got off the ground.

Since then, the question of "purity" versus "program" hasn't really been fought out within the LP. The 1988 nomination was hotly contested, but the two candidates were both newcomers to the party professing an ability to appeal to voters outside the usual Libertarian target audience. Former GOP congressman Ron Paul argued that he could appeal to political conservatives betrayed by the Reagan revolution. Indian activist Russell Means argued that he could appeal to oppressed minorities. Paul won the nomination, waged a modest campaign, and got 431,000 votes. Again in 1991, the competition for the nomination was fought mostly on the question of personality, and the impe-

rious campaign received only 291,627 votes.

Before this year, Clark had been the only Libertarian nominee to offer the voters a specific detailed program. His was also the most successful LP campaign, at least in terms of votes garnered. Whether the program contributed substantially to that vote total is impossible to know for certain; substantial spending on television adver-

How many people would vote for someone like Rick Tompkins, who thinks it's a "waste of time" to talk about the issues?

tising was certainly a more important factor.

Though Browne, like Clark, presents an extensive program, his is far more radical. Clark proposed cutting federal spending by 32.7% his first year in office; Browne calls for a cut of 51.0%. Clark called for a 50% cut in income tax rates; Browne calls for eliminating the income tax altogether. Clark called for tax cuts of 30.1%; Browne calls for tax cuts of 90.0%.* Compared to Browne, Clark seems almost Republican. Indeed, a case could be made that Clark's program is closer to that of a low-tax Republican like, say, Steve Forbes than to Browne's.

* * *

The day before the nominations, the candidates held a debate, or at least what passes for a debate in American politics. It was the first time I'd seen Tompkins in action, and he seemed earnest and reasonably articulate. "We have to have agreement that it's wrong to hurt people — it's wrong to initiate force against peaceful people," he solemnly intoned. "Until we get a consensus from people, an agreement on that simple basic principle that it's wrong to initiate the use of force against people for any reason, we are wasting a lot of time talking about

* Both expected small budget surpluses, Browne's achieved mostly by substantial asset sales.

other issues." I wondered how many votes a candidate who thinks it's a "waste of time" to talk about specific issues might get.

Harry Browne was his usual self: well-prepared and confident, articulating his proposals very well. (A transcript of his acceptance speech, which covers much of the same ground, can be found on pp. 29-33 of this magazine.)

Schiff explained that he would run on a program of explaining to the American people that the law does not require them to pay income taxes. Here is how he responded when asked for a "three-minute response to what other candidates have said":

A former chief justice, John Marshall, said, "The power to tax is the power to destroy." And no greater example of this is what's happened to this country. Before the Second World War, before the income tax, which was really imposed in 1943 by way of withholding taxes, America had the highest standard of living in the world, America exported all manner of goods all over the world, the dollar was regarded as the world's strongest currency, America was the biggest creditor nation. Now we're the biggest debtor nation, there are at least nine countries with standards of living higher than our own, there are at least nine countries with wage scales higher than our own. It's clear the federal government is destroying this country by extorting income taxes from the American public, [yet] no American is required to pay income taxes — you can pay it voluntarily, if you want to volunteer to do so — but I and millions of other Americans are no longer volunteering.

And the reason why is, if the income tax were compulsory it violates the First Amendment, the Fourth Amendment, the Fifth Amendment, and all three taxing clauses of the Constitution, as well as the Sixteenth Amendment. Now, we have a country that's going crazy.

The power to tax is the power to destroy, I believe. If you cut the roots off, the tree dies. I'm not interested in attacking twigs, attacking leaves; I want to prevent the government from extorting money

from the American public, and this is the chief issue I think the Libertarian Party should bring to the American public, so that the IRS and the courts will no longer be able to intimidate the American public into paying a tax that no law requires anybody to pay. And I think once the American public knows that, you see, the federal bureaucracy, the bureaucrats will simply wither. The federal government is like a huge hemorrhoid. And we have to excise that hemorrhoid!

You know, it's amazing. The press, the press sees all of these little issues, like unemployment, like youth, pregnancies of youth, homelessness, and thinks all of these problems are separate. Now, all of the problems stem from the government taking 50% of what the average American makes. When I was growing up in New England, Connecticut, women didn't work, they were home taking care of their kids. Now there is no American worker who can support his family just on his own paycheck. Because you know what? The average American worker in 1920 got twice as much money [as] the average American today.

But I only have three minutes so my time is supposed to comment on the other candidates. All I'm saying, I want to focus, excuse me, I really want to focus on the criminal and destructive nature of the federal government, and I want to tell all Americans how they can immediately stop paying income taxes by claiming "exempt" on a W-4, and I can even show you how to get all the money back you were duped into paying this year by filing a zero income tax return, refusing to assess yourself, and ask for it all back. I want to thank you very much.

You get the idea. He was obviously spouting patent nonsense, but he was utterly charming, at least to me.

Two last-minute candidates also participated. Charles Collins spoke like your slightly drunk right-wing uncle who manages to get people's attention by standing on a table at a church picnic. Here's part of his three-minute response:

When I get there I will pardon all the prisoners who are in jail because

of the violation of some rule or regulation. We will go back to law and the Constitution and turn half of our prisoners out, and I will pardon them, because they've done nothing but violate a rule. This is not right, and if you agree with that, let me hear it. Shall we turn 'em loose? I don't agree that we need to, I don't subscribe to selling off any of the assets of the United States of America.

You do away with the Federal Reserve, you buy it back by the provisions, you end income taxes, that's 400 billion a year, you end the interest we're paying on our money in circulation. That's 400 billion. Those counteract each other. But we're spending close to 800 billion in the preparation of those taxes. And then the federal government is confiscating another 400 billion — the same cost of organized crime. \$1,600,000,000,000 dollars that the government is taking. If we end that, and we put this money in circulation, it will roll ten times either in savings or in spending. And we'll accrue a \$16 trillion additional gross national product in one year. We will triple your salary in one year.

Of course, Charles Collins is not your drunk right-wing uncle. He is an independent presidential candidate who will be on the ballot in many states, competing with, among others, the Libertarian nominee. He was at the convention, not because he had any chance of getting the nomination, but because he wanted the television exposure for his race against the Libertarian nominee.

The convention management had tried to prevent such exploitation by competitors and glory hogs by requiring candidates to get signatures of 20 delegates before they could participate in the debates. Amazingly, Collins managed to find 20 delegates to sign his petition, thereby enabling him to obtain thousands of dollars worth of television exposure that otherwise might have gone to advance the LP's efforts.

Doug Ohmen, the other last-minute candidate, seemed stiff and dull, much less colorful than Collins or Schiff. In fact, he was less colorful than that computer nerd that sat in the corner at your wife's sister's wedding reception. A sample of his pitch for votes: "Until it

can be eliminated, I'll make the IRS be polite to people."

The following day, the candidates were duly nominated, except for Collins, who failed to have the required support of 35 delegates. The nominating speeches rambled to their inevitable conclusions, the "spontaneous" demonstrations wound down, and the conven-

Irwin Schiff was spouting patent nonsense, but he was utterly charming, at least to me.

tion paused interminably before the roll call made Browne's nomination official. The final tally was Browne 416, Tompkins 74, None of the Above 60, Schiff 32, and Ohmen 20, with three scattered votes. Not a single ballot was cast for Collins, and both Schiff and Ohmen failed to get as many votes as the number of delegates who signed petitions pledging them support.

Browne's acceptance speech the following Saturday was the candidate at his very best. He managed to make his case to the American people while gently explaining to the more radical libertarians why he would not be calling for the immediate abolition of taxes.

A great deal of the convention's energy was expended on debating and revising the party platform, a document unique in American politics. Other parties prepare platforms to explain their positions on the issues of the day, but the LP has traditionally used its platform as a summary of the theoretically proper libertarian position on practically every issue under the sun. The result has been a gangling document that is the subject of extensive and often hair-splitting debate at each convention and then is promptly forgotten.

At its 1993 convention, the LP had adopted a new rule, calling for a separate "National Campaign Platform," which would be provided by a candidate and ratified by the convention. This document, like traditional party platforms, would address only the issues of the day, and try to do so in a palatable fashion.

The plan worked perfectly. The platform committee met prior to the

convention, argued extensively, then prepared lengthy proposals for changes, along with a passel of minority reports recommending different changes or otherwise disagreeing with the committee report. The delegates fought out the issues at length, finally making a few relatively minor changes as well as two changes of some significance. The campaign platform, in contrast, was read aloud to the delegates and adopted by acclamation, without debate.

The funniest moment of the convention happened during the debate on children's rights. One delegate pointed out that the current platform language might be interpreted by some opponent of the LP to mean that three-year-olds should be able to own and wield guns. David Nolan, chair of the platform committee, took the floor to comment. When the original language was adopted some years ago, Nolan explained, its author declared that one reason to adopt it was that the platform *should* recognize the right of three-year-olds to own and wield weapons. Not surprisingly, this language was dumped, saving future Libertarian candidates a lot of embarrassment.

The other significant change was to the provision on abortion rights, which was amended to recognize that some

The party seems to have matured a bit, with less squabbling for the simple joy of squabbling.

libertarians disagree with the LP's support for the right to abortion.

The final day of the convention, not televised by C-Span, saw the election of party officers. The only contested race was for chair, where Gene Cisewski challenged incumbent Steve Dasbach. Dasbach was re-elected easily, but to judge from the delegates I interviewed, his re-election was more a reflection of delegates' desire not to change administration of the party in the middle of a campaign, and to recognize the even-handed and competent way Dasbach had chaired the convention, than it was a rejection of Cisewski, a man of obvious talent.

Was the convention "booooooring," as our erstwhile correspondent claimed? Not to me. There was genuine excitement about the candidacy of Harry Browne. The party seems to have matured a bit, with less squabbling for the simple joy of squabbling. The party appeared far better prepared for a presidential campaign than ever before.

There remains one serious problem that must be solved: shortage of money. It takes a lot of dough to run a credible national campaign, and neither the party nor the Browne campaign has it. Nor does either seem to have a plausible method of getting the \$5 to \$10

million minimum needed. The problem was addressed during the banquet the final night, when \$150,000 was raised. This is a huge sum by the standards of past Libertarian campaigns, but very little in the context of the cost of running for president.

For the Browne campaign to have a major impact on American politics, one of two things must happen: it must find a way to raise a substantial sum of money, or it must find an inexpensive way to reach the critical level of public awareness. The Browne campaign has been aware of this problem for almost two years. If Browne has a way to address it, he hasn't made it public. □

Cutting the Gordian Knot

by R. W. Bradford

One reason why government grows is that its programs often impose small costs on a wide population while granting substantial benefits to relatively small interest groups. This gives the beneficiaries a powerful motive to support the program, and the cost-bearers little motive to oppose it. Suppose, for example, that a congressman proposes a tax of 10¢ per year per person to raise funds for support of spinach growers. Such a program would raise about \$26 million, allowing a subsidy of \$2,600 to each of the nation's 10,000 spinach farmers.

These people and their families will be strongly motivated to lobby their representative to enact the measure. They will be inclined to make contributions to the re-election of representatives who support the measure and to candidates challenging representatives who vote against it. They will be inclined to form an American Association of Spinach Growers to lobby for further subsidy.

But what about the 256 million Americans who neither grow spinach nor are closely related to anyone who does? Well, the measure is going to cost them only a dime, less than a third of the postage on a letter of protest. So few will bother to oppose the bill. And

members of Congress, receiving contributions and hearing a clamor of support from spinach growers in their districts and total indifference from everyone else, quietly support the measure. Everyone's taxes will go up by a dime. Now multiply this process by the number of potential interest groups and the capacity of members of Congress to propose laws, and you'll start to understand why we have such a large government today.

What to do? Republican incrementalists have proposed very modest tax cuts, leaving most voters with virtually no perceived benefits. Meanwhile any cut they propose in just about any government program is condemned by the Democrats as the end of the world. When, for example, Republicans proposed a slight decrease in the rate of growth in the medical subsidy for America's wealthiest demographic group (the elderly), the Democrats inundated the voters with television advertising explaining that if the heartless GOP cuts went through, we all would be burdened with the cost of taking care of granny. The Republicans

threw in the towel, and the subsidies will increase at the faster rate.

Harry Browne proposes to cut this Gordian knot with the sword of radical reform. He doesn't pussyfoot when he talks about ending federal handouts: he calls for ending them all immediately. He doesn't promise some minor

Harry Browne doesn't pussyfoot: he calls for ending all federal handouts immediately, and he wants to abolish the income tax altogether — now.

tax cut: he wants to abolish the income tax altogether — now.

Instead of offering voters a modest tax cut in exchange for a few selective decreases in government benefits, he offers them an immediate and substantial benefit — *all* the money they would otherwise surrender in income taxes — at the cost of all benefits from the federal government. This has two advantages over the incrementalist approach: its benefits are large and obvious, and it's simple enough for people to understand quickly. Not even an army of politicians and their publicists in the media and academy can muddy the waters.

In theory at least, this should make it very difficult for advocates of growing government to bury Browne in questions about which benefits he'd cut and how much the tax cuts would really amount to. The sheer novelty of the proposal, coming as it does from an articulate and credible candidate, gives it genuine news value, leaving reporters and pundits strong reason to quote it more or less as it is proposed.

So far this strategy seems to be working. In post-convention interviews on PBS and C-Span, Browne stated his proposal plainly, getting no flack from his interviewer. A week after the nomination, David Broder, perhaps the nation's most influential political columnist, called for Browne's participation in the nationally televised debates: "Browne is articulate and quick-witted, and . . . there'd be some value in having 100 million Americans hear [him] ask what he says is the key question: 'Would you be willing to

give up your favorite government program if you didn't have to pay any income tax for the rest of your life?'" A few days later, the *Seattle Times'* "Political Notebook," devoted mostly to state and local politics and not given to reporting the comings and goings of third parties, ran an item that began: "Tax cuts, with a price: Would you be willing to give up your favorite government programs if it meant you would never again have to pay income tax? That's the question Libertarian presidential candidate Harry Browne is asking . . ."

I think this approach has a chance. It is certainly worth trying.

Radicalism vs. Incrementalism

The debate between radicals and incrementalists is an old one among advocates of political change. Incrementalists usually base their case on practicality, arguing that people simply laugh off proposals for radical change. Radicals generally reply that an incremental agenda isn't worth achieving. Why cut taxes 10%, they say, when we really want to cut them much further or eliminate them altogether? They also make a case on practical grounds: incrementalism, they note, hasn't worked very well either.

History, I believe, is inconclusive on this issue. The only election in American history that I can recall in which liberty was unequivocally advanced was Sam Houston's second election to the presidency of Texas. He advanced a radical agenda if ever there was one. During his three-year term, he cut spending by almost 90%. He ordered Texas' navy sold for scrap, replaced the forts along the Indian frontier with trading posts, and practically disbanded the army, all this despite the fact that Mexico still considered Texas a province in rebellion and threatened military action at any time. Mexico had a formidable army.

Incrementalism hasn't been particularly successful, at least in recent times. Certainly the incrementalist program of the Republican Party has not reversed the trend toward a growing state. Meanwhile, on the other side of the Earth, the New Zealand Labour Party's much more radical program had at least some modest success.

This debate is part of a broader issue: what should a person who wants

to increase human liberty do with regard to the political process in America? More broadly still: what can we do to increase liberty?

I don't know the answer to this question, though I have some opinions about it that I think are pretty intelligent. And I don't think anyone else knows the answer either. I favor supporting the campaign of an articulate, intelligent advocate of radical libertarian ideas, such as Harry Browne, on the theory that he will stimulate more people to think in a more libertarian way. I did, however, sympathize with Steve Forbes when it looked as if he had a chance of winning the GOP nomination with his wimpy quasi-libertarian agenda. If he'd won the nomination, I suppose I might have faced a real quandary.

Incidentally, I don't mean to suggest that pure incrementalism and pure radicalism are the only alternatives, nor that they are necessarily mutually exclusive. There are obviously many gradients between them, and what approach works best is likely to change with circumstances.

More importantly, there is a case to be made for eschewing the political process altogether, for "boycotting the state." I do not find the argument per-

Sam Houston cut spending by almost 90%, ordered Texas' navy sold for scrap, replaced the forts along the Indian frontier with trading posts, and disbanded the army.

suasive, but who knows? Such a strategy may prove to be more effective than "working within the process." There is also a good argument that electoral politics make sense only when the level of public support is at relatively high level — that our resources ought be spent on educational or intellectual activism right now, but as we succeed in these activities the time for political activism will come.

The libertarian movement is too decentralized, and libertarians themselves too ornery, for all of us to choose one path. But if we let a hundred flowers bloom, some of those blossoms may well to bring us closer to liberty. □

Speech

The Libertarian Challenge

by Harry Browne

Harry Browne's remarks to the Libertarian Party National Convention, upon receiving its presidential nomination.

All I can say is, I think it's a great day to be a libertarian. I am proud, I am humbled, I am honored at what you have given me. And it is with a great sense of excitement and energy and anticipation that I accept your nomination to be your presidential candidate.

I would like to pose the American people three important questions.

First of all: "Do you want more government than we have now, less government than we have now, or about what we have now?" I have been all over this great country of ours. We have asked this question of cab drivers, door clerks, bellmen, people everywhere, and over and over again, people come right back with the answer, "Oh! I want a lot less government. The government's too big, too intrusive." Probably 19 out of 20 people have said they want a lot less government. Not just less, but a lot less.

There are exceptions here and there. There was one that I remember very vividly. In Indianapolis, in a drug store, I asked a young woman, "Do you want more government than we have now, less government than we have now, or about what we have now?" She took a minute to answer the question. She finally said, "I guess I want more government."

I said, "Oh really? That's interesting" — never having heard this answer before. And wondering what she could possibly mean, I said, "What is it you want government to do that it isn't doing now?" And she said, "Get all those people off of welfare."

The fact is that people everywhere are fed up with government, fed up with politicians, fed up with the two old parties. They, like us, are ready for a credible program that will actually do something for a change — not to slow the rate of growth of government, not to freeze the government, but to turn it around and send it in the other direction as fast as possible, to a government a fraction of the size of what we have

today. We are not alone. The American people are on our side. We are the mainstream now.

The second question I have for the American people: "Are your taxes too high, are they too low, or are they just about right?" Well, I've asked this question of a lot of people too, and you'd probably be amazed to find out that I haven't yet run across anybody who thinks that he is undertaxed. I read it occasionally among columnists, journalists, and so forth, but I haven't found it anywhere in reality. People everywhere are sick to death of a wasteful, extravagant, oppressive government that drains their substance at the expense of our own families. They are sick of it and they are ready for a change. But let's move on to the third question — the most important question, perhaps.

Government doesn't deliver the mail on time, it doesn't keep the cities safe, it doesn't educate our children properly, but government is good at one thing: it knows how to cripple you, then hand you a crutch and say, "See, if it weren't for the government, you wouldn't be able to walk." And that's exactly what government has done to people all over America — put them on the dole and then said, "See, you couldn't survive if it weren't for the government. If you didn't get that check every month, if you didn't get that farm subsidy or that student loan, you'd never be able to do the things that you're able to do today. It would be impossible to get along without this big, extravagant government."

Oh yes: "People say they want smaller government, but they don't want to give up the services that government provides." We've heard that over and over again. And that's why the third question I want to ask the American people is just simply this: "Would you give up your favorite federal programs if it meant you never again had to pay income tax?" We are not asking you to give up your check from the federal government in exchange for nothing. We are not

going to make little cuts and nicks and so on in the budget here and there, the way the Republicans tried to do without offering you anything in return. We are going to give you something. We know how to spread goodies too. But our goodies are, we are going to give you your own money back, we are going to give you your freedom back, we are going to give you your life back. . . .

Republicans love to talk about getting back to smaller government, but they never give you any specifics. They never lay out a program. And I'd like to make a challenge right here and now to journalists in this country. When Bob Dole says he's going to dust off the Tenth Amendment, when

The question I want to ask the American people is just simply this: "Would you give up your favorite federal programs if it meant you never again had to pay income tax?"

he says we need to get back to the Constitution, I want journalists to ask him, "Well, does that mean you're going to get the federal government out of everything that isn't specified in the Constitution, as the Tenth Amendment says? Does this mean that you're going to get the federal government completely out of welfare, completely out of education, completely out of housing, transportation, crime control, regulation, agriculture, health care? That's what the Constitution says. There's no authority for any of those things in the Constitution. Is that what you mean, Bob Dole, when you make these statements?" Well, just in case there's any doubt, that's what we mean when we say we want to get back to the Constitution.

What we mean is very simple. We want the federal government out of your life — out of it entirely. We want you to have your life back, we want you to have your earnings back, we want every dollar you make to be yours: to spend, to save, to give away as you see fit, not as some bureaucrat decides, not as the politicians decide to drain it away from you, dump half of it in the Atlantic Ocean, and then dole the rest of it back to you as though you were some child on an allowance. That's your money, you earned it.

You know the politicians love to talk about family values. Oh boy, that's a winner. "Oh boy, we've got to get back to real moral values in this country. We've got to get back to the family; we've got to let families take care of themselves" Well, Mr. Dole and Mr. Clinton, if you're listening — and I hope you are — let me issue a little challenge to you. If you really do care about family values, then repeal the federal income tax and let families have the resources to take care of their own values, not yours.

Yes, Americans want smaller government; yes, Americans want lower taxes; yes, Americans want what we want. And what we want is huge spending cuts now. Huge tax cuts now. A balanced budget now.

I don't want there to be any misunderstanding. I'm not telling you that everyone in America thinks about things exactly the same way we do. Obviously they don't. But then

again, we don't all agree on everything. In fact, I'm not sure we agree on *anything* — except for individual liberty, personal responsibility, and freedom from government on all issues at all times. These are the things that Americans want. But it doesn't mean that they all imagine the finish line the same way we do, that they see the goal in exactly the same way, that they imagine the same kind of government that you do. But then neither do we. You may not even agree on the final goal of all this with the person sitting right next to you.

As a matter of fact, I would guess that if I asked you what size should the federal budget be, there are people in this room who would answer "zero." There are also people who think that the federal budget ought to be seven, eight, nine hundred dollars. So even we don't agree on everything. I mean, if we could be \$900 apart, then we ought to tolerate a little difference with the American people too. And I think they'll tolerate a little difference with us. The important thing is that we all want to move in the same direction, and it isn't the direction we're going today. It is the direction to a government much smaller than where we are now. And we could quit arguing about the destination until we get a lot closer to it.

Let me make you a promise right here and now. When we get the federal government down to, say, a hundred billion dollars or so, when we get the federal government to live by the Constitution, then we're going to start worrying about what we're going to do from there. I pledge to you, I will personally head up a fundraising effort to rent the Superbowl and we can all argue endlessly there about where we're going.

The first step is we have to make the government abide by the Constitution, as it exists and is written today. Then we can amend the Constitution to make the government smaller or larger or whatever the American people see fit. Government doesn't work. Government's programs don't work, government welfare doesn't work, government reforms don't work.

Another aspect of government that doesn't work is Social Security, the famous third rail of politics. "Can't talk about Social Security." Do you know that in every poll that's been taken in the last few years, two out of every three Americans say that they do not expect to ever get a dollar back from Social Security? In the 20-to-30-year-old range, there are 70% who say they will not get money back from Social Security. There are more people in that age group that believe in flying saucers than believe that they'll get money back from Social Security.

Of course, those are young people with a long way to retirement. In the 30-to-50-year-old group, it's a little different. There 80% do not believe that they're ever going to get it.

But even in the over-50 group, 40% do not believe that they'll ever get any money back. Can you imagine? Within 15 years of retirement, and 40% of them do not think they'll ever see a dollar from this nonexistent trust fund.

Well, Bill Clinton says it's not on the table. We can't discuss it. We're going to save Social Security, we're not going to touch it. Bob Dole says, "Oh, I'm not worried about Social Security. I saved Social Security in 1983, and I can do it again." He doesn't mention that the way he saved it was with

one of the most massive tax increases ever in the history of this country. And it is not going to happen again. We are not going to let the politicians do that to us.

I want to sell off the trillions of dollars of federal assets that the government has no business owning in the first place, and then use the proceeds to liquidate the Social Security system. Because the only way we will ever head off the obvious coming, looming Social Security crisis is to get Social Security completely out of the hands of the federal government.

To sell off those assets, use the proceeds to make everybody whole, and then everybody's out, nobody has 15% of his pay taken out of his paycheck and thrown down a rathole ever again. And once we get the government out, and people can see what it's like to put 5% of their paycheck maybe in a mutual fund or something else and become millionaires by the time they're 65, instead of the Social Security system, I don't think it'll ever come back. I don't think they will ever fall for that Ponzi scheme again.

One very important issue that distresses Americans everywhere is the question of crime. Their streets aren't safe, their schools aren't safe, they're scared to death even to let their children walk to school. The Democratic and Republican politicians respond to this very understandable fear by all kinds of ridiculous macho games in which one of them says, "Ah, we're too easy on the criminals, we're going to have to have more prisons, tougher sentences, higher taxes, and three strikes and you're out." And some other politician will reply, "Ah, you wimp, you're coddling the criminals, I say two strikes and you're out." Then the other one will say, "Oh, no no no no, you molly-coddling little comsymp liberal wimp, I say one strike and you're out." And the other one will scratch his head for a minute and say, "All right, no strikes and you're out, nobody gets up to the plate, we're going to put everybody in prison and make America safe again."

Looked at another way, the Democratic politicians take our guns away from us, then go to the American people and say they are fighting crime by making the innocent people defenseless. This is their idea of fighting crime. The Republicans' idea is to take away the Bill of Rights, to take away our privacy, to let the federal government invade our bank accounts, to invade our houses without warrants or any probable cause, and through it all, after one tough-on-crime bill after another, year after year after year, shredding the Bill of Rights into ever finer little pieces of confetti, the crime rate continues to rise, crime continues to get worse, and the fear in America continues to get worse. But where in the Constitution does it even give the federal government the authority, the right, or the ability to be involved in crime control in the first place?

All crime is local. It takes place in the jurisdiction of a police department or a sheriff's department — there's no reason for the federal government to be involved in it, and in fact, Thomas Jefferson would be shocked to see things like the FBI, DEA, BATF, and all these federal agencies toting guns, walking around, intimidating American citizens, searching people in airports, and so forth. This is not the America they created. This is not the America they envisioned when they cast the Constitution and wrote the Bill of Rights. The federal

government should get completely out of crime control, it should get completely out of gun control, it should get completely out of asset forfeiture, it should get completely out of all of these areas.

But there is one thing above all that we have to do to dramatically and immediately reduce crime in this country to a magnitude, a fraction of what it is now. And that is to end the insane War on Drugs.

To the people at home I say, I hope that doesn't frighten you. It shouldn't. For heaven's sake, it is the only logical, rational thing we can do about this problem. Before there

We want every dollar you make to be yours: to spend, to save, to give away as you see fit, not as the politicians decide to drain it away from you, and then dole the rest of it back to you as though you were some child on an allowance.

were drug laws in America, there was no drug problem. Before there were drug laws, there were no muggers on the street trying to support a hundred-dollar-a-day habit; there were no pushers on high school campuses trying to hook kids on drugs; there were no gangs fighting over monopoly territories; there were no drive-by shootings with innocent children getting killed in the crossfire; there were no crack babies; there were no people dying of overdoses — none of these things existed before there were drug laws.

You know, most people don't realize that there was a time in this country when a ten-year-old child could walk into a drugstore and buy heroin. Can you imagine? Just walk up to the shelf, take the heroin, go up to the counter, pay for it, and walk out with it. Didn't need a doctor's prescription, didn't need a note from his parents, didn't need anything. It was sold in measured doses as a pain reliever and sedative just the way aspirin is sold by Bayer today. And yet despite this unrestricted availability of drugs in America, there was no drug problem. None of the things that we associate with the drug problem today existed then. They didn't exist until the War on Drugs started in the 1960s. Until there was such a criminal profit component in the price of drugs that it then became worthwhile to push them on children to try to get them hooked and develop a new cash cow. Until it became the means of financing gang warfare. Until it became the means of corrupting law-enforcement agencies all over the country. Until it became the means of a new power struggle in Washington. Until it became the means to turn America from a safe, placid set of cities throughout the country into jungles.

When I was ten years old, back in the 1940s, I used to walk to the movies every Friday night. By myself, I'd walk about a mile home through the town I lived in, a suburb of Los Angeles. Ten o'clock at night, I had nothing to be afraid of. There were no muggers on the street, there were no dope peddlers, no pushers, nobody, no gangs, nothing. I've been back there recently. I wouldn't walk through that town at 10:00 in the morning. If we care about our country, if we care

about our cities, if we care about our children, we have to, we must, we *shall* end this insane War on Drugs.

We've seen some spectacular examples of government tyranny in recent years. People losing their property that they've saved a lifetime to buy, through asset forfeiture. The BATF and the FBI storming compounds and destroying men, women, and children. Government snipers shooting at women holding babies in their hands, and then being rewarded afterwards for their good shooting. It's easy for Americans to look at these things, feel sorry for the people that were hurt by it, but not feel touched personally. After all, these people are different from us. And so, people find it very easy to rationalize these things as happening to somebody

In the 20-to-30-year-old age group, there are more people that believe in flying saucers than believe that they'll get money back from Social Security.

who in some way or other may have had it coming to them, and would never happen to oneself because of the way one lives his life.

But the fact of the matter is that the woman who stood with the baby in her arms in the doorway of her cabin in Ruby Ridge and was gunned down by an agent of your government, could have been you or your wife or your mother or your daughter. Despite the government's attempts to make her appear to be an evil genius, she was an innocent woman, just like you, and someone who loved her baby just as much as you love your children. She was no different from you.

The black man who was subject to a shakedown in an airport, by a DEA agent who thinks that the black man's a little too well-dressed and perhaps may have a little bit too much cash on his person to be anything but a drug runner. That man may seem to be far away from you. But I can assure you, as soon as they run out of black men to shake down, you will be next.

The people who lived in the Branch Davidian complex were accused of all sorts of things in an attempt to make them seem different from us. But they were just like us — until the government wiped them out. These were real people, just like us. When you prick them, they bleed. When you gas them, they cough. And when you burn them, they die.

In a Harry Browne administration, this will end, I assure you. Never again will government agencies feel that they are petty satraps who can have their way with the American people.

And there is one way that you can make sure that it will be never again. And that is: this time, don't waste your vote. Vote Libertarian, and it will never happen again if enough other people vote like you.

When we are elected to the presidency, every government employee will respect the Bill of Rights or they will pay the consequences. There will be no vendettas, there will be no search and seizure without a warrant, there will be no shake-downs, no petty bureaucrats climbing the ladder on the backs

of innocent taxpayers, and businessmen, and blacks, and property owners, and other people who are too weak to fight back. Any government employee found guilty of violating the Bill of Rights in any way whatsoever will be censured, dismissed, or prosecuted. This is supposed to be America, after all. This is America, where the government bows down to the people, and not vice versa. In the words of Thomas Jefferson, we will bind the politicians down from mischief by the chains of the Constitution.

Now among all the people I've talked to, a lot of people have said, "Oh, I love your ideas; I think this is wonderful. But even if you were elected president, you would never be able to get this program through Congress. You would never get Congress to repeal the income tax and get rid of all these programs that it's in." But I don't think they realize how powerful the president is, and how much he can do without even consulting Congress. If elected president, I would set to work immediately on the first day to make this a freer, safer, more prosperous America, and there are a multitude of things I could do without even calling Congress on the phone.

So on my first day in office, by executive order, I will personally pardon everyone who has been convicted of a federal, nonviolent drug offense. I will pardon everyone who has been found guilty of a federal, nonviolent gun control offense. I will pardon everyone who has been found guilty on a federal tax-evasion charge. I will pardon anyone else who has been convicted of any kind of victimless crime by the federal government.

I will end federal affirmative action immediately. I will end all federal quotas, set-asides, preferential treatments, and any other form of discrimination that the federal government is engaged in.

I will bring to an end immediately all asset forfeiture cases, and I will take immediate steps to try to apply restitution to anyone who has been victimized by the federal government in the past.

As commander-in-chief of the armed forces, I will immediately bring all American troops back home to America where they belong. If we are responsible for the defense of Europe, then what are the Europeans responsible for? Asia? As commander-in-chief, I will remove all American troops from under the command of the United Nations.

Everything put into the federal register by any previous president — George Bush, Ronald Reagan, Jimmy Carter, Bill Clinton, Richard Nixon, whomever — can be ripped out of the federal register by the next president of the United States. I will personally go through and get rid of all the regulations that run up the price of things we buy and hold down the wages we earn.

And then, I will break for lunch.

When I get back from lunch, I will submit a budget to Congress. Congress will laugh. Congress will say, "Yes, Mr. President. Oh, you can come over here and give a speech if you want to, and we'll get back to the real world" — the real world meaning the budget that they're going to pass that's going to be 5-10% bigger.

It's possible that this will happen. But remember: if, against all the odds, I have been elected president, no one will be able to mistake the mandate that I have. People will know that I was elected not to do business with Boris Yeltsin or lead

the troops in Bosnia, but to bring about a smaller government. And Congress would have to defy me at its very own political peril. . . .

One way or another, I will be able to confront them. Now, of course, they'll still keep passing these budgets and I'll keep vetoing them, but I'll only need one third of one house to sustain my veto, and I don't think that that's very unlikely. So they'll keep passing budgets and I'll keep vetoing them. And finally it'll get to September. And Newt Gingrich will come over to the White House and he'll say, "Mr. President, we're about at the end of the fiscal year, we have to start a new budget on October 1, and I don't want this to sound like a threat, Mr. President, but if you don't sign the current budget, we're gonna have to *shut the government down*."

And I'll say, "Oh no, don't throw me into the briar patch!"

When Bill Clinton and the Republican Congress reached an impasse on the budget, they finally had to shut it down. Bill Clinton . . . separated the government into essential and non-essential functions. . . . When I get through shutting all of the non-essential departments of government, I'm not really sure there's going to be very much left. Even if Congress eventually passed the budget over my veto, at least the battle would finally be joined. At least in Washington you would have two sides for a change. Finally, there would be someone standing up for smaller government. Instead of a big-government president and a big-government Congress arguing over the details — haggling over the price, as they say — you would finally have a small-government president standing fast and not giving in on anything, and going to the American people over and over and over and saying, "Do you know what they want to do? They want to keep spending money on the honey subsidy. They want to keep spending money on the Supercollider, they want to keep spending on this, they haven't figured out that government doesn't work, and so please give me some support." And I find it hard to believe that the American people would elect me to get their income tax money back and then go back to sleep until I had delivered on that promise.

There is an important question, though. How do you know that I will do what I say I'm going to do? I've had this question often. "Gee, I like what you say, but I think I've heard it before. How do I know that once you get into office, you aren't going to turn out just like all the rest of them?"

Well, for one thing, I'm 63 years old. I have felt the way I do about these things for 35 years at least. I am not going to change my mind now. All I want to do is to go to Washington for one term, clean up the stables, and go home and enjoy the peace and freedom and prosperity that's going to bring. I am not likely to change. I am not interested in a new career. After all, I only have 20 or 30 years left. I don't want to spend those years watching government get bigger and bigger, year after year.

But there's a more persuasive reason that you can trust me. Like Bob Dole, Bill Clinton, Phil Gramm, and Pat Buchanan I qualified for matching funds. But unlike Bob Dole, Bill Clinton, Pat Buchanan, and Phil Gramm, I do not believe in welfare. Not for politicians, not for individuals, not for corporations. And so I am the first presidential candidate in American history to qualify for matching federal campaign funds and refuse to take them.

And if I won't take the 30 pieces of silver now, you know I'm not going to bother taking it and selling out once I'm safely in office.

There's one other thing we need to discuss here: the wasted vote. People have been wasting their votes for years in this country, believing in smaller government and voting for big-government candidates. This year, for heaven's sakes, vote for what you want. Don't vote *against* something; don't vote to keep somebody out of the White House; don't vote because you're afraid of what the other side might do. Vote for what you want. If we don't start asking for what we want, if we don't start demanding what we want, if we don't start voting only for what we want, then we are never going to get

If you elect me president, I swear to you that I will not rest until I repeal the income tax, and your life, your resources, and your freedom are yours once again.

what we want. All my life I have known that unless I ask for something, I never have a chance to get it. And until we start voting for smaller government, until we ask for smaller government, until we demand smaller government, we are never going to get it. And the only way you're going to get it is by voting Libertarian this year.

And the payoff for that will be safer cities, huge spending cuts now, huge tax cuts now, and a balanced budget now. It will be the opportunity for your children to live their entire lives without an income tax. It will be the opportunity to put a trillion dollars back in the economy that's currently being drained away every year by income and Social Security taxes. It is a possibility of a free and prosperous America.

The blessings of liberty touch everyone. But in this final minute, let's not talk about everyone. Let's talk about you and your family. How would all of this affect you? If we repeal the income tax, what will it mean to you? On your next payday, look at the stub that comes with your paycheck. Or look at your 1040, and see how much you paid in income tax last year. Find out what it would mean in your life if we repealed the income tax, and then ask yourself what you would do with that money.

Would you put your child in a private school, where he could get any kind of education you want for him? Prayer in the school, no prayer; traditional values, progressive values — whatever you wanted, it would be yours to decide.

Would you put it aside to save up for that business you've always wanted? Would you plan for a better retirement, move into a better neighborhood, give it to your church, or perhaps support your favorite cause or charity in a way you've never been able to do before?

What would you do with that money, if it weren't being confiscated from you by the federal government? Well, I want you to know that if you elect me president, I swear to you that I will not rest until I repeal the income tax, and your life, your resources, and your freedom are yours once again. □

Debate

Disassembling Factory Schools

What does the market have to do with learning?

Beyond the Factory

Kathleen Harward

Nathan Crow's review of *Market-Based Education: A New Model for Schools* ("Market-Based Miseducation," May 1996) missed the point of my book. What interests me is how schools might look if they were free from *all* aspects of their current command-and-control structure. Schools today face more problems than just state control. Most private schools don't look all that different from public schools. They, too, are trapped in a structure, the "factory model," that exists even where government involvement is minimal.

The term "factory model," not original to me, is a shorthand way of describing the way schools treat students as lumps of clay to be molded by experts, wise men who have carved knowledge into separate disciplines and directed teachers to dish out certain amounts of knowledge at prescribed intervals. Most of us have been there, whether in public or private schools: grouped with others our own age, run through the same prescribed programs, spending most of our time listening to teachers tell us what we should know, and reading carefully crafted versions of the same material. We put in our

twelve-plus years, sitting in rows, raising our hands to speak, and responding automatically to bells. "Cells and bells." We never dreamed we might be developing and pursuing our own interests, designing our own curriculum, interacting with adults outside the school to learn and accomplish things with more purpose and value.

In my book, I attempt to show why schools should give up the command-and-control model and adapt the market as their model. I rely on Hayek's explanation of how the market effectively uses dispersed and local knowledge to envision how the members of a school organization may do the same. As Hayek explained, it is critical for those on the spot, for those with particular knowledge of time and circumstances, to have the authority to make decisions. The factory model works in just the opposite way — it is based on the view that experts must make all the important decisions and that those on the spot should carry them out. Such a system breeds a poisonous culture, one marked by suspicion, isolation, and fierce turf-protection. Teachers are subject to reams of rules about what and how to teach. Their only haven is behind closed classroom doors, where they finally have some semblance of control. This enforced isolation makes teachers very reluctant to evaluate each other and stubbornly resistant to collaborating with one another; as a result, kids are denied interdisciplinary learn-

ing opportunities that resemble challenges in the real world.

Crow defends the conventional approach of schools and derides any other way of teaching as just another "pop trend" by "experimentalists." That is because he has seen innovations fail in factory schools. What he fails to grasp is that factory schools are *only* suited for cells and bells, drill and kill, and standardized testing. Any other way of teaching and learning will fail in that structure.

Take project-based learning, which Crow spends the bulk of his review lambasting. Projects aren't some new-fangled thing dreamed up by pop educationists. They're how most people learned before the advent of government schooling. They mean all forms of learning by doing, from apprenticeships to all the wonderfully creative activities children come up with when allowed to follow their own curiosities. In *Separating School and State*, Sheldon Richman uses John Holt's term "unschooling" to describe home-based education that doesn't fall into the trap of bringing the cells and bells approach of the public schools into the home. He recognizes that learning is embedded in everyday living; you don't have to make it mandatory, regimented, and boring.

Crow assumes that projects must be dumbed down. And most of us probably remember only time-wasting projects from our time in school. But

instead of rejecting project-based learning, we should reject those aspects of factory model schools that make any attempt at this kind of learning a joke. You can't do meaningful projects in a system that has rigid curriculum requirements, that arbitrarily interrupts learning every 50 minutes to send a new hoard of kids in front of a teacher, that doesn't give students the freedom to pursue things they care about, that doesn't foster collaboration among teachers and students, that doesn't get kids off campus to interact with community people in a meaningful way, that doesn't have teachers willing and able to cross disciplines in order to mentor rich projects.

The same is true for "Whole Language" instruction. Though my book doesn't even mention Whole Language, Crow spends a good part of his review criticizing it. He describes Whole Language done poorly and, by attacking that strawman, condemns the entire approach. But Whole Language simply means teaching skills such as phonics, spelling, punctuation, and grammar *in the context of* authentic reading and writing activities, instead of in isolation and by rote, where they become overly abstract and boring.

Critics worry that this approach is too haphazard and that systematic, direct instruction of phonics is necessary. The problem is that just as typical classrooms in factory-model schools are not suited for good project-based learning, they are not suited for good Whole Language instruction. Instead of blaming California's low NAEP reading scores on Whole Language, Crow should dig a bit deeper and discover that

You can't expect project-based learning to work when it is mandated on a system of factory-model schools.

the average class size in California in the first grade is very high and that schools have cut back teacher training so much in the last ten years, teachers have attempted Whole Language instruction without knowing how to do it.

Crow says the research shows that "constructivism" (in which students

construct knowledge from engaging in complex projects) is not effective. He's wrong. He ignores the research of cognitive scientists, such as the highly respected Howard Gardner, whose work shows that humans are sense-making beings with minds designed to learn by engaging in complex problems that employ numerous systems in the brain.

Instead, Crow cites the National Council of Teachers of Mathematics, which (he says) has found that this type of learning is not supported by research. What he doesn't tell you is that the research the NCTM is referring to contains very little measurement of constructivist teaching methods. It measures the method that has been most prevalent this century: "direct instruction" (lectures, class discussion, seatwork, boardwork). If you're going to claim that this is relatively superior to another form of instruction, you need to have adequate measurement of both of the methods you are comparing.

The closest comparison we have is from 20 years ago, when "open education" was popular. Open education was similar to constructivism and project-based learning in that it had students collaborate with teachers to choose what to learn, to design projects, and to evaluate their progress. An analysis of about 400 studies done from that era shows that under this type of instruction, students liked their teachers more and had a higher level of enthusiasm for school and learning. However, there aren't enough studies to determine whether this type of learning results in superior cognitive gains.

The problem — admitted by even those skeptical of constructivism and project-based learning, such as Herbert Walberg — is that higher cognitive processes are very difficult to measure. Multiple choice measures only what is easy to measure. Higher-order processes require what have been called "authentic assessments" or "performance-based assessments." And there are a lot of political pressures against these that have nothing to do with their worth.

California's experience with this type of test is a good example. In 1993, California first administered the

California Learning Assessment System, which combined traditional multiple choice and short answer questions with more innovative "performance tasks" that asked students to solve problems, write essays, and engage in laboratory experiments. Because the exams were new, officials believed they were not yet reliable enough to yield individual scores fairly. Parents were upset that they couldn't get individual scores until 1999 and felt the exams didn't test enough basics. It was on these two grounds (not because the tests showed failure) that Governor Wilson discontinued the CLAS in 1994

The factory model breeds a poisonous culture, one marked by suspicion, isolation, and fierce turf-protection.

and signed a new bill in 1995 returning schools to more traditional tests.

In Kentucky, the story went differently. A few years ago, Kentucky implemented highly contentious reforms that encourage more performance-based learning, along with a new assessment system that includes writing and math portfolios, performance tasks, and both multiple-choice and open-ended questions. Test scores are reportedly on the rise, indicating that the reforms are working, though some critics dispute this.

It's not a simple matter of pointing to California or Kentucky to prove project-based learning works or doesn't work. Furthermore, you can't *expect* it to work when it is mandated on a system of factory-model schools that don't change anything else about themselves. The very fact that California reformers believed they could move to performance-based learning and still devise a uniform test to be given to all students shows that they are still thinking in factory terms.

That's not to say there can't be some form of standardized testing that allows for inter-school comparisons on a *basic* level. But the truly meaningful information parents should want about their children won't come from such tests. It will come from descriptive evaluations written by teachers who have

been mentors to the student through intense, self-designed projects. In addition, the students' real accomplishments (actually *doing* things!) will speak for themselves. And as the projects will invariably involve people in the larger community, meaningful information will come from outside the school as well. Standardized test results are not a superior form of information. They are a product of factory-model

By the time students reach junior high, much of their natural ability to design and carry out projects has been suppressed by the regimentation of the system.

thinking that wants only to mold and rank students.

Crow is right that most students who can do complex projects will do fine on standardized tests. The problem is that standardized tests are driving what is taught in schools today, so students who do fine on tests cannot begin to do complex projects. They don't even want to try, because they've been numbed by the system. By the time students have reached middle school or junior high, much of their natural ability to design and carry out projects has been suppressed by the regimentation of the system. Now when you find that rare example of students doing "senior projects" their last year of high school, you find students who at first do not even want to try. Even the top-ranked students have to be coaxed.

Crow concedes that some kids will thrive doing projects, but he's worried about the many he thinks will "crash and burn." His concerns are backwards. The very kids he's worried about are the ones that desperately need activities they have a say in creating, that have purposes beyond an assignment, that resemble the real world, that, heaven forbid, are interesting! The so-called smart kids or ones with supportive home lives will survive any system — they'll survive the factory model schools and catch up in the workplace, even though they were ill-prepared by schools. It's the other kids that aren't

even surviving. The better factory-model schools recognize this and have created "alternative" schools for their so-called "at-risk" students that give them greater freedom to design their own learning and means of testing. And these are not "dumbed down" schools.

I recently met a man in Winter Park, Colorado who has homeschooled his children, the oldest until age 17. I asked him how he taught them the "basics." By way of example, he told me what they learned when one of their bicycle tires went flat. They needed to know what size tube to buy. He explained radius, diameter, and pi. They learned more geometry than they needed to replace the tube, but it came naturally at a time when it was relevant and their curiosities were sparked. His 17-year-old chose to attend the local public high school for the first time this year — her senior year of high school. She is a straight-A student but is disappointed that school is so dull and boring. She learned for 17 years by *doing*. She welds better than her high school teacher, so she helps him teach other students. She rebuilds carburetors for customers in the community. She knows farming and how to build houses. She knows how to read, write, and think. And she has a level of self-awareness, initiative, and determination that is amazing for one her age. She did not have to wait until she was filled up with "basics" to start doing things — she learned the basics *as* she did things. Granted, her father sounds like an exceptional mentor. Not all of us would be this good, and there can be advantages to having more than one mentor, like a school can provide.

I don't know how to weld, farm, or build houses. The family above, including the children, felt these were core things to know. E.D. Hirsch and Diane Ravitch, the two figures most famous for pushing the notion that schools must cover a core knowledge curriculum, have devised a cultural literacy test to determine who has their brand of core knowledge. Every adult I know who has taken the test has flunked it. And I feel pretty certain that both Hirsch and Ravitch would flunk a test on classical liberal literacy, something I and most readers of *Liberty* would rank high on our list of what people should know. Their test, your test, my test — all suffer from the arrogance of com-

mand-based, factory-model thinking.

If a school is going to do as well as, or even better than, the parent I described, it cannot look, smell, or taste like today's schools. The homeschoolers' successes turn on the ability to create solid foundations "spontaneously" as interests and opportunities arise. The failure of conventional schools is directly related to regimentation and the boredom and alienation it causes. The former resembles the spontaneous order of the market; the latter resembles the command-based order of a centrally planned system. And if you think about how freely knowledge flows in an optimal homeschooling situation (with parents who know their children's interests, reactions, strengths, and weaknesses) and compare this to a school where teachers are discouraged from knowing their students in this way, you see that to become like markets, schools must learn how to tap and use knowledge much more effectively.

Somehow, Crow thinks I believe technology will solve all of this. Actually, I barely mention technology in my book. Technology can certainly be a useful tool, but all the technology in the world will not help schools still trapped in the factory model.

My book outlines the essential characteristics of a market and how a school can adapt them. Many things would change: the school's understanding of its mission and how to accomplish it; the roles and responsibilities of teachers, students, and staff; the generation and

Tests all suffer from the arrogance of command-based, factory-model thinking.

use of important knowledge; arrangements for accountability and compensation. Furthermore, the entire culture of the school would be altered. When a school openly celebrates the use of local knowledge by those on the spot, you will get rid of the defensive fears that lead teachers to isolate themselves. And you will get rid of the notion that students are there for the molding.

The fairest criticism Crow makes is that my book lacks concrete, real-life examples. Actually, I do cite several

schools that are embracing parts of a "market-based" framework. I also discuss the actual reform efforts that are currently popular and show which are simply more command-based measures and which are not. But the book is missing more complete examples — because I'm not aware of any that exist. A description of how to go from a command-based model to one based more on spontaneous order must necessarily be abstract, at least at this stage. As readers who grasp the new vision provide feedback, the ideas should become more and more practical. I'm gratified that, Crow's review notwithstanding, this is beginning to happen. □

Back to the Drawing Board

Nathan Crow

Kathleen Harward sees the generic American school's "command and control" system as analogous to a socialist bureaucracy. Students are supposed to be similar to frustrated entrepreneurs, waiting for free markets to break their chains and release a flood of creative capitalist energy. In "market-based education," student "projects" are analogous to businesses, and "evaluations" (rather than letter grades) play the role of prices.

But whatever the virtues of projects and evaluations, the analogy is false. Entrepreneurs in market economies are driven not by a desire for positive evaluations, but by a desire for profit. Those whose "projects" (firms) fail don't get kindly evaluations; they go out of business and end up working for a successful entrepreneur. Although it is true that markets free people to use personal knowledge and to initiate ventures if they want to, their autonomous decision-making is subject to the fine-grained contingencies of prices, which play a critical (and often harshly punitive) coordinating role that cannot credibly be compared to that played, in Harward's dream school, by reams of evaluations.

I'm willing to examine Harward's model on its merits. But I must reject her claim that it has something to do

with "markets" simply because it demands use of "local knowledge." Picking one part of an institution (the degree of autonomy it accords teachers and students) and insisting that it reflect an arbitrarily isolated aspect of markets is like taking one aspect of family life — say, paternal care — and insisting that it be integrated into government or business.

In fact, one virtue of effective schools is that students *don't* have to meet the standards of a market; they start out with very limited abilities and are nurtured in acquiring skills that will enable them to be productive individuals. In a free society, kids — particularly teenagers — might well seek less school and more apprenticeships and on-the-job training. Note, though, that modern apprenticeships demand formal study as well as OJT. Harward is wrong when she implies they don't.

I do not object, "violently" or otherwise, to criticism of the typical American school, an institution that in other contexts arouses me to furious condemnation. I do however take exception to Harward's Jesse Jacksonish rhetoric ("cells and bells"), used to describe something as innocuous as instruction that takes place in a room and has an allotted time, or that provides students the opportunity to practice what they've learned until they've mastered it. "Drill and kill" is a term that she seems to apply equally to the scales practiced by an aspiring master of the violin, to times tables drilled to a useful automaticity, and to mindless busywork handed out by teachers too lazy or stupid to figure out anything better.

Harward is sure that a biology class is terrible by definition, and that no one should ever be exposed to the tedious horror of a carefully organized sequence of instruction in poetics or mathematics. All learning must be "interdisciplinary." But if there is really no value to focusing on a distinct discipline, why do so many people seek instruction when they want to learn a skill? There are colleges (e.g. Hampshire) that offer the kind of curriculum, or lack of one, that Harward advocates, but they occupy only a tiny niche in comparison with institutions offering classes taught by experts (or people advertised as such). Outside the

academy, there are any number of institutions that offer unidisciplinary, teacher-directed classes in everything from the export-import trade to Spanish to scuba diving. Where are their equivalents offering a genial evaluator to prod you into a project? They don't exist. Insofar as they are participating in a *school*, people seem to *like* classes in subjects, and not everyone thinks the discipline of focused study is necessarily the drag of Harward's description. Those who do are generally either very good at learning on their own, hence impatient with group instruction or with less-than-perfect teachers; or they are layabouts who won't endure the discipline of organized study and deliberate practice.

As I stated in my original review, schools ought to do more to link skills to the real world. What works best for most people is efficient instruction terminating in (rather than beginning with) practical applications. And there is nothing wrong with self-study or "projects." But it isn't reasonable to insist that they be made the basis of *all*

The average Whole Language student did about as well as the bottom sixth of those getting traditional instruction.

education that takes place in schools. And does it make sense to lump 18-year-olds with tykes who don't know how to read? Even an 18-year-old is not necessarily ready to go at a project all day long or in a subject she does not readily grasp. It depends on her prerequisite skills and on her strength of character. Harward insists that a twelfth-grader had to be "coaxed" into a project only because she had acquired bad habits from her "factory model" school. Maybe so. But it might also be that she, like most young people, had a short time horizon and would have responded better to the relatively rapid reinforcement of a well-taught lesson. What most students find boring is not learning skills in clearly taught, manageable small chunks with the help of a competent teacher, but arduous and complex tasks involving protracted

frustration and relatively ambiguous goals.

Now, we'd all agree that getting students to the point where they can successfully undertake a long-term "project" is a laudable goal — but that doesn't mean that the best way to get to that point is to demand that they do nothing but projects all day long. Most math teachers would love to have students who, like mathematicians, are willing to spend days on a problem, puzzling out its intricate and varied solutions. But most people will never be willing to do that, and even those who might eventually develop such a strong interest probably won't do it by being forced to struggle, when five, eleven, or 14 years old, with "constructing" their own mathematical insights.

Harward attributes California's failure to large class size and Whole Language teachers' lack of training. But California had large classes and untrained teachers long before WL was implemented. Test scores declined sharply *after* the imposition of Whole Language curriculum and other constructivist programs. And if lack of training in WL's wonderful methods was indeed the critical factor, it ought to be possible to identify sites where WL was implemented successfully. The technique's promoters have not done this; their tactic is to claim that it never was WL anyway, something they surely should have announced before-hand.

Harward claims that WL teachers generally teach skills "in context," but Whole Language theorists such as Ken Goodman and Frank Smith have explicitly rejected the idea that students need any *instruction* in phonics, spelling, grammar, etc. They claim that such skills develop "naturally" along the lines of basic facility in oral language, which develops with or without instruction.

Harward asserts that instruction in phonics "out of context" is excessively "abstract" (by which I suppose she means conceptual) and will bore students. But the fact is that first-grade students in a well-taught, phonics-based class read a new story every day, while their WL peers hear the same book for weeks on end until they have memorized it and can pretend to read it on their own. (This procedure, by the way, is supposed to adduce a near-magical flowering of insight into English phonet-

ics.) Harward might claim that I'm describing "bad" WL instruction, but this very procedure — including the repetition for weeks, if not the pretend reading — is acceded to by Goodman and other WL luminaries. WL teachers generally reject teaching skills such as blending (i.e., showing students how to "sound out" a word and make the sounds run smoothly together); instead, they tell kids that they should look at the first and last letters of a word, ponder the "context," then guess and see if

To Harward, a second-hand anecdotal account of geometry-teaching with a bicycle tire is proof positive of the project method.

their guess "makes sense." "Making sense" is construed generously, so that for Goodman, a student is not to be corrected if he reads "lady" for "girl" or "mule" for "stallion." In fact, a popular story among WL teachers concerns two boys who visit a stand by the side of the road. Looking up at the sign above the counter, the first boy "reads" "Coca-Cola." The second boy looks at the sign, then says slowly, "bev-er-ages." Now, according to the WL gospel, the first boy is the "better" reader. Never mind that the sign actually said "beverages."

When researcher Steven Stahl comprehensively surveyed the research on reading methods, he found several studies showing "that the average child in the whole language . . . treatment performed as well as a child in the 16th percentile [the bottom sixth] of the basal reader [ordinary] treatment."¹ This is an enormous difference, and would be even greater if WL had been compared with top-notch reading programs. And though Stahl looked at virtually every study then in existence, he "could not find a single comparison favoring WL [or its precursor, "language experience"] with populations specifically labeled as 'disadvantaged' or 'minority.'" So much for the blessings that constructivism allegedly showers upon students with special needs.

Well, how do WL gurus deal with such problems? Faced with the demand

that their method submit itself to controlled studies of effectiveness, they on principle reject controlled research (which Goodman characterizes as "comparative studies a la Crest toothpaste"); they prefer what they misleadingly call "ethnographic" research, i.e., anecdotal accounts written by teachers.

Although I have enjoyed Howard Gardner's musings on "multiple intelligences" and cognitive psychology, his proposals for education reform (including the project method) have been subjected to little, if any, rigorous quantitative examination. And Gardner himself acknowledges the difficulties involved in projects, commenting that "it would be a mistake to consider projects as a panacea. . . . Some materials need to be taught in more disciplined, rote, or algorithmic ways. . . . Projects can . . . [hide] fundamental deficiencies in the understanding of vital disciplinary content."²

Harward/Gardner's trite proclamation that students will "learn" if faced with complex problems is not at issue; of course they will. But how fast? How well? Formal education exists to expedite the process. Readers who doubt this should consider how long it might have taken them, unaided, to crack the code of English phonics or devise an algorithm for long division.

When pressed to support her favored method, Harward — like the National Council of Teachers of Mathematics (NCTM), which endorses constructivist methods lacking empirical support — tells us that "there aren't enough studies" to tell whether it will work. Why, then, does she push so fervently for constructivism? Shouldn't she, and we, wait until the thing has proved itself?

In fact, there are quite a few studies demonstrating constructivism's weaknesses. First, I should explain that Harward misuses the term "direct instruction." Actually, the term was coined in the 1960s by Siegfried Engelmann to describe his highly interactive, carefully organized method of teaching (which, by the way, doesn't use lectures).

Fortunately for us, Engelmann's Direct Instruction (a.k.a. DISTAR or DI) and more than a dozen other new methods, including "open education" and "language experience," were compre-

hensively compared in the billion-dollar Follow Through project of the 1960s, possibly the most thorough examination of elementary teaching methods ever undertaken. In Follow Through, Engelmann's DI outscored the constructivist methods on *every single measure* — "affective" (emotional), simple cognitive, and complex cognitive — and did so by extremely large margins. Indeed, the Direct Instruction model showed that disadvantaged students are capable of scoring at par with their middle-class peers, if properly taught; it also demonstrated the rank ineffectiveness of open education, etc., which scored even worse than the normal methods.³ Harward should visit Wesley Elementary, an all-black public school in a Houston ghetto where students taught by Direct Instruction are performing at par with or better than their affluent suburban peers.

I am able but unwilling to swap anecdotes with Ms. Harward. Suffice it to say that I could tell stories of kids who were initially unable to complete the "research papers" and other "projects" teachers insisted on, but who thrived on a diet of carefully programmed, interactive instruction that taught them the basic skills they both wanted and needed to learn. I find it interesting that to buttress her argument, Harward relies on vague references to alternative schools (which, she is generically sure, are not dumbed down) and on second-hand accounts of home-schooling. A classroom with 15 to 40 students cannot be run like a homeschool, for obvious reasons, among them the fact that the teacher cannot customize her instruction in geometry (or whatever) to each student when the natural learning opportunity arises. That's too bad, but there it is.

In her emotional and prejudiced approach to standardized tests, Harward is right in tune with constructivists' rejection of

accepted canons of scientific proof. To her, a carefully designed sample of student responses to essay questions, editing tasks, math problems, and tests of fundamental scientific and historical knowledge is almost worthless (or even harmful), but a second-hand anecdotal account of geometry-teaching with a bicycle tire is proof positive of the project method.

Although Harward claims standardized tests are "driving" curricula, much of the country is in fact proceeding full bore toward Whole Language and constructivism. How does California's (or Ohio's, or Minnesota's) massive WL project (to coin a phrase) jibe with her claims? Harward seems to think "standardized tests" must always be multiple-choice/short-answer tests. But it is entirely possible to design a standardized test that uses essays; Advanced Placement examinations in English and history, for example, require lengthy written responses. Certainly, tests like the popular Metropolitan Achievement Test (MAT) have serious flaws, and ought to be improved. But testing ought not be dispensed with altogether simply because what we have now is imperfect. To assess the results of varying methods and institutions, we need an objective standard. There are far too many teachers who insist that their students are indeed skilled (translation: "I have done a terrific job") but whose charges cannot write, read, figure, or think.

Finally, Harward neglects one major reason why most standardized tests neglect higher-order thinking: the vast majority of students (especially young students) would simply score a zero on the more difficult items. Existing tests are designed to top out with items that most students can't answer. And with only *one* out of *twelve* constructivist-taught California eighth-graders capable of solving problems like $1/2 + 2/3$, do we

really need to look at their math "portfolios"?

Harward has changed her mind about technology. In her book, she insists that installing phones in classrooms will

Testing ought not be dispensed with altogether simply because what we have now is imperfect.

cause epochal changes, asserting that they will have "a tremendous impact on teachers' ability to learn and communicate." Apparently, this now strikes her as silly. Welcome aboard.

Harward's response to my review has the same defects as her original pamphlet. Stumped for examples of how her reforms would work in the real world, she cobbles together anecdotal accounts and emotive denunciations and tries to reinvent schools, armed only with a passionate hatred of things as they are, meaningless "market-based" rhetoric, and an education degree. Instead of trying to justify current educationist dogma with half-baked talk of "markets" (is this an example of an "interdisciplinary project"?), she should wade in, take charge of a class, and try to implement some of her notions in a practical way before urging the nation onto the yellow brick road to a constructivist Oz. As it is, thoughtless imposition of similar schemes is causing failure for many students, the victims of theories spawned by intellectually muddled romantics who have forgotten Delmore Schwartz's warning: "In dreams begin responsibilities." □

Notes:

1. Stahl, Steven, *Review of Educational Research* 60:1, pp. 141-51.
2. Gardner, Howard, *Multiple Intelligences: The Theory in Practice*, p. 118.
3. Stebbins, L.B., et al., *Education as Experimentation: A Planned Variation Model, Volume IV-A*, and Bock, G., et al., *Education as Experimentation: A Planned Variation Model, Volume IV-B, Effects of Follow Through Models*, Abt Associates, 1977. Follow Through involved 79,000 children in 180 different communities around the U.S.

Anointing . . .

by Tom Baer

Marcelled hair,
blue and white
seersucker (her
mother) at her
right; RED HOT
CHILI PEPPERS black
t-shirt (black
headbanded, 16,
her son) at her
left; in too tight
WAL-MART pink, her
shoulders the least
stooped (as once my
grandmother stood),
her hands lightly
clasped, she sang,
"Anointing, fall on
me, Anointing. . ."

Class Analysis

Guns and the Ruling Elite

by William R. Tonso

From the robber barons to the New Class, the political elite has always tried to keep its subjects docile and defenseless.

“The right of citizens to bear arms is just one more guarantee against arbitrary government, one more safe-guard against a tyranny which now appears remote in America, but which historically has proved to be always possible.”¹

Politicians like Rep. Charles Schumer (D-N.Y.), along with most establishment journalists, dismiss statements like this as dangerous right-wing rhetoric. But these are the words, not of a reactionary extremist, but of a liberal’s liberal: Hubert H. Humphrey, who apparently had a far better grasp of the concerns of the Founding Fathers than does the Yale Law School graduate currently occupying the White House.

Since the dawn of history, when agriculture and its food surpluses made elites possible, ruling classes have tried to reserve arms-bearing privileges for themselves in order to better control the rest of us. Though our Founding Fathers were hardly devoid of vested interests of their own, those interests fostered in them a distrust of government, standing armies, and even militia of the selective rather than the all-encompassing kind. That is why they wrote the Second Amendment: “A well regulated Militia being necessary to the security of a Free State, the right of the people to keep and bear Arms shall not be infringed.”

It is beyond reasonable dispute that the militia to which this amendment refers was not a National Guard-style

“select militia,” but the entire male citizenry of military age, exercising what was believed to be its “natural right” to arms. This reading of the amendment is supported not only by the works of such prominent, liberal, non-gun-owning Second Amendment scholars as Akhil R. Amar of Yale, William Van Alstyne of Duke, and Sanford Levinson of the University of Texas, but by the Founders themselves.² According to Richard Henry Lee, “A militia, when properly formed, are in fact the People themselves . . . and include . . . all men capable of bearing arms.”³ George Mason agreed: “Who are the militia? They consist now of the whole people, except a few public officers.”⁴ Those who would argue that such a people’s militia is outdated receive no support from current federal regulations pertaining to the composition of the militia — practically all able-bodied males and some females between the ages of 17 and 45 who are citizens of the United States or have declared that they intend to become citizens.⁵ The National Guard is only the organized and federalizable part of the militia.

The Founders wanted citizens to possess arms, not only to protect themselves against criminals and their nation against invaders, but to rebel against their own government if it became too oppressive. Tench Coxe, a friend of 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.⁶

Throughout American history, such prominent statesmen as Thomas Jefferson, Patrick Henry, and Richard Henry Lee have expressed similar sentiments.⁷ It is this aspect of gun rights — protection against tyranny — that elite prohibitionists once conveniently overlooked, and since the Oklahoma City bombing have vehemently rejected.

The rest of us should remember Levinson’s words, referring to the Tiananmen Square massacre and mod-

ern guerrilla warfare:

The fact that these may not be pleasant examples does not affect the principal point, that a state facing a totally disarmed population is in a far better position, for good or ill, to suppress popular demonstrations and uprisings than one that must calculate the possibilities of its officials being injured or killed.⁸

Corporate Elites

The Industrial Revolution introduced a new socioeconomic elite. The ascendant captains of industry preferred a compliant workforce to an independent, armed yeomanry capable of standing up to its own government. The urbanization and immigration that accompanied industrialization failed to produce the stability big business desired. As social historian Altina Waller has noted, elites believed the culture that had produced the Hatfield-McCoy feud stood in the way of economic and social "progress." Once feuding, whiskey, and guns had been eliminated, they argued, an impartial judicial system would bring order. Instead, coal companies enforced their wishes with guns, reinforced by a county government and judicial system they had bought and paid for.⁹

In the late nineteenth century and the decade and a half before World War I, the traditional military establishments of Europe and the United States ignored machine guns. But European colonizers — civilian and military — were using them to subjugate poorly-armed natives (particularly in Africa), while American National Guardsmen and company guards were using them, in John Ellis' words, "as an alternative to collective bargaining."¹⁰ In 1896, for example, in response to labor militancy, Chicago Commercial Club members contributed \$2,000 (over \$32,000 in today's money) within 48 hours to buy a machine gun for the Illinois National Guard.¹¹ The notorious Baldwin-Felts Detective Agency transferred at least eight machine guns from West Virginia to Colorado to keep striking miners under control during the troubles of 1912-1913.¹² During this period, companies regularly used machine-gun-equipped trains to patrol and strafe the

Cabin Creek and Paint Creek areas; at Ludlow in 1914, National Guardsmen machine-gunned the miners' tent colony.¹³ Their bullets and the resulting fires killed 36 people and injured over 100 others.

Needless to say, *these* uses of the machine gun provoked no laws against the weapons. Weapons were acceptable in the right hands — those of the elite and their hired enforcers. The National Firearms Act of 1934 subverted the Founders' intentions by giving the power to decide who may own small arms of obvious military value, such as full-automatics and sawed-off rifles and shotguns, to the very government the citizenry might need to resist. This was supposedly necessary because these arms were what would now be called the "weapons of choice" of the gangsters and bank robbers of the 1920s and 1930s. Yet John Dillinger and Bonnie and Clyde, among other

Captains of industry preferred a compliant workforce to an independent, armed yeomanry capable of standing up to its own government.

notorious characters of the day, stole their automatic weapons from the police and National Guard, or had underworld gunsmiths convert one-shot-per-trigger-pull semi-automatics to full-automatics that keep firing as long as the trigger is held back. The new law would have no effect on either method.

And the only thing accomplished by the \$200 transfer tax (over \$2,000 in today's money) on sales of such weapons was to put them out of the reach of most people who could pass the background check. Inflation has lowered this barrier considerably. But in 1934, only the wealthy could afford the tax — and, hence, any regulated arms — at a time when such mass demonstrations as the march on the Ford plant in Dearborn, Michigan, and the World War I veterans' march on Washington had the establishment worried about rebellion or even a Communist insurrection.

In other words, when lawmakers passed the 1934 act, they may have been thinking of disgruntled citizens as well as submachine-gun-armed bank robbers.¹⁴

To be sure, efforts to keep workers unarmed and docile have not always received local, state, or federal government support. In 1921, for example, the North Carolina Supreme Court acknowledged that the poor and the unpopular might need guns:

This is not an idle or an obsolete guarantee, for there are still localities, not necessary to mention, where great corporations, under the guise of detective agents or police forces, terrorize their employees by armed force. If the people are forbidden to carry the only arms within their means, among them pistols, they will be completely at the mercy of these plutocratic organizations.¹⁵

And at times, military needs have led authorities to encourage ordinary citizens to familiarize themselves with small arms. The government has even supplied the weapons at bargain prices. The National Board for the Promotion of Rifle Practice was established in 1903, after the Spanish-American War demonstrated that many recruits had brought no marksmanship skills with them into the military.¹⁶ The Army's Office of the Director of Civilian Marksmanship (DCM) was established in 1916, as part of the National Defense Act — the same law that, among other things, paved the way for World War I-era conscription.¹⁷ After World War II and the beginning of the Cold War, the DCM put millions of military small arms, including semi-automatic rifles, carbines, and pistols — and ammunition for them — into civilian circulation.

Thus, ironically, the business elite's desire to restrict civilian access to firearms was partly offset by the overall establishment's need for military recruits who could handle a gun. Granted, the government's efforts to teach civilians to shoot have surely not been motivated by concerns about the possibility of domestic tyranny (apart from the possible need to overthrow a domestic Communist regime). But the government helped arm the citizenry nonetheless.

Then things changed dramatically, with the rise of a new elite.

The New Class

The knowledge elite, or so-called "New Class," is composed of professional thinkers and other word-workers who create and transmit what passes for knowledge in our modern world. As the gods once spoke to us through priests, nature now speaks to us through secular intellectuals, who are no less willing to run our lives for us if given the chance.

Such secular priests have been with us for quite some time. During the early nineteenth century, the Frenchman Auguste Comte, generally considered the founder of sociology, envisioned a sociological priesthood that would prescribe a "scientific" social policy. Sociologist Lewis Coser summarized Comte's views on governance: "Only those willing to submit themselves to the rigorous constraints of scientific methodology and to the canons of scientific evidence can presume to have a say in the guidance of human affairs."¹⁹ Much of today's sociology is devoted to producing "knowledge" useful to social engineers.

Karl Marx turned social criticism into a "science," Sigmund Freud gave us a "scientific" secular confessional, and B.F. Skinner offered himself as a guide to utopia through a "scientific" secular religion — behaviorism. As psy-

chiatrist (and psychiatric critic) Jonas Robitscher has noted, "The ultimate claim for psychiatry was that psychiatrists should screen and select world leaders, because social policy was too important to be left to unstable individuals who could not earn a psychiatric stamp of approval."²⁰ In his 1971 presidential address to the American Psychological Association, Kenneth Clark advocated going beyond screening to developing aggression-reducing pills and force-feeding them

The New Class symbol-manipulators are only too glad to let others specialize in coercion.

to the world's leaders. This drug would subordinate man's "animalistic, barbaric and primitive propensities . . . to the uniquely human moral and ethical characteristics of love, kindness, empathy."²¹ Similarly, Frederick W. Taylor, the turn-of-the-century founder of "scientific management," was an engineer interested in extending his technocratic approach to organization far beyond industry to society as a whole. And as Donald Stabile has convincingly argued, American socialism has long been permeated by a labor-alienating

technocratic Taylorism that undermines participatory democracy.²²

A diverse collection of specialists subscribing to perspectives often very much at odds with each other, these "experts" are influential only to the extent that they can use the appearance of scientific objectivity and detached rationality to cover their own vested interests and convince the rest of us that they know what they are talking about. But the people-manipulating interests of big business and big government, assisted by big education and big media, have left non-experts in these areas easy to convince. Social and behavioral scientists, educators, managers, professionals, and the like have entrenched themselves in powerful institutions, where they encourage the "educated" classes to accept what Thomas Sowell calls the "unconstrained vision" of man: "Given that explicitly articulated knowledge is special and concentrated in the unconstrained vision, the best conduct of social activities depends upon the special knowledge of the few being used to guide the actions of the many. . . . It is consistent for the unconstrained vision to promote equalitarian ends by unequalitarian means, given the great differences between those whom [John Stuart] Mill called 'the wisest and best' and those who have not yet reached that intellectual and moral level."²³

Sociologist Peter Berger, another scholarly critic of the knowledge elite's pretensions, has called attention to its heavy reliance on public sector employment and its consequent vested interest in statism: "Because government interventions have to be legitimated in terms of social ills, the New Class has a vested interest in portraying American society as a whole, and specific aspects of that society, in negative terms."²⁴

In textbooks; in countless magazine and journal articles; in newspaper stories, columns, and editorials; in TV commentaries, documentaries, talk shows, situation comedies, and crime shows, America's New Class expresses a sentiment best summarized by sociologist Morris Janowitz: "I see no reason . . . why anyone in a democracy should own a weapon."²⁵ Democracy, in this view, is something that "experts" know how to run better than ordinary citizens do. If an armed populace fails to

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understand the wisdom of the reforms the secular priesthood deems necessary, they can make trouble. The pen may be mightier than the sword in the long run of history, but the swordsman can make quick work of the penman in the short run of individual existence. Therefore, the knowledge elite's efforts at people-control-through-gun-control not only converge with those of corporate elites, but transcend them. Business needs only docile workers; the New Class needs docile citizens.

World War II and the Korean War temporarily halted the drive for gun controls. But by the late 1950s, efforts to regulate civilian gun ownership were reviving. And the political assassinations, ghetto riots, and radical militancy of the 1960s gave the gun control movement new impetus. The first fruit of this resurgence was the Gun Control Act of 1968, which even anti-gun journalist Robert Sherrill acknowledges was an attempt to keep cheap military-surplus weapons out of the hands of militant blacks.²⁶ According to social analyst B. Bruce-Briggs, efforts to ban cheap handguns, "Saturday night specials," may have been similarly motivated. After all, their very label was derived from the racist expression "niggertown Saturday night."²⁷ And though the ghettos were relatively quiet for some time before the 1992 Los Angeles riots, it is hardly far-fetched to suggest that both business- and knowledge-elite pressures to regulate semi-automatic paramilitary weapons have been motivated more by the possibility that radicals would use them than by their actual use by drug gangs. After all, while such weapons have been used in a small number of mass shootings perpetrated by emotionally disturbed criminals, no systematic study of guns used in crimes has yet supported the gun controllers' claims that semi-automatic paramilitary weapons are gangsters' "weapons of choice."²⁸

Even more suggestively, the sale of new full-automatics was federally banned in 1986, even though not a single documented case existed of anyone, in the 52 years since federal controls had been imposed, using a legally-owned machine gun to commit a homicide. And elite concerns about the potential use of semi- and/or full-automatic firearms by radicals, particularly right-wing militants, were not always disguised by drug-war rhetoric, even before the Oklahoma City bombing. Consider this telling

Business needs only docile workers; the New Class needs docile citizens.

comment from the 1985 *Newsweek* cover story, "Machine Gun USA": "In fact, the exotic-weapons craze is nowhere more frightening than among fanatics of the far right — a loosely knit underground of racist, anti-Semitic, pseudo-Christian xenophobes with links to both the Ku Klux Klan and the American Nazis movement."²⁹ This same theme appeared in "Assault Weapons and Accessories in America" (a 1988 "report" written by gun control guru Josh Sugarmann for the Education Fund to End Handgun Violence and, significantly, New Right Watch) and in Handgun Control Inc.'s advertisements.³⁰ It now permeates the Oklahoma City-induced anti-militia tirades spouted by mainstream media and politicians.

In this age of specialists, violence has again become a job for experts, the professionals of the military and police forces. The New Class symbol-manipulators, who are not very good at violence and disapprove of it on a private level, are only too glad to let others specialize in coercion. Thus, the standing military forces (including

select militia, and now joined by various police forces up to the federal level) that the Founders considered the foremost threats to representative government and liberty, are accepted in enlightened circles as logical extensions of the division of professional labor.

Are the Founders' concerns outdated? When a Navy officer working on a master's thesis asked 300 Marines via questionnaire if they "would fire upon U.S. citizens who refuse or resist confiscation of firearms banned by the U.S. government," 61.66% indicated that they would not. That left 26.34% indicating that they would, and 12% expressing no opinion. Hardly reassuring!³¹

Where once the people were trusted with arms to keep the government in line, now the government is trusted with arms to keep the people in line. Elites point to Europe, where state-sponsored violence has slaughtered tens of millions in this century alone, as a model for us to emulate. Somehow, though, they manage to ignore peaceful Switzerland, where the government issues practically every male between 20 and 50 a machine gun and ammunition to keep in his home.

There is a risk, of course, that individuals outside the thug community may occasionally harm innocents with their weapons. But we should also remember the risk associated with an unarmed populace: it can be enslaved or annihilated by a rogue government. As the Framers recognized, throughout history the unarmed have been safe only as long as the armed (criminals or government agents) have allowed them to be safe. We should beware of any politician, bureaucrat, or intellectual who claims the Second Amendment is outdated, or that it does no more than guarantee the National Guard's right to bear arms. Many of these same people did their best to obstruct investigations of government wrongdoing at Ruby Ridge and Waco. □

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continued on next page

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Tyrrell, "Orwell's Wartime Romance," *continued from page 21*

since he could not remember it happening that way, while the official account was the work of a thriller writer.¹⁸ Perhaps he also knew that many of Churchill's famous wartime broadcasts were actually the work of a mimic, Norbert Shelley, a fact that even today remains unacknowledged among Britain's court historians.

Anarchy, Conservatism, and Nationhood

In his twenties, as I have mentioned, Orwell styled himself a Tory anarchist. This label is not as paradoxical as it might at first seem. An anarchist society might well be deeply conservative: if social order is to be spontaneous rather

than imposed, what is spontaneous if not tradition? Radical change is more likely to be imposed by government than to occur in its absence. Nationalism is frequently equated with conservatism, even by conservatives, but I think this is just confusion. Under a nationalist regime, government manufactures and maintains homogeneity and consensus where previously there had been none and where potentially there might be none again. It is national government that erodes traditional communities and cultures, rivals to its authority. And it is government that nationalizes and regulates as much of everyday life as it can.

Nations, then, are not the enduring

organisms of nationalist myth. Without politics, they are nothing. Taken to extremes, they become totalitarian: the personal becomes the political, and every aspect of everyday life, even memory, is politicized. Nationalism is the prototypic political correctness, prescribing what lifestyle choices may or may not be made.

Orwell's nationalist phase finds him at his most statist, but the books for which he is best remembered — *Animal Farm* and *Nineteen Eighty-four* — are written from an unambiguously anti-totalitarian standpoint. And *Nineteen Eighty-four* is a clear rejection of the nationalism for which its author had, of late, made propaganda. □

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Analysis

The Right to Smash the State

by Pierre Lemieux

When in the course of human events does it become necessary for one people to dissolve the political bands which have connected them to another?

Why are libertarians, especially natural-rights libertarians, so kind to tyrants? After all, if you're living under a government that continuously violates your inherent and unalienable rights, why should you go along with it? Why not make a revolution? Why not shoot the bastards?

Let's not talk specifically about the U.S., Canada, France, or England. Let's do like economists and assume a country. Imagine, for a moment, that you live in a land . . .

- where a fine net of detailed regulations controls virtually everything you do in the course of everyday life, from driving a car to hiring employees to building a house;
- where for a host of purposes you have to fill in forms and answer personal questions from bureaucrats;
- where, say, a third of what the people produce and earn is seized in taxes, and you have to file and sign periodic income reports;
- where people are conceived of as "human resources" the state can draw upon;
- where there is a very powerful permanent army;
- where the people have been disarmed;
- where you need permits to engage in many economic activities;
- where the authorities decide what you may consume and even, in some cases, read;
- where your identity is basically

defined by official identification papers, and the government even issues you a number that defines you as a citizen;

- where the state circumvents the rule of law with complicated and abstruse legislation that most citizens do not know and cannot understand;
- where the majority apparently assents to all this in formal elections, but a large bureaucracy and an entrenched political class actually rule.

Obviously, you would call for, or even start, a libertarian revolution. Or would you?

Authoritarian Arguments Against Revolution

By *revolution*, I mean a radical, non-legal change in the relations between the governors and the governed. By *libertarian*, I mean that the governors would lose much of their power over the governed. In other words, I am not talking about a change achieved by a slow shift of public opinion at the polls. I am discussing a change that bypasses the existing legal order. Whether or not it involves violence, it would not be

congruent with legal continuity.

Authoritarians have lots of arguments against this kind of revolution. One brand is the divine right of kings. As Robert Filmer puts it, "if this supreme power was settled and founded by God himself in the fatherhood, how is it possible for the people to have any right or title to alter and dispose of it otherwise? . . . The obedience which all subjects yield to kings is but the paying of that duty which is due to the supreme fatherhood."

Another authoritarian argument is the Burkean idea that loyalty is part of one's moral duties, and that "no occasion can justify [a revolution] which would not equally authorize a dispensation with any other moral duty, perhaps with all of them together." And then, of course, there are the Rousseauvian and Hobbesian brands of contractarianism. The state is based on consent, but this consent has to be unconditional for the state efficiently to carry on its mission of protecting individuals. Since only the sovereign can judge the means he uses to protect his subjects, a revolution is never justifiable.

The whole Western liberal tradition dismisses such reasoning. John

Locke explains that "whenever the Legislators endeavour to take away, and destroy the Property of the People, or to reduce them to Slavery under Arbitrary Power, they put themselves into a state of War with the People, who are thereupon absolved from any farther Obedience." Power then "devolves to the People, who have a Right to resume their original Liberty, and, by the Establishment of a new

The right of revolution is like the right of self-defense: it always exists, but should be exercised only under certain conditions.

Legislative (such as they shall think fit) provide for their own Safety and Security, which is the end for which they are in Society." Section 2 of the 1789 French *Déclaration des droits de l'homme et du citoyen* includes the "right to resist oppression" among the natural rights of man.

Even some conservative legal theorists, such as William Blackstone, admit the right of resistance and agree that, at some point, it is legitimate to exercise it:

The fifth and last auxiliary right of the subject, that I shall at present mention, is that of having arms for their defense, suitable to their condition and degree and such as allowed by law. Which is also declared by the same statute [the Bill of Rights] and it is indeed a public allowance under due restrictions, of the natural right of resistance and self-preservation, when the sanctions of society and the laws are found insufficient to restrain the violence of oppression.

When do we cross the line? I suspect most classical liberal thinkers would agree it has been crossed in our imaginary country.

Dangers of Revolution

There is another, more libertarian, strand of argument against revolution — or, at least, against the exercise of this right in most cases. The argument is that revolutions, by their very

nature, lead to increased political power. Writes Bertrand de Jouvenel, "there was never a revolution yet which did not result in an accretion of Power's weight."

The reason, according to de Jouvenel, is that revolutions destroy existing "social authorities," i.e., those social institutions that are capable of resisting the state. After the dust has settled and the blood has dried up, the only operational social institution remaining is the state, facing a crowd of isolated and powerless individuals. This would explain why the French Revolution, the Bolshevik Revolution, and Cromwell's Republic produced "the liquidation of a weak Power, the erection of a strong one."

"In the final analysis," de Jouvenel concludes, "revolutions are made not for man, but for Power."

For the revolutionaries, every means is justified if it serves the revolution. The French Revolution, which had strong classical liberal elements, is often cited in this context. At the very time he was a leader of the Terror, Saint-Just wrote: "A people has only one dangerous enemy, which is its government." Saint-Just was not a libertarian, and the context of this often-quoted sentence identifies "government" more with the executive than with the state as such, but many of his contemporaries did believe that the French Revolution's libertarian ends justified saving it at any cost. In early 1793, just before the Terror began, Jefferson wrote in support of the Jacobins:

In the struggle which was necessary, many guilty persons fell without the forms of trial, and with them some innocent. . . . The liberty of the whole earth depended on the issue of the contest, and was ever such a prize won with so little innocent blood? My own affections have been deeply wounded by some of the martyrs to this cause, but rather than it should have failed I would have seen half the earth desolated; were there but one Adam and Eve left in every country, and left free, it would be better than it now is.

Doesn't the American Revolution contradict de Jouvenel? To a certain extent, yes, which is probably why he does not mention it. On the other

hand, the American Revolution did not need to be devastating and totalitarian, if only because the tyrant fought by the American revolutionaries was a very weak one. "In fact," writes Gordon Wood, "the colonists knew they were freer, more equal, more prosperous, and less burdened with cumbersome feudal and monarchical restraints than any other part of mankind in the eighteenth century." Moreover, evaluating a revolution's consequences depends on one's timeframe. If one compares today's America with the Founding Fathers' intents, the revolution appears to be a failure. Even compared to the subjects of their former tyrant, the present-day British, contemporary Americans are not radically freer: they may be in some respects (freedom of speech and the right to keep and bear arms, for instance), but not in others (think about the IRS and the DEA).

Could we say that the more powerless the tyrant, the less likely it is that the revolution will devolve into the destruction of all social authorities? If so, it would mean that a libertarian revolution now would be much less dangerous than a revolution when tyranny has become unbearable. Better to make the revolution when it does not

If 0% of the people want liberty, the question of a libertarian revolution is irrelevant. If 100% want liberty, a revolution is unnecessary.

have to be devastating; better to do it sooner than later. Perhaps this is how we can interpret Jefferson's dictum, "The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants."

Revolution Against Democracy?

The standing right of revolution must be exercised with prudence and responsibility, depending on political and social conditions. Suppose our imaginary society is a democracy limited by a formal rule of law. Is a revolution still justifiable under these conditions? Can't we hope to bring the

required change within the system?

Certainly, democracy by itself does not abolish the right of revolution. The democratic system may not give real power to the majority; sovereignty may be expropriated by the bureaucracy, the political class, or well-organized interest groups. Hopes of peaceful change through persuading the majority may therefore be unrealistic. And even if the democratic system is responsive to the majority's views, we can still get what de Tocqueville called "the tyranny of the majority," what de Jouvenel labeled "totalitarian democracy."

In any event, persuading a sufficient majority to establish liberty may be difficult, owing to restrictions on freedom of expression, to government propaganda, or simply to the fact that the people have become, in de Tocqueville's premonitory words, "a flock of timid and industrious animals of which the government is the shepherd." And what about individual rights that continue to be violated during the long persuasion process? Would we have condoned slavery because it was bound to disappear in the future?

A somewhat more serious case against revolution emerges when power is still constrained by the rule of law. Whether or not there is a written constitution, laws and state action must follow some formal rules. Yet in our imaginary society, the rule of law has become a fraud. Government thugs may not, say, bang into a dissenters' conference without a warrant, but there are so many laws governing so many aspects of life that they could probably find a legal pretext if they wanted to. The state has acquired so many means to control citizens that it is always likely to find some convoluted way to get its man. If it cannot proceed with criminal charges, it will sue in civil court — using civil forfeiture, for instance. It has found ways to short-circuit local powers by creating powerful central agencies.

So the formal rule of law has become as much a tool of oppression as it is a protection for citizens. Moreover, the pervasiveness of formal rules has accustomed citizens to abiding by anything that is formally enacted. The rule of law does not by itself abolish the

right of revolution — it all depends on what kind of laws rule.

The strongest argument against a revolution in our imaginary society is what may be called the continuity argument. If we break the democratic-legal continuity, the argument goes, we will open a Pandora's box, and we may well end up with a regime much worse than the present one. Better to be a slave under a known and predict-

Libertarians should abandon their rhetoric of self-interest and become republicans without a republic.

able master, than under an unknown, whimsical, and more powerful one.

The problem with the continuity argument is that it is contingent on where continuity leads us. If present trends are leading us to the worst possible system, a revolution may be warranted. Even in our imaginary democracy under the rule of law, whether the right of revolution should be exercised remains a question of expected costs and benefits — in short, a question of prudence.

When and How to Revolt

So if we grant that the oppressed in our imaginary society have a *right* to revolt, what are the possible prudential objections to exercising this right? The first objection might be that they are unlikely to succeed.

What if a significant proportion of the people has been conditioned to accept slavery, or simply prefers equal slavery over liberty for all? Whatever the reason, there may be no people to make a revolution (as opposed to an unstable *coup d'état*). If 0% of the people want liberty, the question of a libertarian revolution is irrelevant; if 100% want liberty, a revolution is unnecessary. The problem lies between 0% and 100%.

If we don't have enough people on our side, an education effort is required before we can realistically hope to make a revolution. Education is as much a prerequisite for revolution as for peaceful, legal change. And to the

extent that the political system does respond to individual preferences, it may make a revolution unnecessary.

But even when enough people think rebellion is in their interest, several practical issues remain. Who is to spend resources on education? Who will start the revolution? Here, what economists call the *logic of collective action* comes into play. A necessary revolution is a public good; an individual will profit from it even if he does not contribute to it. Furthering the revolution carries costs, not only because one has to spend resources on education, but also because anyone on the front line may be shot or arrested. A utility-maximizing individual will be inclined to free-ride, to wait for his neighbor to revolt. Consequently, no one will.

This is another way to say that personal interest — "individualism," in de Tocqueville's pejorative sense — may hinder a necessary revolution. There is a conflict between personal interest and the future of freedom. This is more than a theoretical curiosity: just look at the businessmen who, even when they would profit from liberty, cave in and turn the other cheek in order to placate the tyrant and save a few dollars.

Revolutions do occur from time to time, so collective action problems are not insurmountable. Entrepreneurs may find ways to tie private benefits to collective action, or to impose private costs on non-participants — by a boycott, for example. These "selective incentives" bypass the free rider problem. And, of course, there are individuals — revolutionary leaders — for whom the cost of starting a revolution may be lower because they have less to lose, or who attach a higher value to their private benefits from revolutionary action.

These ways around collective action problems may be less accessible to libertarians than to collectivists. Libertarians take personal interest and political apathy very seriously — perhaps too seriously. As a matter of philosophical principle, they don't want to be sacrificial lambs. In economic terms, the costs of revolutionary action are higher for them than for altruists. We would thus expect libertarians to be bad at organizing revolutions, even at educating the people.

One might hope that libertarians would abandon their rhetoric of self-interest and become republicans (in the eighteenth-century sense of public virtue) without a republic.

Expectations and Rights

There is another prudential objection to revolting before a significant proportion of the people has been persuaded to rebel. Revolutionary methods — especially violence — can violate *systemic expectations*, i.e., the expectations that the system has led most people to have and to believe legitimate.

Consider again our imaginary society. It is difficult to put a finger on the tyrant — he's everywhere. A large number of the people are "the bastards," though they don't know it. They accept and follow the rules, which is somewhat different from the Nuremberg criminals following orders. The little bureaucrat or the subsidized businessman is an accomplice to tyranny, but only to a degree. Although it is morally legitimate, in our imaginary society, to shoot a tax inspector who comes after you with his gun drawn, that does not mean that you may blow up all the little bureaucrats in the tax office. And certainly, blind terrorism that will also hit the tyrant's unwilling or unconscious subjects is immoral.

The great Lysander Spooner himself gives an example of what, I think, may not be done:

The business of lending blood-money is one of the most thoroughly sordid, cold-blooded, and criminal that was ever carried on, to any considerable extent, amongst human beings. It is like lending money to slave traders, or to common robbers and pirates, to be repaid out of their plunder. And the men who loan money to governments, so called, for the purpose of enabling the latter to rob, enslave, and murder their people, are among the greatest villains that the world has ever seen. And they as much deserve to be hunted and killed (if they cannot otherwise be got rid of) as any slave traders, robbers, or pirates that ever lived.

Everybody with a corporate pension plan or even a savings account is an indirect purchaser of government securities. If our revolutionaries have to shoot all government bond-holders,

they could avoid the costs of fighting by simply shooting themselves. It may well be legitimate to not reimburse government bond-holders, but shooting them is another matter entirely. Spooner's parenthetical remark suggests that he himself entertained some doubts on this matter.

How much weight should we place on people's systemic expectations? It depends on the degree of tyranny. At one extreme, Nazi Germany, the rights of Jews clearly have precedence over any expectation that you participate in

*We want neither the chains
nor the candies of the welfare
state.*

rounding them up. Towards the other extreme — a more open society — the balancing gets more messy. One can't avoid some utilitarian fuzziness here.

Responsible Revolutionaries

The right of libertarian revolution is like the right of self-defense: it always exists, but should be exercised only under certain conditions. These conditions include the actual degree of tyranny, what proportion of citizens favor revolution, and the probability of achieving the necessary change without revolutionary means. Two dangers loom: to wait until it is too difficult to revolt, and to revolt too soon.

What should we do in our imaginary society? Is it too early for a revolution? Too late?

Perhaps it is time for a sort of revolution, but not for the bloody spectacle one usually associates with that word. For now, speech is the weapon of choice — so much so that the tyrant has found countless indirect ways to limit it. Tyrants fear both reason and poetic revolt. And there are other legitimate means of revolting that contribute both to education and to the ultimate revolution, if one becomes necessary. I have in mind the kind of principled civil disobedience Thoreau advocated. For example, if only 5% more of the people were to stop paying income taxes — perhaps 1% more — the state would soon be at bay.

Like any revolution, this is not without danger. It would probably be better to do this now than when the imaginary state has become more able to resolve its problems by force. Actually, it should have been done decades ago.

Who will initiate the civil disobedience? This once more raises the problem of collective action. But to start the wheel of change rolling, one does not necessarily have to stop paying taxes and advertise it to the whole world. One may also engage in nonviolent guerrilla tactics. Engage the tyrant whenever you can — right up to the point where he would have a good enough reason to arrest or shoot you — and then retreat. Delay compliance to all kinds of petty laws and regulations. Refuse to answer questions. And, of course, pursue the educational task through subversive talk and writing.

Discussing revolution the way we have may have trapped us in the enemy's way of thinking. We want neither the chains nor the candies of the welfare state. I am a sovereign individual; the government's laws are not of my own choosing, and do not apply to me. Instead of overthrowing their state, we would rather secede from it, individually or collectively. You want your government — your chains and your goodies? Well, keep them. For me, no thanks.

Revolution, in the sense of overthrowing their government, is only a second best, something to resort to when they will not allow us to secede from them.

To the question, *Why not make a revolution?*, the first-level answer is, "Because there is no one to make it." *Why not shoot the bastards?* "Because there are too many bastards, or everybody is a half-bastard."

At a second level, *secession* is the name of our revolution. If we could only have one free society in the world, why would we care, except out of compassion, about the people of France, Canada, or the U.S.? We must be prudent, responsible revolutionaries. Keep the tyrant on its toes; increase the pressure as tyranny advances.

And keep our options open. The revolution, if necessary, but not necessarily the revolution. □

Warning

Peace and Its Malcontents

by Leon T. Hadar

If war is the health of the state, peace is its Kevorkian.

Peace is hazardous to the health of the political class. For evidence, one need only look at the election of Benjamin "Bibi" Netanyahu, militant Zionist and annoying news-biter, as Israel's new prime minister.

There is no doubt that the Arab-Israeli peace process, imperfect though it is, has become a threat to the Arab dictators and their bureaucratic slaves, as well as to the Israel lobby and its servants on Capitol Hill and in the media. If the Arab-Israeli conflict ends, its beneficiaries will find it much more difficult to justify the resources they extract from their own people and from Washington.

Washington's rentier class, to which the Arab-Israeli conflict added so many more members, also faces a crisis. After all, how can one pander to Jewish voters by bashing PLO terrorists if Israel itself is negotiating with the alleged monsters? Or produce all those neocon op-eds accusing "anti-Semites" in the media of forcing Israel to negotiate with Arafat or Syria's Assad?

But not to worry. The Likud Party is back in power, and, to paraphrase Sir Edward Grey's view of Europe on the eve of the Great War, "The lamps are going out all over the Middle East; we shall not see them lit again in our lifetime." That's bad news for Middle Easterners, but good news for the political class everywhere.

In Cairo, reports the June 12 *Financial Times*, politicians and bureaucrats are rejoicing. Peace had

meant less demand for a regional broker between the Arabs and Israelis. As a result, "the skilled mandarins of the foreign office in Cairo had begun to carve themselves a role in domestic economic policy, seeking something useful to do." Well, now our Egyptian friends won't have to stoop so low after all. Say goodbye to that dinky power plant in Upper Egypt; welcome back to foreign policy and prestige. Comments the *Times*: "Now, as they scurry to make arrangements for the summit, some of the same officials are working on the assumption that Egypt can benefit from Benjamin Netanyahu's rise to power in Israel." All it need do is re-establish itself as the center of Arab nationalism and diplomacy (read: first-class flights to New York and Paris, summits in five-star hotels, six-figure government jobs) — in short, as an important player Washington will have to bribe with even more money and weapons to compensate it for being nice to Bibi.

And in Washington, as they said in *Gone with the Wind*, tomorrow is another day. "Ironically, the recent election victory of Israel's hard-line Likud party, which is likely to stall peace talks, could create tensions

between the U.S. and Israel — and re-energize" the Israel lobby's "basic mission," reports the June 18 *Wall Street Journal*. I don't know about you, but whenever I read or hear the word "ironically," I start looking for hidden motives. And indeed, the *Journal* article describes a sense of desperation befalling the Israel lobby after the Israel-PLO accord. Now; it reports, the possibility of renewed bloodshed is giving the lobby and its congressional stooges a new lease on life. Just think of what might lay in store. More Camp David summits. More aid packages. More pacts with this or that "strategic asset" in the Middle East. Plus a good way to get Jewish votes in New York and financial support from the pro-Israel PACs.

That Bibi's election is hazardous to my own health, and that of all the other suckers in the Middle East and North America, has been confirmed by the orgasmic neoconservative vibrations emanating from the columns of Abe Rosenthal, Charles Krauthammer, and Bill Safire. Krauthammer, in one of those long and tedious pieces (I, II, III, etc.) in the conservative *Weekly Standard*, goes so far as to suggest that any Jew who

opposed Bibi is nothing more than a self-loathing *Judenrat* scum. And any "goy" who supports Israel's Labor Party . . . well, he just likes Jews. Dead Jews, that is.

This and similar garbage is being disseminated in conservative circles, where Bibi is now marketed as a "free marketeer" with a grand plan to deregulate Israel's statist economy. If this is so, why did most of Israel's entrepreneurs oppose his candidacy? Perhaps because, unlike our neocons, they recognize that rattling sabres, isolating the country, expanding the war budget, raising taxes, and giving more power to the state is not good for business. It's not good for the country, period.

Portraying Netanyahu as a libertarian messiah is an intellectual con job, one perpetrated by, among others, the editorial page of *The Wall Street Journal*. Likud's vision of Israel has more in common with Eastern European or Russian religious nationalism than with American or British classical liberalism. It is a vision of a xenophobic Jewish ghetto, discriminating against Arabs and Jews — where a Jew not only cannot marry a non-Jew, but cannot marry someone who converted to Judaism in a Reform or Conservative ceremony. It is a vision of a nation at

constant war with the rest of the world — and of America's heaviest global welfare queen.

So why the neoconservative cheers? Because, with the Cold War over, these warfare-state propagandists are looking for a new cause to celebrate, something sexy to arouse America's lust for diplomatic and military activism. Bibi is their man: someone to help the

Washington will have to bribe Egypt with even more money and weapons to compensate it for being nice to Bibi.

merchants of global threats in their search for a great job in the coming Dole administration.

Keep an eye on your favorite op-ed page or Sunday television talk show. A new spin will gain momentum, especially after the Likud policies of annexation and settlement provoke new violence in the West Bank and more terrorism around the world. America and Israel (our "strategic asset," like in the old days) will be presented as close allies in a new struggle against the greatest threat to Western Civilization

since the Soviet Menace: Islamic Fundamentalist Terror, sponsored by Iran, Syria, and Iraq (ignore the fact that the last two are actually ardently secular regimes) and backed indirectly by evil Russian "nationalists" and greedy weaklings in Paris and Berlin.

The terrorism experts will spin tales of secret meetings in Tehran, of diabolical Muslims plotting anti-American terrorism. The military experts will add their own unique perspective, direct from Pentagon "sources," explaining that, yes, the U.S. *can* bomb Tehran, and it'll cause only limited "collateral damage." And, of course, the neocons will put it all in the Big Global Picture from the security of their think tanks in D.C.: *America is walking tall again. The U.S. is once more the Leader of the West. We are the only remaining superpower. When push comes to shove, count on Uncle Sam to come to the rescue. Ain't we great?*

So start the countdown to the next war in the Middle East. It's coming sooner than you think. And you're going to see it live on CNN, with Wolf Blitzer reporting, Rosenthal/Krauthammer/Safire apologizing, Bibi commenting, and you paying. Enjoy the show — and don't say we didn't warn you. □

Letters, continued from page 6

Common Law is real, not some metaphorical ghost dance. Granted, some of today's Common Law courts are being convened without regard to the law they purport to serve, but that's not to imply that all do. For example, within the past year, I have personally convened two different Common Law courts, not in some hotel room or church basement, but in the Bucks and Montgomery County courthouses in Pennsylvania, in front of real judges, with real attorneys scratching their heads wondering how they're going to get out of this one. And I'm not alone. As more and more modern-day patriots learn the true Common Law that Mr. Black ineptly ridicules, true Common Law courts are becoming more and more commonplace, especially here in Pennsylvania. And it's not a difficult feat to convene one; anyone can do it. Even I can do it.

Contrary to Mr. Black's article, the law is not inscrutable, Common Law included. All one needs is the honest intent to learn the law and then the willingness to wield it. But judging from the tenor of his tirade, it would appear that Mr. Black has neither.

So c'mon, Bob. Either lead, follow, or get the hell out of the way.

Ken V. Krawchuk
Abington, Penn.

Black replies: Krawchuk boasts that he has "personally convened two Common Law courts." I myself have "personally convened" a number of games of Monopoly. Sometimes I won. But I was never so delusional as to repair to Atlantic City to lay claim to Boardwalk, Park Place, and my other winnings.

These Common Law proceedings, Krawchuk continues, he convened in

courthouses! Maybe he did, but although it's true that kings sit on thrones, sitting on a throne doesn't make you a king. Playing Monopoly on the floor of the New York Stock Exchange or inside Fort Knox doesn't make Monopoly money legal tender. Krawchuk's fantasy hobby is a lot like Civil War battle re-enactment, with two differences: the re-enactors know they're not really fighting the Battle of Gettysburg, and their re-enactment resembles something that really happened once.

Krawchuk wrote in *RSVP* that Magna Carta includes "many of the rights we enjoy today." Now he hedges a bit, saying the Great Charter guaranteed "certain rights." I don't know how many rights are "many" or how many are "certain," but as "rights" is plural, presumably the

continued on page 68

Reviews

The Politics of Meaning: Restoring Hope and Possibility in an Age of Cynicism, by Michael Lerner. Addison-Wesley, 1996, 355 pp., \$24.00. ■ *They Only Look Dead: Why Progressives Will Dominate The Next Political Era*, by E.J. Dionne, Jr. Simon & Schuster, 1996, 352 pp., \$24.00. ■ *Values Matter Most: How Republicans or Democrats or a Third Party Can Win and Renew the American Way of Life*, by Ben J. Wattenberg. The Free Press, 1995, 426 pp., \$25.00.

Clowns to the Left of Me, Jokers to the Right

Clark Stooksbury

It is only natural for journalists, especially those close to centers of power, to be tempted to offer their help at election time. They live and work in close proximity to presidents, senators, and cabinet officers, and watch them perform ham-fisted feats of political incompetence on a daily basis. Surely these people need help, they figure — and who better than a pundit to dole it out?

There is a certain very broad category of political book that is part cheer-leading, part *Zeitgeist*-defining, and part crystal ball-gazing. Perhaps the best example from recent history is George Gilder's *Wealth and Poverty*, the supply-side bible circa 1981. Among recent tomes, Michael Lerner's *The Politics of Meaning*, E.J. Dionne's *They Only Look Dead*, and Ben Wattenberg's *Values Matter Most* all more or less fit this category. The authors' target audience isn't the ordinary reader, but the politically powerful; their hope is for their messages to be adopted and become the basis for a new golden age. Dionne and Lerner aim their books at Democrats. Wattenberg aims first at

Republicans, and then to whomever will listen.

Values as Preached by the Valueless

A better title for Wattenberg's book would be *Appearing To Have Values Matters Most*. What he wants is for one of the parties to adopt some sort of values-oriented rhetoric as a pretext for their platform. For a concrete example, he points to George Bush's 1988 presidential campaign, in which Bush boldly defended the American flag, attacked the ACLU, praised the Pledge of Allegiance, and opposed furloughing dangerous criminals. To the moderately discerning voter, his campaign telegraphed exactly the kind of presidency he would produce: four years of pandering, jingoism, and directionlessness. None of this bothers Wattenberg, because it had the right sound.

An especially repellent feature of Bush's campaign was his attempt to elevate the Pledge of Allegiance into a loyalty oath. Dukakis had vetoed a law that would have required every Massachusetts schoolchild to recite the pledge; Bush attacked this as suspiciously liberal. So, beams Wattenberg, the pledge "has become the ultimate

symbol of American patriotism" (37). I don't know what planet Wattenberg inhabits or from where he derived this unsupported claim, but I have never been to a classroom where reciting the pledge has been anything but *pro forma*.

Wattenberg's core assumption — that social and cultural issues have important political ramifications — is correct. George Wallace's career testifies to that. But Wattenberg does not understand that the kind of change he wants requires more than empty words from a hollow man. George Bush and Bill Clinton (and Bob Dole, for that matter) are, for all practical purposes, the same person: part ambition, part mendacity, devoid of character. None has the courage of his convictions — witness Bush's reverses on taxes and civil rights, or Clinton's hourly updates of his position on his own federal judges. Indeed, none has any convictions at all. Yet Wattenberg turns to them for values. His excitement over Bush's 1988 campaign is matched by his thrill with Clinton's in 1992. He repeats several times the Clinton line about "no more something for nothing" and laments the president's failure to follow through.

The falseness of Wattenberg's "val-

ues" becomes evident when he confronts a politician who really believes all that stuff. Consider his reaction to Pat Buchanan's 1992 presidential campaign. Wattenberg attacks the candidate and decries the prominent timeslot given his speech at the Republican convention. Say what you will about Pat Buchanan's politics, but what was his speech if not a lengthy discussion of the political ramifications of his values? Wattenberg prefers stage-managed pseudo-crusades, like Bob Dole's holy war on Hollywood. You may believe

Bush and Clinton are, for all practical purposes, the same person: part ambition, part mendacity, devoid of character.

Dole's attack was a formulaic attempt to curry favor with the religious right without any tangible promise attached, a sermon inspired more by focus-group research than by holy writ. But Wattenberg was impressed: "Dole did right . . . symbols count in politics, as in life" (338). Never mind whether the politician actually believes in the symbols he's deploying.

Inner Child Abuse

Those with long memories and strong stomachs may recall the first lady's brief infatuation with a horrid catchphrase, "the politics of meaning." Most of us sensibly sneered at this nonsense, then forgot about it. But Michael Lerner, who coined the phrase, did not forget, and has now produced a book with the same title. Lerner's "meaning" is the rough left-liberal equivalent to Wattenberg's "values." To his credit, Lerner takes his values seriously: he

wants politicians to adopt them, not just talk about them. But that's about the only good thing there is to say about his tome.

The Politics of Meaning is not without charm, if you enjoy unintended humor. Witness the speech Lerner says Clinton should have used to defend abolishing the ban on homosexuals in the military:

I know it's going to take special courage for those in the military to deal with their fears about their manhood. Underlying their panic at having homosexuals in the same room is their own doubts about whether they can keep under control their own desire to be more caring, more nurturing, more like a woman. . . . The courage that it will take for them is *not* the courage to retain their current conception of manhood, but rather the courage to imagine a different kind of manhood: a manhood in which one can be strong and still soft, one can be masculine and still nurturing to others. (164, emphasis in original)

Even the index provides occasional laughs, with such entries as "Caring, circles of . . . economy of . . . feminism and," "Compassion, for oppressors . . . for wounded healers," and, last but not least, "Dukakis, Michael." Lerner's message is similar to Wattenberg's: both dispute the idea that economic questions are central to politics. But Lerner's baby-talk makes Wattenberg's tired centrist neoconservatism seem brilliant by comparison. His book brims with unsupported assertions, e.g., "many middle income people feel ashamed to admit that they have not taken every possible opportunity to advance their own interests" (140) and "the usual reason why relationships fail is because there is too little love and mutual recognition" (186). Thank you, Guru Mike. What's

worse, this pontification is often accompanied by pious name-calling. Epithets — "fascist," "xenophobic nationalism," "hate radio" — leap from seemingly every page.

Lerner is nothing if not ambitious. He is out to change the world, not to win a

measly presidential election:

When I envision how a globalist perspective might work, I imagine the election of a worldwide economic legislature whose sole task is to present a series of alternative economic plans to the World's population. It is not hard to imagine that within a generation or two we would have interactive technologies that will make it possible for every person on the planet [!] to participate in the discussion of these alternative plans, and then vote directly on which plan ought to be adopted. (221)

He adds that there would "have to be appropriate safeguards to prevent undue influence of corporate or national blocks using their resources to influence the voters" (221). So he's not a total nitwit; here and there, he acknowledges difficulties with his ambitious program. But the occasional caveat is not enough to redeem this awful book.

A Cock-Eyed Optimist

Fortunately for the left, Lerner's frothings do not represent the sum and substance of modern-liberal thought. E.J. Dionne, a *Washington Post* columnist, is also trying to inspire the flock, and as his provocative subtitle ("Why

The Republicans wouldn't recognize a free market if it slugged them with an invisible hand.

Progressives Will Dominate the Next Political Era") indicates, he sees a rosy future for his progressive pals. But his thesis is weakened by a severe case of tunnel-vision. Dionne seems capable of perceiving only a tiny portion of the political spectrum. Which is odd, since his earlier book, *Why Americans Hate Politics*, was often perceptive.

That book includes a fine chapter on libertarianism, exploring, among other topics, the differences between it and conservatism. In the new book, Dionne spends 16 pages on the revival of "libertarianism" — most of it discussing the theories of William Kristol. I suppose it's possible that Kristol's vision is marginally more libertarian



"Well, son, it all began with the tax reform bill of 1991 . . ."

than those of other conservative Republican gurus, but neither Dionne nor Kristol has managed to convince me so. Here's a sample of Kristol's putatively libertarian thinking, from *American Enterprise* magazine: "When conservatives oppose government efforts to regulate day care, [and] try instead to provide vouchers to use in any private setting they want, we see a politics of liberty seeking to restrict the scope of the federal government and to keep the the state out of the private sphere of civil society" (185). Red-hot radicalism like that no doubt singed the gray pages of *The American Enterprise*, but is scarcely anything to get excited about. Any genuinely radical pro-liberty proposal, such as abolishing the CIA or legalizing drugs, is as foreign to Kristol as it no doubt is to Dionne.

Dionne is also hampered by a need to draw implausible parallels. If the turn-of-the-century Progressive Era is to flourish again, it must (he figures) overcome a revival of turn-of-the-century conservatism. And that is what Dionne sees in the new Republican majority. "After years of circumlocution and evasion, the Republicans have set out to overturn not only the Great Society but also the New Deal and the Progressive tradition. One has only to listen carefully, especially to Newt Gingrich, to realize that the Republicans are entirely serious and candid in describing this ultimate purpose" (11). But this claim does not hold up to scrutiny. Where are the Republican attempts to abolish the Federal Reserve? Child labor laws? The Sixteenth Amendment? Nowhere I've seen. Gingrich's turgid *To Renew America* has occasional praise for nineteenth-century volunteerism and criticizes one application of antitrust law, but it doesn't challenge the New Deal, let alone Progressivism. Indeed, Progressive stalwart Teddy Roosevelt is one of Gingrich's idols — a fact that goes unmentioned in *They Only Look Dead*.

Dionne sometimes undermines his own argument, as when he refers to a Republican campaign commercial suggesting Congress pass a law forcing insurers to maintain policies for those who have changed jobs. "When you think about it, that's a breathtaking promise from the party of free markets

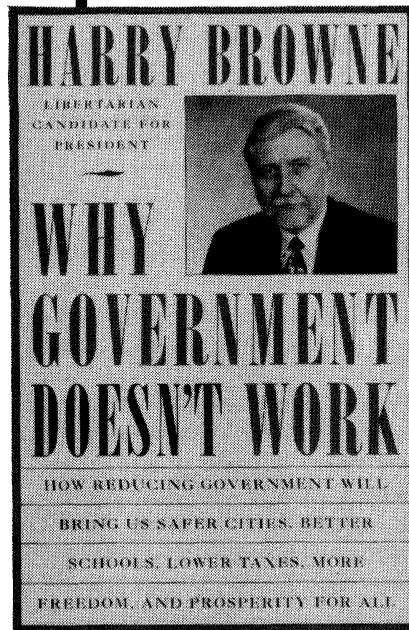
and a small federal government: *Congress will solve your health insurance problems with a law passed in Washington.* So spoke the anti-government Republicans!" (152, emphasis in original). Of course, any sensible person knows that the Republicans — the party of Nixon's price controls, Reagan's protectionism, and Bush's quota bill — wouldn't recognize a free market if it slugged them with an invisible hand. The Republicans are the

party of slightly lower taxes and slightly more modest domestic programs. It is difficult to restore late-nineteenth-century laissez-faire-ism while engaging in late-twentieth-century me-tooism.

No There There

So how does Dionne's central thesis hold up? I can't say. After 352 pages, I still don't know why "progressives" are going to dominate the next political

Ideas run the world



And the ideas behind American government today are corrupt and contradictory. Maybe that's why Bill Clinton and Bob Dole want the American people to blindly assume that government is the solution rather than the problem.

But Americans are — finally — beginning to grasp that something is rotten. Sure, they've been told a thousand times by the party pols that it's just a matter of a different party, a new program, one more tax increase. But year after year crime gets worse, schools fall apart, and the net of regulations is drawn more tightly around your life and property.

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argues, can make this country great again.

Perhaps the most compelling part of the book is Browne's explanation of the *psychology* that created and sustains big government — how the average American's dream of a better life so often hinges on fantasies about government *that can never come true*. This is the kind of book that produces the "ah-hah!" response — the sudden realization of how things really work.

Publisher's price \$19.95 — Liberty Book Club price \$14.95. 234 pp., hardcover.

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era. Dionne never gets around to making his case. One is left with a suspicion that he thinks progressives will return to preeminence because he really, really wants them to. "The industrial age needed to be rescued from those who thought that technology on its own could save the human race. Now the information age *must* also be saved from the cybertopians" (313, emphasis added). He does not explain why the information age *must* be saved or how progressives plan to do it, and he never accounts for the impressive electoral

After 352 pages, I still don't know why "progressives" are going to dominate the next political era. Dionne never gets around to making his case.

triumph of what he sees as the party of limited government.

This is a shame, since there may be some truth to his thesis. There won't be a millennial New Deal, but there probably will be a successful holding action, aided by cave-ins from Republicans who want to "be positive" and vote for "sensible" programs. If Bob Dole wins the election, the Republican "revolution," already comatose, will surely die under that tired Nixon clone's leadership. Congressional Republicans, effective in derailing much of Clinton's program, will be less enthusiastic in opposing a Republican White House.

The problem with Dionne's book, or with any effort to predict or explain U.S. politics, is that he assumes that sense can be made of it. But that is not the case. People are regularly whipped into frenzies over pseudo-scandals like the House Bank and trivial issues like congressional pay raises. Five years ago, millions of Americans suddenly embraced a bloody war, ostensibly to liberate a Middle Eastern sheikdom that few had heard of before and hardly anyone cares about now. President Bush's approval rating peaked at 91% a year and a half before he received less than 40% in the 1992 election.

In short, Americans are willing to swallow almost anything — except,

perhaps, the "politics of meaning." Canny politicians know enough to ignore the counsel of Wattenberg,

Lerner, Dionne, and their ilk, and instead reflect on the wisdom of P.T. Barnum. □

Inventing the AIDS Virus, by Peter H. Duesberg. Regnery, 1996, 722 pp., \$29.95.

The AIDS Heretic Who Won't Die

Nathan Crow

What causes AIDS? Almost all scientists and laymen would answer "HIV," the virus that has for the last ten years been the focus of billions of dollars of government and private research. But the HIV hypothesis has its dissenters. Chief among them is Berkeley's Peter Duesberg, an eminent virologist who believes the virus is completely harmless. AIDS, he argues, is caused largely by drug abuse and by AZT (azidothymidine), a drug that for years was the main pharmacological weapon against the disease and that Duesberg views as a lethal poison.

There is no questioning Duesberg's scientific credentials. In the 1970s, he was among the first to discover cancer genes. Before he became the most prominent AIDS heretic, he was awarded the NIH's prized Outstanding Investigator Grant, which gives a scientist the freedom to pursue his interests for seven years without having to apply for renewed funding. But since he adopted his stance on HIV, all of Duesberg's 17 grant applications have been rejected, he has been publicly scorned by such leading AIDS researchers as Robert Gallo and Anthony Fauci, and he has been reassigned to lowly undergrad biology courses. Deprived of influence in his department, he is now placed in charge of such tasks as organizing the annual picnic. Most of

his colleagues seem to regard him as, at best, a sadly misguided crank — and at worst, a dangerous lunatic.

Bloody but unbowed, Duesberg has now unleashed *Inventing the AIDS Virus*, a massive tome that comprehensively argues his views on the disease and lashes into a government-financed AIDS establishment that, in his view, systematically crushes dissent and — through its octopus-like hold on research dollars — makes it impossible for alternative hypotheses to be tested, or even heard. With an introduction by Nobel laureate Kary Mullis, the book has attracted enormous attention for a scientific work, attention that is probably partly due to a general sense of frustration and despair about AIDS. The disease consumes billions of government medical research dollars. It has decimated a generation of gay men, and, with infections rising rapidly among gay teens and college-age kids, seems set to do in another. Years of headline-making "medical breakthroughs" have (until recently) yielded no effective treatments — in Duesberg's words, "no vaccine, no effective drug, no prevention, no cure, not a single life saved." Finally, millions of people of all sexual orientations are tired of using condoms and practicing "safe sex," and would love to believe it unnecessary.

It is precisely this kind of wishful thinking that has aroused the most passionate Duesberg-bashing. It is hard enough, say AIDS activists, to convince horny young people with a gut-level

delusion of immortality to use a condom. Telling them HIV isn't a problem is a prescription for a renewed epidemic. And to tell HIV-infected people that they can in good conscience infect others is to abet murder.

Of course, if Duesberg is right, none of that matters. And *Inventing the AIDS Virus* is probably persuasive enough to convince a lot of people that the HIV hypothesis is at least doubtful. On closer examination, though, Duesberg's faults become clear. This is, in fact, a very bad book. It excludes inconvenient facts, employs fallacious and misleading arguments, and ignores social and medical realities that account for much if not all of what Duesberg seems to view as a self-serving conspiracy of government scientists, pharmaceutical companies, and AIDS activists.

Since it is impossible for me, in the space of a review, to recapitulate all of Duesberg's tangled argument, I will instead focus on the positive evidence that HIV is the cause of AIDS, showing the critical points where Duesberg goes fatally astray.

The Epidemiological Evidence

Why should we believe HIV causes AIDS? First, because the virus is present in all, or nearly all, cases of the disease. Duesberg disagrees. He defines AIDS very broadly, as the presence of one of 30 "opportunistic" diseases in combination with an at least slightly suppressed

There is no questioning Duesberg's scientific credentials.

immune system. (An opportunistic disease takes advantage of the characteristic immune deficiency caused by HIV. An example would be *Pneumocystis carinii*, a pneumonia often seen in AIDS patients, but sometimes in other people too. Some so-called opportunistic diseases — especially Kaposi's sarcoma, or KS, a cancer seen almost exclusively in male homosexual AIDS patients — do not seem to be immune deficiency diseases, and their relation to the virus is not understood.) Using his broad definition, Duesberg points to literally thou-

sands of cases of "AIDS" in which the HIV virus is not present. Where HIV is present, he argues that it is merely a "marker" of other factors — e.g., multiple sex partners — that are themselves associated with the real causes, namely, drug abuse or "foreign proteins."

The Centers for Disease Control (CDC) disagrees, of course. People who fit Duesberg's broad description don't have AIDS, they say. Why? For various reasons, but above all because they don't have HIV, and HIV is necessary for AIDS. This might sound at first like a statement that is true merely by definition, and that is exactly what Duesberg argues. After all, if there are all these people who would be said to have "AIDS" if they weren't infected with HIV, then the CDC is assuming what it should have to prove. "So how," Duesberg writes, "can doctors tell the difference between AIDS and other conditions? Only by testing for antibodies against HIV! Thus, HIV has no connection with disease" (p. 295).

One problem with this argument, as Steven Harris of UCLA¹ has pointed out, is that clinical definitions are not chosen merely to satisfy the criteria established by logicians; they are selected for their predictive value. Patients who are HIV-positive and have an opportunistic ("AIDS-defining") disease have a very poor prognosis. Those who come down with, say, *Pneumocystis* but are HIV-negative may very well turn out fine.

Be that as it may, Duesberg has a point. All cases of genuine AIDS should show HIV infection. And, in fact, it is possible to identify a group of people with a characteristic immune deficiency and show that that they all have HIV (with a handful of exceptions — according to Harris, about one in 1,000). This is the group with an opportunistic disease combined with a long-term, low (under 200) count of CD4+ T-lymphocytes, and a CD8+ count that remains normal until the final stages of AIDS, when it declines rapidly. (A normal healthy person has a CD4 count of around 600 to 1,200 and a CD8 count of about half that.) This pattern of immune deficiency is characteristic only of AIDS. Why doesn't the CDC use this definition for AIDS? Because regardless of their particular immune status at the moment, HIV-positive patients who have an

opportunistic infection will predictably deteriorate to this level.

It is true that there exists a group of people with a condition that looks like AIDS, but isn't (because there's no HIV infection, among other reasons). Less than a hundred such people have been identified. Their disease is called "ICL," for idiopathic CD4+ lymphocytopenia. Unlike AIDS patients, they generally don't come from identifiable

Duesberg's documentation of the shoddy research that led to AZT's hysterically optimistic reception is a strong point of the book.

risk groups (homosexual men, hemophiliacs, and intravenous drug users); and they have somewhat stronger and more volatile T-cell counts than AIDS patients. Duesberg erroneously lumps together ICL patients with the several thousand HIV-negative people who suffer from AIDS-defining diseases.

Finally, the development of AIDS shows other patterns characteristic of infectious diseases, including a pattern of multiple cases among people having common contact with the same carrier. As Harris writes, "of the first 19 cases of AIDS reported in Los Angeles, nine had direct or indirect (one intermediate partner) sexual contact with a single French-Canadian airline steward."

Satisfying Koch's Postulates

Robert Koch was the nineteenth-century physician who set forth the criteria by which, he argued, we should judge whether a particular microbe was really the cause of a disease. Duesberg lays great emphasis on HIV's alleged failure to satisfy "Koch's postulates." They are:

(1) The microbe must be present in all cases of the disease.

(2) It must be possible to grow the microbe outside the animal, in a pure culture.

(3) It must be possible to reproduce the disease by introducing it into a healthy host (human or non-human).

We have already seen that the first postulate is very close to satisfied if

AIDS is defined according to the modern understanding of its development. However, even if we admit ICL cases as "AIDS," thereby invalidating HIV according to postulate one, the epidemiological correlation remains overwhelming. Koch's first postulate is too strict. As Harris comments, "There are many people with sore throats who are not infected with the micro-organism popularly known as 'strep'. . . [T]he issue is what fraction, if any, of sore throats are caused by strep."

As stated above, Harris admits that "perhaps one out of 1,000" AIDS patients (according to the strict definition) are not HIV-positive, but notes that they "typically do not have any of the alternative suggested causal factors for AIDS either."²

Since HIV can be and is grown (albeit with difficulty) outside hosts, Duesberg himself admits that the "rule has . . . technically been fulfilled" (178). That leaves postulate three.

Monkeys, Lab Workers, and AIDS

There are obvious ethical problems involved in infecting healthy people with HIV to see whether it will cause AIDS. To get around this, scientists infected monkeys with both varieties of the virus: HIV-1 and HIV-2. HIV-1, the variety most American and European AIDS patients are infected with, did not cause AIDS in the monkeys; years after infection, not one monkey has come down with the disease. Duesberg makes much of this surprising development. However, he completely ignores the fact that the variety of the virus prevalent in Africa, HIV-2, does cause monkey AIDS. And it does so in a way very similar to the progress of HIV to AIDS in humans: an initial period of rapid viral multiplication, followed by the emergence of antibodies to the virus, then immune collapse, infection with opportunistic diseases, and eventual death. The HIV-2 virus injected into the monkeys was isolated from West Africans suffering from AIDS. Finally, HIV-2 is sexually transmitted between primates.

Although Duesberg continues to argue that the amount of virus seen in humans should not, in principle, be capable of wreaking so much harm, the fact is that the amount seen in monkeys

with AIDS is about the same as is found in humans. This contradicts Duesberg's beliefs about the limitations of viruses, but it is nonetheless true. Duesberg's ideas about what viruses can and cannot do must not be allowed to overturn established facts.

Why does HIV-1 harm only human beings? No one knows; the means by

Most of Duesberg's colleagues seem to regard him as, at best, a sadly misguided crank — and at worst, a dangerous lunatic.

which the virus does its dirty work is still poorly understood. But Koch's second postulate is confirmed in humans by the development of the immune deficiency characteristic of AIDS in three health workers who were accidentally infected with "a pure, molecularly cloned strain of HIV." As described by Jon Cohen in *Science*,

[O]ne of the three lab workers developed *Pneumocystis* pneumonia, an AIDS-defining disease, 68 months after showing evidence of infection. This lab worker had not received . . . any anti-HIV drug, until 83 months after infection, when the patient had fewer than 50 CD4 cells, the key immune system cells destroyed by HIV. . . . [A] second lab worker, who also received no anti-viral drugs, had 250 to 400 CD4s at 83 months. The third lab worker had CD4 counts of 200 to 500 at 25 months and had been given anti-virals. "These people have no other risk factors" for AIDS [according to the researcher who reported the cases].³

In 1987, Duesberg stated that the major obstacle to his accepting the HIV hypothesis was not the lack of epidemiological evidence, but the dearth of information as to how the virus could possibly cause AIDS, given its lack of "biochemical activity" and the low amount of the virus present in the blood.⁴ We still don't know much about the mechanics of HIV's assault on the immune system (the virus apparently "hides" in the lymphatic tissues, gradually destroying the immune system). But we do have inarguable proof

that HIV is capable of destroying primate immune systems, so Duesberg's objection is no longer tenable. Suppressing such information (his 722-page book simply pretends that none of the HIV-2 primate data exists) is both scientifically slipshod and morally reprehensible. And "suppressing" is not too strong a word: rather than just ignore the primate data, Duesberg flatly asserts that "a dormant, biochemically inactive virus, like HIV, could not cause any disease" (230, my emphasis) and that "no animal becomes sick from HIV" (182).

HIV's Original Sin

Duesberg's unwillingness to examine the primate data is seen even more sharply when he insists that no virus exhibits the "slow," "latent" action attributed to HIV — the process by which the virus is suppressed shortly after infection, then appears to enter a "dormant" period of several months or years, re-emerging at the end to destroy the immune system. This concept he characterizes as "the original sin against the laws of virology" (75), because he believes that the immune system's initial response should be sufficient to secure the organism's immunity against the disease: "an antibody," he asserts, "is a certain antidote" (189). Unfortunately for Duesberg and the human race, slow viruses are actually well-documented in other species. Visna, a sheep disease that is caused by the maedi-visna retrovirus, may be latent for as long as a decade. It is also related to HIV. And according to British researcher Robin Weiss, though "infected susceptible sheep do not show the severe immunodeficiency characteristic of AIDS, . . . they [do] suffer similar wasting and neural syndromes . . . [A]nd disease progress is as inexorable as that of HIV in humans."⁵

Furthermore, we have animal models of retroviruses that act like HIV. One example is simian immunodeficiency virus (SIV), a retrovirus almost identical to HIV-2 that causes AIDS in Asian monkeys (although not in the African monkeys that are its natural host). Like HIV, the simian virus may destroy the animal's immune system despite the presence of antibodies to SIV, and even with low counts of virus in the blood — counts that Duesberg considers to be

proof positive of the inefficacy of a virus. Also like HIV, SIV destroys the lymphatic tissues (although how it does this remains obscure). The animal then contracts a number of diseases, several of which are also human AIDS-defining diseases.

Duesberg's description of the means of transmission and effects of SIV in monkeys is further contradicted by other, more recent research. For example, he writes that monkeys that die of SIV "must be *injected* with large quantities of the virus *while very young*" (104, my emphases) — but researchers at the Dana-Farber Cancer Institute and Tulane University have now found that adult macaques can be infected by placing SIV in their mouths.⁶ And although Duesberg writes that signs of SIV infection "usually resemble the flu," two of the six (out of seven that were exposed) SIV-positive Farber/Tulane monkeys had died of AIDS within 214 days after exposure (or rather, were euthanized in the final stages of the disease). Some flu.

Duesberg's talk of a "dormant" virus

is also dated. HIV-infected people suffer steady immune-system decline, which appears to be the result of something HIV is doing in the lymphatic tissue. Thus, although it is not clear how the virus works, it is no longer considered "dormant" during the period between infection with HIV and the development of AIDS. In fact, it now appears that the virus makes millions of copies of itself each day of what was formerly considered the "dormant" period.

To prop up his attack on the HIV hypothesis, Duesberg discharges *ad hoc* assertions and predictions, then makes hay of HIV's failure to satisfy his arbitrary demands. For example, he argues that the virus should spread randomly (hence, equally) among the sexes. But this claim is unsupportable. HIV-1 has been spread primarily by anal intercourse, which provides a pathway for the virus by tearing the rectum's relatively delicate mucous membrane. HIV-2 is spread more readily by vaginal intercourse than is HIV-1. It is no more reasonable to claim that vaginal

intercourse must spread HIV-1 just as well as anal intercourse than it is to claim that oral sex or kissing should spread HIV just as well as anal intercourse.

One aspect of AIDS that does seem puzzling is its tendency to cause different opportunistic infections in different risk groups. Hemophiliac AIDS patients, for example, rarely suffer from cytomegalovirus (CMV), an infection that is often present in homosexual AIDS patients. But this is not as unusual as it seems. People suffer from the opportunistic infections that are present in their environments, and CMV probably travels through the same pathways that spread HIV among sexually promiscuous gay men.

A Drug Connection?

A more troubling case is Kaposi's sarcoma (KS), a cancer that in the early days of AIDS was considered *the* AIDS-defining disease, but is currently thought by many researchers to be caused by a herpes virus. Duesberg



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himself, like many other AIDS heretics, believes KS may well be caused by use of nitrite inhalants ("poppers"). Amyl or butyl nitrite, as these supposedly orgasm-enhancing drugs are properly called, were wildly popular among gays during the '70s and '80s. Here the epidemiological correlations are quite strong, with the overwhelming majority of KS patients having used poppers. The neglect of the health risks of poppers by the AIDS establishment (and by

Duesberg attacks the government AIDS establishment, with its octopus-like hold on research dollars, for making it impossible for alternative hypotheses to be tested, or even heard.

AIDS activists) is a scandal in itself, and Duesberg's proposal to test the nitrite-KS connection deserves support.

However, although Duesberg is sharply critical of the kind of statistical evidence that is used to corroborate the HIV hypothesis, he applies rather less stringent standards to his own hypothesis that AIDS is caused by long-term, chronic drug abuse. He is right that in most studies, the vast majority of AIDS patients are found to have used nitrite inhalants, with many also using cocaine, amphetamines, marijuana, etc. And during the early days of the AIDS epidemic, before HIV was discovered, the drug hypothesis attracted a great deal of interest from epidemiologists struck by the correlation. As it became clear, however, that the epidemiological correlations were much stronger for HIV than for drug use, the drug

hypothesis was abandoned. Duesberg hangs on to it virtually alone, content with far weaker correlations than we have for HIV; thus, in support of his drug hypothesis, Duesberg cites a British study that found only 78% of the AIDS patients studied had used nitrite inhalants in any quantity. In Duesberg's view, virtually any drug is a possible cause of AIDS, and he is careful to note that most of the patients also used cigarettes and alcohol.

Duesberg never really deals with some obvious objections to his drug hypothesis. For example, if AIDS is caused by heavy use of drugs, why is AIDS confined to established risk groups? Lots of heterosexuals use the drugs Duesberg cites as likely causes of AIDS: cocaine, valium (!), amphetamines, marijuana, LSD, MDMA, Quaaludes, etc. But few heterosexuals get AIDS, and those who do usually belong to the established risk groups; that is, are IV-drug users, hemophiliacs, or transfusion recipients.

Duesberg also seems strangely unaware of the history of drugs. In the 1950s and '60s, many thousands of middle-class Americans used amphetamines daily for weight loss; prior to the Pure Food and Drug Act of 1906, many popular "soft" drinks (not just Coca-Cola) and dozens of patent medicines contained cocaine, with total American consumption exceeding ten tons per annum; for centuries, opium has been used by millions of Asians; public health authorities have concluded that in 1900 there were some 250,000 opiate (mainly morphine) addicts in America alone.⁷ Drugs, to be sure, can cause a host of mental problems and often impair the immune system. Heroin and nitrite inhalants in particular appear to be co-factors (but not *necessary* co-factors) in the development of AIDS, and the medical establishment has been

sadly negligent in educating the population about the role these drugs may play in facilitating immune collapse. (On the other hand, how many people who shoot up heroin listen to doctors' advice about health?) But the idea that drugs alone

can cause the irreversible immune destruction characteristic of AIDS is implausible. Again, Duesberg is willing to attribute AIDS to any number of different causes — drugs, foreign proteins, AZT, inadequate nutrition, etc. — on the basis of epidemiological evidence that is much weaker than that adduced for HIV, and absolutely without benefit of the kind of animal experiments that provide such striking evidence for the HIV hypothesis.

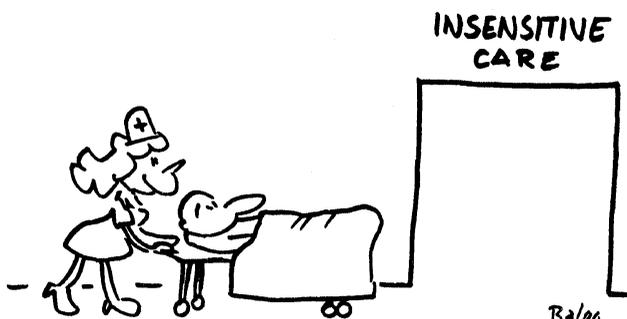
Duesberg's thesis has not been completely ignored. But when researchers examined the immune systems of different groups of men, they found that even heavy drug users who are HIV-negative experienced no decline in their CD4 counts. HIV-positive men, by contrast, show a steady decline in CD4 counts regardless of their amount of drug use. This difference was established well before AZT became available in 1987.⁸ Duesberg, incidentally, has accused these researchers of fabricating data on non-drug-using HIV-positive men, a group he claims does not exist. These charges were rejected by an independent review panel. But even if they are true, Duesberg's drug hypothesis is

Unfortunately for Duesberg, and the human race, slow viruses are actually well-documented in other species.

disproved by the steady CD4 counts found in heavy drug users who are HIV-negative.

Profitable Nostrums

Since he believes HIV is harmless, Duesberg is hard-pressed to explain the high death rates among non-drug-using, non-hemophiliac AIDS patients (e.g., Arthur Ashe, who appears to have contracted HIV from a blood transfusion). He believes that such deaths are due to medical use of AZT, a popular but ineffective AIDS therapy that "works" by inhibiting the replication of DNA. Since viruses reproduce by insinuating themselves in cells and using the cells to make copies of their genetic material, scientists hoped that AZT could stop viruses from reproduc-



ing. But because they inhibit the fundamental processes of life, large doses of AZT and related "DNA chain terminators" cause very harmful side effects — some of which, such as muscle wasting, are similar to symptoms of AIDS.

Could AZT, then, be the real cause of AIDS? Duesberg believes this so strongly that he calls AZT "AIDS by prescription." The epithet is a silly exaggeration, but AZT has indeed been absurdly oversold from the beginning. As is now clear, the drug, at least by itself, does not help patients live significantly longer. Given the extremely negative effects it has on some patients and the chance that it may produce stronger, drug-resistant varieties of HIV, AZT's long-standing popularity among doctors is a disgrace. Furthermore, there appears to be a strong correlation between long-term survival with HIV and *non*-use of AZT, and it now seems clear that AZT alone should probably not be prescribed until the late stages of the disease, if at all. Duesberg's documentation of the shoddy research that led to AZT's hysterically optimistic reception is a strong point of the book.

But even here, problems emerge. Duesberg blames AIDS on AZT, but the largest controlled test of the drug, the Concorde trial, showed conclusively that AZT (now given in much smaller doses) has little effect on subjects' survival rates, for better or worse. Duesberg, to be sure, claims that "the death rate in the AZT group was 25 percent higher than in the control group" (330-1), but he misinterprets the numbers to reach this conclusion. Concorde compared two groups of HIV-positive people without AIDS. The "Imm" group (877 people) received AZT immediately, while treatment of the "Def" group (872 people) was deferred. A total of 10.9% of the Imm group died, compared to 8.7% of the Def group — a difference that is not statistically significant (i.e., could have been due to chance). And even this small difference is exaggerated by Duesberg's insistence on counting suicides and accidental deaths.

AZT does have one important medical use: to prevent HIV transmission by pregnant mothers. There is now solid evidence that AZT administered during pregnancy can save the lives of numer-

ous infants who would otherwise grow up HIV-positive and probably die of AIDS. Considering AZT's benefits for these children, Duesberg's hysterical inflation of the drug's dangers is reprehensible.

Hemophilia: A Definitive Test

Both homosexual and IV-drug-using AIDS patients present the confounding variable of drug use, but AIDS in hemophiliacs has no such problems. The standard account of hemophilic AIDS assumes that it stems from HIV contracted by transfusion. Duesberg, as usual, has an *ad hoc* hypothesis at hand: hemophilic AIDS, he believes, is caused by exposure to foreign proteins in Factor VIII (a natural clotting agent that was made available to hemophiliacs starting in the 1960s) and by treatment with AZT. In support of this hypothesis, he cites various studies demonstrating that HIV-negative hemophiliacs are immune-deficient. The evidence, as we shall see, does not support his hypothesis.

When pharmaceutical Factor VIII became available, the average lifespan of hemophiliacs began to rise steadily

— a hopeful trend that was rudely cut off by the entry of HIV into the blood supply. Around 1983 — not, as Duesberg states, "[a]fter 1987" (465) — their average age at death began to decrease, and continues to decrease today, as more and more HIV-positive hemophiliacs come down with AIDS. Duesberg appears to have chosen 1987 because that is the year AZT treatment was introduced, but such tricks are easily exposed. Citing research in the *American Journal of Hematology*, he claims that the death rate of American hemophiliacs "remained almost constant in the period from 1968 to 1986" (475). What the data actually show is a sharply increasing death rate starting in 1983.⁹ So much for the AZT argument.

More problematic is the role of Factor VIII. To test the Factor VIII hypothesis, the National Cancer Institute (NCI) sponsored a study looking at the death rates of HIV-positive hemophiliacs with varying doses of Factor VIII (low, medium, and high). If Duesberg was right, death rates should rise with increasing amounts of Factor VIII. Here is what researcher James Goedert found:

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34% of high-dose Factor VIII HIV+ patients died (10 out of 29).

39% of medium-dose Factor VIII HIV+ patients died (103 out of 264).

39% of low-dose Factor VIII HIV+ patients died (40 out of 103).

Goedert also examined a smaller number of HIV-negative hemophiliacs with equivalent Factor VIII doses. Although no HIV-negative high-dose patients were found, of the 17 moderate-dose patients, not a single one died; of the 49 low-dose patients, only one died. Conclusion: HIV infection enormously increased the chances of a hemophiliac dying, and, as Goedert commented, Factor VIII "had absolutely nothing whatsoever" to do with it.¹⁰

Although Duesberg has insisted that Goedert's data is confused by using averages, another study by Hassett, *et al.*, compared 79 people with little or no Factor VIII treatment to 53 people with extremely high doses. Although the high-dose group had CD4 counts somewhat lower than the low- or no-dose group, both had counts within the normal range. Factor VIII treatment again made no practical difference.¹¹

The Future of AIDS

HIV causes AIDS. But what cures it? It is a strange irony that *Inventing the AIDS Virus* has been published almost simultaneously with the advent of what appears to be the first effective treatment for the disease. Investigators have now found that a "protease inhibitor cocktail" that includes various drugs (AZT among them) may virtually clear HIV from the body, at least for some patients. The treatment appears to be most effective if begun very soon after infection with the virus. But although double-blind controlled trials have yet to be performed, anecdotal accounts of patients recovering from even full-blown AIDS are coming in from all over the country. The very scientists whom Peter Duesberg damns as greedy charlatans and dogmatic fools may have found a cure for AIDS, or at any rate an effective treatment for some people. (On the other hand, this may be just the latest hype in a long series of non-existent "breakthroughs.")

A distressing parallel to these hopeful new developments is the discovery

of a new subvariety of HIV (type E) that appears to be much more easily transmitted through vaginal intercourse (and has already infected up to a million Thais).¹² Although we should remain skeptical of claims that this will lead to the long-predicted "heterosexual AIDS epidemic" that never materialized (at least not in the United States), it may be that type E and other, more easily transmitted varieties of the virus will soon begin to take their toll in

America and Europe, as is already happening in Thailand and several African nations. So even for heterosexuals, condoms and "safe sex" remain in order.

Whatever happens, I suspect that Peter Duesberg and his theories will still be with us, keeping investigators on their toes, forcing them to subject their hypotheses to the most stringent tests possible — and proving that heretics have their uses, even when they are wrong. □

Notes:

- Harris, Steven B., "The AIDS Heresies: A Case Study in Skepticism Taken Too Far," *Skeptic* 3:2, 1995. Throughout this review, I have relied heavily upon Harris' monograph, which anyone with a further interest in the debate is urged to read. Duesberg, incidentally, has never replied to Harris' criticism of his arguments.
- Harris, Steven B., "Steven Harris Responds," *Skeptic* 3:3, 1995.
- Cohen, Jon, "The Duesberg Phenomenon," *Science*, v. 266, 9 December 1994, p. 1647. This is an excellent set of articles, with additional details on hemophilia studies.
- Interview with Peter Duesberg in Lauritsen, John, *The AIDS War: Propaganda, Profiteering and Genocide from the Medical-Industrial Complex*, Asklepios, New York, 1993, pp. 47-48.
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- Study cited in Cohen, *op. cit.*, p. 1646. Goedert's data were drawn from the Multicenter Hemophilia Cohort study.
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- Essex, Max, "Deciphering the Mysteries of Subtypes," *Harvard AIDS Review*, Spring/Summer 1996, pp. 18-19.

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Without Miracles: Universal Selection Theory and the Second Darwinian Revolution, by Gary Cziko. MIT Press, 1995, 373 + xiv pp., \$30.00.

Darwin Unbound

Leland B. Yeager

Darwinian biology emphasizes random mutations and the natural selection and reproduction of traits that better fit organisms to their environments. Now, reports Gary Cziko in *Without Miracles*, a "second Darwinian revolution" is carrying this idea into fields far beyond evolutionary biology. It's not only living organisms and their genes that are winnowed by cumulative blind variation and hindsight selection; so are molecules, antibodies, neural synapses, instincts, behaviors, scientific theories, technologies, language, computer programs, and other aspects of nature and culture.

Universal selection theory provides a naturalistic account — "without miracles" — of complex adaptations. And beyond nature's purposeless processes, a technological revolution is beginning, one that will allow human beings to guide evolution itself. Processes first discovered among carbon-based life forms are now being used within silicon-based machines. Computers can now model the evolutionary process and demonstrate its cumulative power, permitting rapid, cheap, and safe testing of possible solutions to scientific and engineering problems. Computers are even being designed to become programmers themselves, using cumulative selection from quasi-random variations.

Cziko sees two main alternatives to neo-Darwinian theory: providence and instruction. According to the first, God in his foresight provides his creatures with the bodily and behavioral features they need to flourish. According to the second, exemplified by the theories of

Lamarck, the environment acts on creatures to make them fitter for it. One example of an instructionist process is Pavlovian conditioning. A mechanical example is grinding a key according to marks left on a blank after inserting it into a lock.

Applied to knowledge and learning, providentialist theory emphasizes information and capacities built into organisms before they are born. John Locke's idea of the *tabula rasa* is instructionist: the human mind starts as a blank slate onto which the empirical world writes information and capacities. Knowledge could conceivably — though not with today's technology — be transmitted from one brain to another by an instructionist process analogous to copying a computer file from one disk to another. Such processes are brittle, unable to adapt to large, unpredictable changes in their contexts.

From Antibodies to Grammar

Cziko lists three major ways in which biological structures, processes, and behaviors adapt themselves to complex and changing environments. The first is phylogenetic selection — the familiar Darwinian process. The second is variation and selection during the individual animal's lifetime. One example of this is mammalian immune systems' ability to produce antibodies that effectively suppress artificially synthesized antigens, foreign substances that neither the individual animal nor its ancestors could have encountered before. Antibody genes are inherited, not as complete units, but as fragments shuffled together, along with DNA sequences added at random, to form a complete gene specifying the antibod-

ies it produces. Once an antigen binds with an antibody, it stimulates the latter to make copies of itself. Antibodies that fail to bind with antigens leave no offspring, become extinct, and are replaced by successful antibodies. Some of the selected clones continue circulating as the immune system's "memory." This clonal-selection theory explains both the great diversity of antibodies and the immune system's ability to bind with completely novel antigens. And the process it describes is a microcosm of Darwinian evolution.

The mammalian brain likewise undergoes adaptive evolution even during the individual animal's lifetime. The brain achieves a fit to the animal's needs not only by selecting from preexisting neural circuits but also by engineering new circuits — adding new synaptic connections between neurons, selecting some, and eliminating others.

When a person uses a foreign language, what he hears — not just what he understands — depends on how well he knows the language.

Although the mechanisms for such within-organism variation and selection are innate, its products cannot be. If natural selection among organisms gives human beings a built-in potential for language and other conceptual abilities, it is at least possible for the brain to acquire similar knowledge by within-organism variation and selection of synapses.

I know too little about immunology and neurophysiology to judge whether Cziko's account of research in these fields is correct. His detailed explanations and abundant citations do persuade me, however, that he is a responsible reporter; he is not dealing in pop pseudoscience. Furthermore, the April 5 *Science* carries articles about research on the immune system that are at least compatible with what Cziko says.

The third method of complex adaptation identified by Cziko is the exploitation of fellow creatures' experiences

by mammals, birds, and honeybees. Examples in human culture include technology and scientific theories. Cziko argues that all technological development arises from cumulative blind variation and selection. His view accords well with Karl Popper's conception of science as progressing through "conjectures and refutations." Tradition can consolidate the results of earlier experimentation, even unplanned or accidental experimentation; Cziko offers rice-growing techniques in Bali as an example. (A similar example,

It's not only living organisms that are shaped by random mutation and natural selection; so are molecules, behaviors, scientific theories, technologies, language, and computer programs.

not cited by Cziko, involves pre-Columbian Indians' treatment of corn with lye — the effect, though not the conscious intent, was to improve the protein's nutritional accessibility.)

Both the evolution of language and children's acquisition of language combine biological and cultural processes. Cziko mentions Noam Chomsky's theory that language ability, even grammar, is innate. Oddly, as Cziko remarks, Chomsky rejects natural selection as an explanation for this.

Cziko's sensible remarks about cultural evolution through variation and selection remind me of the ideas of the Nobel laureate economist and polymath F.A. Hayek (whom, however, he mentions not at all). Yet, unlike Hayek, Cziko is unwilling to call any aspect of this process "Lamarckian" (involving the inheritance of acquired characteristics). His reason is not entirely clear, but he may mean that to call a nonbiological process "Lamarckian" is to strain for a metaphor.

The Evolution of Knowledge

For the most part, Cziko is generously alert to predecessors. The philosophers and psychologists Alexander Bain and William James, the economist and logician W. Stanley Jevons, the

mathematician Henri Poincaré, and the physicist Ernst Mach, among others, anticipated his selectionist perspective on human thought. They conjectured that useful ideas can be found only by producing a large number of varied and blind guesses, retaining the useful ones, and discarding the rest. James remarked that the outer environment confirms or refutes, preserves or destroys thoughts just as it selects morphological and social variations. In our own century, Cziko gives much credit to Donald T. Campbell, an American psychologist born in 1916, for his comprehensive selectionism emphasizing the psychological, scientific, and cultural growth of knowledge. Campbell believes that all knowledge, problem-solving skills, adaptive physiological and neural changes, useful cultural beliefs and practices, and scientific and cultural progress derive from variation and selection of the same general type Darwin proposed to account for the evolution of species. The process operates both among and within organisms.

Strangely, Cziko seems least plausible in applying selection theory to his own field of specialization (he is an associate professor of educational psychology at the University of Illinois). He disparages instruction, the straightforward transmission of known facts and techniques from teacher and textbook to student. Neither by language nor by any other means yet known, he argues, can knowledge simply be poured into students like water into buckets. Understanding another person's ideas requires selecting the best candidate ideas generated by the "receiver." Cziko conceives of "education as Darwinian selection" (to quote a chapter subheading), preserving in the student's mind ideas that best fit reality and discarding others. In his view, teaching works only by facilitating this generation and sifting of ideas. A good teacher arranges the learning environment so that the student continually encounters challenges just a bit beyond his current abilities. The student makes errors, but ones small enough for him to overcome

by reorganizing his conceptions of reality.

There is something to this. Education should rise above rote memorization and regurgitation and cultivate the student's capacity for independent discovery, creation, and critical judgment. But surely there is a role for instruction in the narrow sense; it would be inefficient for the student to learn everything by sheer trial and error. Cziko practically concedes this point in reference to science: "selection theory is necessary only to explain the emergence of *new fit*, *new adapted complexity*, *new knowledge*, and not the routine application of old knowledge" (295). We do not need a selectionist explanation of how a scientist routinely applies accepted knowledge in his field.

Again, Cziko's thinking is similar to that of Hayek — particularly Hayek's *The Sensory Order*, published in 1952 and based on a paper drafted over 30 years before. Perception, Hayek argued, always involves interpretation: an animal *classifies* impulses received by its sense organs. Neither a sound I hear nor a red patch I see simply exists as a distinct part of objective reality. Rather, my nervous system selects certain aspects of reality accessible to my senses, classifies them, and organizes them into my perception of the sound or the red patch. How aspects of reality shape themselves into perceptions depends on the state of my sense organs, nervous system, and entire body. Unlike a dog, I cannot perceive certain odors or high-pitched sounds. Unlike me, the dog cannot perceive words in a conversation or on a printed page.

In Hayek's theory, knowledge derives not only from the individual creature's own experience, but also from ancestral experience embodied,



through natural selection, in its genetic and physiological makeup. If an organism frequently confuses hot and cold, near and far, hunger and safety, or food and predator, it will perish. In higher animals, logical perceptions and actions have greater survival value than illogical ones. The individual human being inherits the experience of his ancestors through both biological and cultural processes, notably including language.

The individual's perceptions are also shaped by his own experience, which has altered the physical and chemical conditions of his nervous system. People do not first have sensations that memory then preserves; rather, physiological memory enables the physiological impulses one receives to become sensations. How a listener responds to a work of music depends on his past listening. When a person uses a foreign language, particularly over the telephone, what he hears — not just understands, but *hears* — depends on how well he knows the language, on his earlier experience. The message that a reader draws from a book follows partly from the experiences he brings to it, including his past reading. That is why a book reread after a long interval may make a much different impression than before.

Many authors have been criticized for views they have not expressed. Some of their readers simply could not perceive, unfiltered, what the text says. Instead, they classified it in their preexisting pigeonholes, then reacted to what these accommodated and not to the bare substance of what the author said.

Jean Piaget believed that people interact with their world partly by incorporating sensory experience into a preexisting thought-structure or schema. Our understanding of spoken and printed words may depend as much on our expectations and prior knowledge as on the actual words themselves. Beyond this, Konrad Lorenz argued in 1941 that *a priori* knowledge of space, time, and causation results not from the limited experience of the individual but from the long biological evolution of the human nervous system: "Our categories and forms of perception, fixed prior to individual experience, are adapted to the external world for exactly the same reasons as the hoof of the horse is

already adapted to the ground of the steppe before the horse is born and the fin of the fish is adapted to the water before the fish hatches." (Nicholas Rescher has edited a good collection of articles on this broad topic: *Evolution, Cognition, and Realism: Studies in Evolutionary Epistemology*, University Press of America, 1990.)

A Meeting of Minds

Cziko avows no political philosophy and reveals no political agenda. Still, libertarians and Randians should wel-

come his book. More so than adherents of other political ideologies, they are oriented toward reason and reality (or so I like to think). They welcome the gain in knowledge (and so in power to serve their values) achieved by linking theories even in diverse realms of physical nature and human life. Libertarians should appreciate his unconsciously Hayekian insights into spontaneous evolution and organization. Institutions and practices that have stood the test of time may deserve a certain presumption in their favor — which does not mean

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rigidly sheltering them from critical examination and possible reform. Not all order in society has to be deliberately contrived and imposed.

Cziko's book nicely complements *Complexity* (Simon & Schuster, 1992), in which M. Mitchell Waldrop reviews the work of natural scientists, computer scientists, and economists associated with the Santa Fe Institute. These researchers have been investigating how apparent order and pattern can emerge without central direction, as in immune systems, neural networks, bird flocks, eco-

logical systems, and cultures. This book, like Cziko's, has an affinity (albeit unrecognized) with Austrian economics.

Work like this helps strengthen the case for maintaining decentralization and diversity in economics, government, scientific research, and other human affairs. Who knows how much better our systems of retirement, health, safety, education, energy, and communications might function today had government not largely preempted responsibility for those fields? □

The Abolition of Marriage: How We Destroy Lasting Love, by Maggie Gallagher. Regnery, 1996, 300 pp., \$24.95.

The Culture of Divorce

Bruce Ramsey

In 1973, I wrote a college term paper called "The Case Against Marriage." The institution of marriage, I wrote, was officialdom, bureaucracy, a piece of paper. It was the State. "If it be admitted that a love relationship is its own justification and reward," I wrote, "then what concern is it of the church or the state to interfere?" Not in my life. I was a libertarian; and even though most of the libertarian gods and goddesses were officially hitched, one wondered why they had bothered.

I was firmly of the mind never to have children, as were most of my campus comrades. But even for people who had kids, I wrote, what really matters is what the parents do, not the piece of paper.

Two years later I embarked upon a cohabitation, which was still, in the mid-'70s, a bit daring. My partner had an abortion. Then we drew up a pre-nuptial agreement, which specified that any other trespassing zygotes would be taken care of, too. That secured, we got

married — an "open" marriage, in the jargon of the time. It meant we were ceremonially tied, but could screw around. She did; I didn't. It was an indescribably awful experience. We briefly went into counseling. But the whole atmosphere of the time was: Be free! Get divorced! We did.

At least we had no children. She had never taken my name. We never even had a joint checking account.

Well, I got all that radical chic out of my system. The second time around, I was ready to be married, as was my bride. We did it without any fudging on the side. We had a son. We even spent two-and-a-half years with her as a stay-home mom. I love to tell my feminist colleagues how much I enjoyed it — and how much she and our son did, too.

In short, I'm in the right frame of mind and position in life to read Maggie Gallagher's *The Abolition of Marriage*.

Gallagher is a writer who went through some of the same sorts of things I did — and who is now married, with husband and children. Her

book is an attack on the no-fault divorce revolution that occurred just about the time I was writing my college paper. The gist of that revolution, writes Gallagher, is "a shift in power — from the married to the unmarried in general, from the spouse who wants to stay married to the spouse who wants to leave, from the person who wants to commit to the person who wants the right to revoke his or her commitments."

The result, she argues, has been a huge upsurge in divorce. A lot of people who would have stayed together, didn't. Some were stuck in the proverbial bad marriage, but many were in what she calls "good-enough" marriages that could have been saved if the couple had felt compelled to work at it. In today's "culture of divorce," they no longer do.

The upshot is that a huge percentage of kids today are being raised by single moms and moms with stepdads.

When the no-fault revolution started, most of us believed that it would work out pretty well. The marriage law, it was said, kept together frustrating, sick marriages. Let them break up. Let each partner seek self-fulfillment. The kids will adjust, and

The whole atmosphere of the time was: Be free! Get divorced! We did.

since the adults around them will be happier and healthier, so will they.

It sounded good; it wasn't. Now we know that divorce screws up kids. Not every kid, but lots of them. It poisons their attitudes and hurts their performance in school. Children of divorce are less likely to marry, more likely to get divorced. They have more children out of wedlock. They earn less money and commit more crimes.

These patterns hold whether children see their fathers regularly or not. The operative fact is that once the father is out of the house for long, he's not functionally part of the family.

Further, argues Gallagher, the "culture of divorce," by accepting single parenthood as normal, paves the way

for a culture of illegitimacy. Indeed, nearly a third of newborn Americans are what used to be called bastards. Statistically speaking, they have even worse chances in life than the children of divorce.

The culture of divorce makes marriage riskier even for those who still believe in it. Today's twentysomethings, says Gallagher, know that if they commit to a marriage, their spouse has an absolute right to leave at any time — kids or no kids. Women who would rather stay home and raise kids go to work instead. Divorce undermines everyone's commitments.

Marriage is, after all, a contract. "Try this thought experiment," writes Gallagher. "What would happen if courts treated property and business contracts as we now treat the marriage contract? What if American law refused to enforce business contracts and indeed systematically favored the party who wished to withdraw, on the grounds that 'fault' was messy and irrelevant and exposed judges and attorneys to unpleasant acrimony? What if property were viewed, as marriage increasingly is, as a strictly private matter, so that when disputes arose, thieves and owners would be left to work things out among themselves, because after all, one cannot legislate morality?"

Gallagher's principal solution is to allow divorce with fault, but end the quick, unilateral variety. Impose a five-to seven-year waiting period for a contested no-fault divorce — "ensuring that those who want a quick and easy divorce will have to negotiate with their marriage partner in order to get it."

She has another idea, this one more consistent with libertarian thought: encourage prospective spouses to write explicit, detailed marriage contracts, including pre-set conditions of divorce. We already allow the marriage contract to be altered by prenuptial agreement; why not allow it to be strengthened? "A prenuptial covenant permitting divorce only for serious cause, or even, if the couple wished, prohibiting it altogether, should be a legally enforceable option."

I blanch at the last thought — "prohibiting it altogether." But another Gallagher proposal is even more radi-

cal: "Instead of routinely giving custody of babies to girls too young to drive a car or sign a contract, the law should require that every baby born in America be under the guardianship of a competent adult."

I don't know if I buy that, but I'm willing to consider it. A child is not property. But it isn't clear here what Gallagher is proposing — requiring that no one under 18 (or 16? maybe 14?) be allowed to have kids? Requiring that minors give up their kids for adoption? Requiring that they live with their parents? Requiring that they have a state-approved co-parent or supervisor? What does "competent" mean, and what powers would a "guardianship" entail?

The Abolition of Marriage is a conservative book. Gallagher believes that marriage ought to subordinate the desires of parents to the needs of their children. That contradicts some widely held libertarian beliefs. But libertarian theory ought to apply only to adults. Back in my salad days, a libertarian couple I knew — unmarried and childless — wrote an essay claiming that there should be no legal distinction between children and adults in a free society. And no compulsory responsibilities. A child could leave its parents any time it liked — and they could abandon their child any time they liked. I found few libertarians who actually believed this, but it wasn't a question they thought about much. It was like the kids in *Atlas Shrugged*: there weren't any.

But most people do have children. Children are dependent, and any theory that draws no distinction between them and adults is a theory with a very large hole.

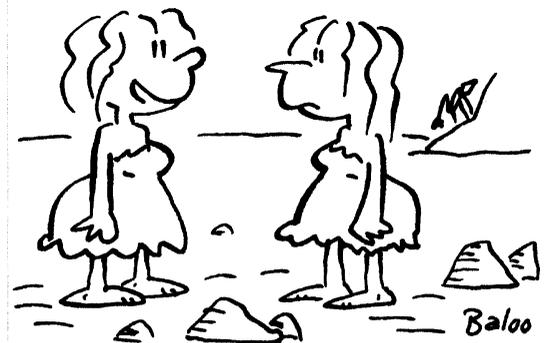
Children will be dependent on either the family or the state. If we don't want them dependent on the state, then we'd better not undermine the family. The alternative — to embrace the culture of divorce, the modern equivalent of free love — is to churn out endless "clients" for Aid to Families with Dependent Children, Child Protective Services, and other arms of the therapeutic state. Randolph Bourne observed that war is the health of the state, and his dic-

tum applies to "wars" on social pathologies as well. As more families are wrecked by thoughtless recourse to no-fault divorce, more tax-funded jobs become available for social workers, child psychologists, mental testers, prosecutors, court-appointed defense attorneys, guardians *ad litem*, drug testers, and cops.

When I was 21, I looked at divorce from the viewpoint of a bachelor: I wanted it to be quick, easy, and available. I wanted to be able to write my own marriage contract, without the one-size-fits-all version offered by the state.

Now I think: okay, maybe, for the part about the adults. But the essence of the contract concerns children, who are not there to defend their interests. They are represented by the state — which is why you cannot write any old marriage contract you want. You cannot orphan your own children.

Too many of us have done something close enough to that through the divorce laws. Of all the people I've known of my generation, it's amazing how many have been divorced. Individually, it is hard to judge them; I don't know what went on behind closed doors. But I'm pretty harsh on my generation as a whole. It has left marital wreckage on an immense scale, often for slight reasons: the wife was bored, or the husband became enchanted with another woman. Many of these marriages could have been saved if those in them had felt morally obligated, socially pressured, or even (my 21-year-old soul winces) compelled by contract to provide an unbroken home for their children. □



"I think he's getting serious about me — he shaved his forehead!"

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b	booknote
f	fiction
m	medianote
o	obituary
p	poem
rf	reflection
rv	review
sb	sidebar
v	videonote

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claim is that Magna Carta guarantees more than one right we still enjoy. In fact, there is one and *only* one right in the Great Charter that is ancestral to any right in the U.S. Constitution. Chapter 39 is indeed a remote antecedent to our due process clause — a very important right, but, after all, only one, not “many.” There are at least 23 distinct guarantees in the Bill of Rights. Only one is even approximated in Magna Carta.

Krawchuk has misunderstood, not only what I quoted Sir Edward Coke as saying about Common Law, but why. Coke is the greatest Common Law confabulator of all time. I quoted him, not because I respect his authority, but because I suspected, correctly, that Krawchuk did. Krawchuk is not telling the truth when he now says that he, like Coke, claims only that Common Law is “based on” Natural Reason/common sense. This is what he really wrote:

“Simply put, the common law is common sense.” Simply put, and simply wrong. I agree with Coke that Krawchuk is wrong, that Common Law is not the same thing as common sense. I happen to disagree, or at least consider meaningless, with Coke’s positive claim that Common Law is somehow “based on” Natural Reason.

Since my topic was constitutionalism, not the adventures of Ken Krawchuk, I had no occasion to refer to his claim to “a successful Common Law argument to defeat an oppressive local ordinance.” What really happened (as Krawchuk

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related in *RSVP*) is that a proposed ordinance was voted down by a township commission after "several citizens spoke at length against the ordinance, none in its favor." Of these several citizens, only Krawchuk subjected these part-time politicians to a rambling constitutionalist diatribe. It pleases him to believe that he confounded the commissioners just as Jesus the twelve-year-old confounded the rabbis in the temple. There might be another explanation.

Voodoo has been known to work on people who believe in it, and I'd never rule out the possibility that squirting constitutionalist eyewash at politicians might work. What I do say is that it'll never work in court.

Logic and Ms. McElroy

Wendy McElroy ("Why I Would Not Vote Against Hitler," May 1996) does not morally object to the use of a bullet to assassinate Hitler because it could be aimed at a deserving target. On the other hand she objects to the use of a ballot because it attacks innocent third parties — the electorate. I know of few assassination attempts that did not also affect innocent third parties — bystanders and the electorate. A ballot, she insists, is objectionable because it simply puts someone else into power. Well, so does a bullet.

Then the waffling. She says, "I'll grant the possibility that I could morally cast a ballot. Yet even then, I would still refuse to vote against him. Why? Because the essential problem is not Hitler, but the institutional framework that allows a Hitler to grasp a monopoly on power." Come now! It's not the individual's fault? It's the system's fault?

She ridicules those who postulate a world for the point of debate, then she does a bit of fantasizing herself, i.e., the day when social power has completely supplanted political power. If she really believed that it was more moral to assassinate a tyrant than to vote against him, I would say that was just empty rhetoric. There is certainly no shortage of opportunities for her to demonstrate that belief to us — but she does not act.

Ken Schooland
Honolulu, Hawaii

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Matt Asher was founding editor of the short-lived *Chicago Scroll*.

Tom Baer is a poet in New Jersey.

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David Boaz's primer and reader on libertarianism will both be published by the Free Press in January.

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Harry Browne is the Libertarian Party's 1996 presidential nominee and the author of *Why Government Doesn't Work*.

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Coming in *Liberty* . . .

"New Zealand's New Zeal?" — *Scott Sutton* tells how economic freedom revitalized a tiny nation in the South Pacific — and why the reforms might not last much longer.

"Post-Communism — and Post-Americanism" — The fall of Communism was just the beginning. *Paul Piccone* explains why nationalism and the welfare state may be the next institutions to die.

"Science on Parade" — *Dominick T. Armentano* makes sense of pseudoscience, pseudodebunking, Carl Sagan, and Unidentified Flying Objects.

"A Killer's Right to Live" — *George H. Smith* weighs in against the death penalty.

"I Led *x* Lives" — Fiction by *Richard Kostelanetz*.

Terra Incognita

Rock Hill, S.C.

A breach of public morality, reported by the *Sarasota Herald*:

A woman pulled over by a state trooper was surprised to learn that her crime was public urination — by a comic strip character on her car's back window. The decal features a counterfeit version of Calvin, the little boy from *Calvin and Hobbes*, urinating on the letters "IRS."

Madison, Wisc.

Sensitivity at *The Progressive*, according to a letter to its editor:

"Ken Silverstein, in the process of lambasting those heralds of feudalism recently elected to Congress — perhaps taking a stab at humor — chooses to tag some of them with the epithet 'dim-witted.' As the parent of a retarded person and as a pediatrician trying to look after retarded children, I have assumed that intellectually impaired people have rights and needs no less pressing than those of the intelligentsia.

"The throwing of demeaning labels at people we look down upon diminishes their humanity and individuality, adding to their vulnerability."

South Carolina

The state of civil rights, as reported in *USA Today*:

The National Association for Equal Opportunity in Higher Education gave Sen. Strom Thurmond a special award for his support for African-American institutions of higher education.

San Fernando Valley, Calif.

The advantages of cosmetic surgery, expounded in *The Wall Street Journal*:

"I never felt comfortable or confident about myself before," says Frank Whitehead, a Los Angeles entrepreneur who had an operation to both lengthen and widen his penis last year. Sitting in the office of his printing shop in the San Fernando Valley, Mr. Whitehead, a tall, affable man with a black mustache and tufts of black hair peeking through a plaid shirt unbuttoned to his navel, says that the procedure "has changed my whole outlook on life."

"I go out on a limb more than I did before with business," he says. "Now [when] I go into business meetings, I'm thinking, 'If you guys have just half of what I have.'"

New Milford, Conn.

Dr. Leonard Peikoff's explanation for the O.J. Simpson verdict, as reported in *Second Renaissance Books*:

"What made this incomprehensible verdict possible? . . . The answer, says Dr. Peikoff, lies in what the jurors had learned about the meaning of evidence, proof — and reason. It is philosophy that taught it to them, and it is a *particular* philosophy that gave them the tools necessary to arrive at the not-guilty verdict. Looking at every crucial premise conveyed by the defense team, Dr. Peikoff traces them directly to their philosophic progenitor: Immanuel Kant."

Sacramento, Calif.

Assemblywoman Marilyn Brewer's explanation for missing so many votes before the state legislature, as quoted in the *Orange County Register*:

"I didn't know that [voting] was such a big issue, that you have to be a yes or you've got to be a no."

Washington, D.C.

Ironic new award, as reported in the *Milwaukee Journal Sentinel*:

Janet Reno is the first recipient of an award named after her, given to those who expand opportunities for women and minorities in the legal profession: the Janet Reno Torchbearer Award.

France

Epistolary manners in France, as reported by the Associated Press:

Electricite de France, the state-run electric utility, signed off a recent mailing to customers as follows: "Resting at your disposition, we pray you to believe, Madame, Monsieur, in the assurance of our most devout sentiments." The letter informed customers that their rates were going up.

Tatarstan, Russia

The price of political incivility, as reported by ITAR-Tass:

President Mintimer Shaimiyev has made it illegal to insult him, setting fines of up to \$1,400 for violations. Newspapers and magazines can be fined up to \$6,000 for reporting an insult.

Togo

Linguistic niceties, according to *The New Grolier Multimedia Encyclopedia*:

"French is the official language of Togo, and Ewe is the *lingua franca* of half the population."

California

Interesting management policy, from the employee handbook of Pacifica Radio:

"With the exception of seeing eye dogs, animals of all kinds are prohibited in the workplace. This policy applies equally to all employees and visitors."

Logos

An uncommonly accurate definition, from *Webster's New World Dictionary*:

"monogamy . . . 1 the practice or state of being married to only one person at a time. 2 [Rare] the practice or state of marrying only once during life."

(Readers are invited to forward newspaper clippings or other items for publication in *Terra Incognita*.)

Liberty

is the antidote.

American public life is witless. The Democrats loot the treasury and champion government as the solution for every problem, an agenda that made no sense when they first attempted it 65 years ago and makes less sense today. The Republicans flirt with the idea that government is a failure, but they haven't a clue about how to stop it. So they mouth slogans critical of the ever-growing state, but lust after the same perks of power that corrupt the Democrats.

And commentators — whether the airheads of television or the elitists of highbrow magazines — take politicians seriously, serving up pompous proclamations as empty as they are deceitful.

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- **Stephen Cox** and **R.W. Bradford** explore the Republican "revolution" and the American voter's crisis of faith . . .
- **David Ramsay Steele**, **Loren Lomasky**, **Jesse Walker**, and others clear out the rubble surrounding the media and government's responses to the Oklahoma City bombing . . .
- **Douglas Casey** looks for gold in Central Asia, where the government and the Mafia are the same thing . . .
- **Leon T. Hadar** defends Bill Clinton's foreign policy prowess . . .
- **Wendy McElroy** explains how pornography liberates women . . .
- **Grover Joseph Reeves** reports from the inner-tube-infested waters of the Caribbean and the Cuban-rich shores of Florida . . .
- **Bill Kauffman** offers an old, local, and disorderly alternative to the New World Order . . .
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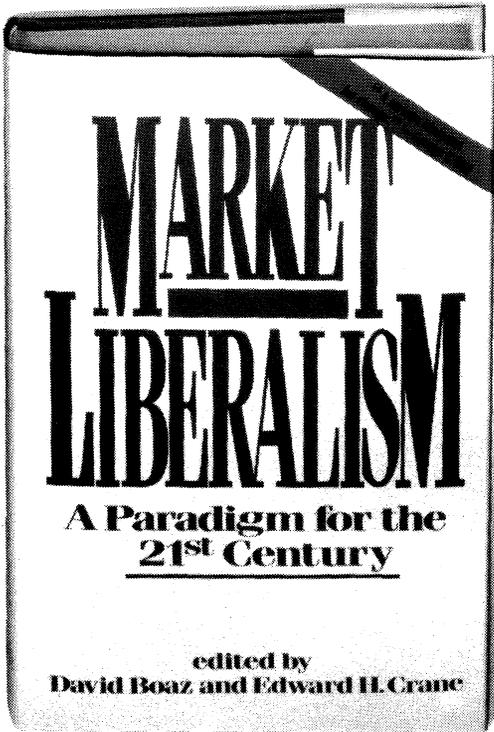
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