

# Liberty

April 2000

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Thought Police  
Discover  
Orwell's Diary

## Can We Survive Genetic Engineering?

*by James Wood*

## The News Media's Bias: A User's Guide

*by Bruce Bartlett*

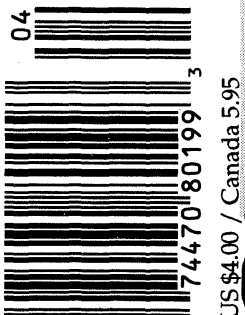
## The President and His Enemies

*by Gene Healy*

## I Was a Peace Corps Dropout

*by Andrea Gregovich*

Also: *Richard B. Sanders* explores a radical approach to law, *Bruce Ramsey* recalls America's free and peaceful past, *J. Bishop Grewell* checks out the science of environmental apocalypse . . . plus other articles, reviews & humor



*"We are not to expect to be translated from despotism to Liberty on a featherbed."* — Jefferson

# Why Shouldn't We Question the Good War?

by Jacob G. Hornberger



By raising questions about America's participation in World War II, Pat Buchanan has horrified American interventionists. People are simply not supposed to raise questions about America's role in what has become known as the "good war."

Was Nazi Germany a direct threat to the United States after 1940? It's difficult to see how she was. After all, if Germany was incapable of crossing the English Channel to invade Great Britain, how would she have been able to cross the Atlantic to invade the United States?

In examining the European part of World War II, it's also important to reflect on *all* the consequences, not just the good ones.

When Great Britain and France declared war on Germany (it is easy to forget that Germany did not declare war on them first), the goal was to save the Polish people from Nazi tyranny.

What was the result at the end of the war? It's true that the Poles were no longer suffering under Nazi tyranny, but they

were suffering under communist tyranny and continued to so suffer for 50 long years.

Now, it's true that the Soviet communists were American allies during the war, but why should that matter with respect to the Polish people? Were they supposed to be happier suffering under Stalin and the communists than under Hitler and the Nazis, just because Stalin had been a Western ally during the war?

In fact, I wonder how all those American, British, and French soldiers who died in the European conflict would have responded if they had been asked, "Are you willing to give your life so that the Polish people can suffer under Soviet communism rather than German national socialism?"

"But we couldn't have just sat back and watched Germany invade Poland," interventionists tell us. "That would have been appeasement of a brutal dictator and undoubtedly would have encouraged him to go further."

The Soviet Union, however, invaded Poland about two weeks after Germany did. If the Soviet Union's invasion of Poland was tolerable, why wasn't Germany's invasion of Poland?

"But we couldn't have permitted Hitler to survive," interventionists claim. "He would have been a threat to world peace, and might even have acquired nuclear weapons."

But didn't the world sur-

vive both Stalin and Mao, both of whom acquired nuclear weapons? The express aim of the communists was world-wide conquest and domination. (Recall Krushchev's famous line to the West, "We will bury you.") Why would a similar threat by Nazis have been more dangerous?

One of the worst consequences of World War II, of course, was the rise of international communism. At the end of the war, communists controlled East Germany, Eastern Europe, the Soviet Union, China, and much of Asia and other parts of the world. It's difficult to see how any of this benefitted the United States, especially when we consider the Cold War, Korean War, and Vietnam War.

As Buchanan points out, if Germany had continued moving east and ultimately gone to war against the Soviet Union, it is entirely possible that the West would have been significantly better off sitting back and watching these two collectivist giants weakening each other through war.

In all of the furor that Buchanan's book has raised, it's also important to remember that prior to Japan's attack on Pearl Harbor, most Americans opposed America's intervention into the European conflict. President Franklin Roosevelt himself vowed in October 1940, when he was seeking an unprecedented third term in office, "I have said this before,

but I shall say it again and again and again: Your boys are not going to be sent into any foreign wars." (Some Roosevelt supporters acknowledge now that FDR didn't really mean what he said, and point to all the secret steps he was taking to involve the United States in the European conflict.)

Roosevelt knew that Americans wanted no part in the European conflict because the consequences of World War I were still on their minds. Not only had that war entailed a horrific waste of American lives, but contrary to President Wilson's hopes and dreams it had not turned out to be the war to end all wars and had not made the world safe for democracy. In fact, World War I — along with the vengeful Treaty of Versailles — actually set the stage for the rise of Adolf Hitler and World War II.

Perhaps worst of all, for the rest of the 20th century, America's involvement in World War II set America on a road of continual war and intervention in an endless quest for everlasting peace. Perhaps that's why American interventionists don't like anyone raising questions about it.

*Mr. Hornberger is president of The Future of Freedom Foundation and co-editor of the Foundation's book **The Failure of America's Foreign Wars.***

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## Letters

### "This is Francisco d'Anconia Speaking"

I enjoyed Michael Giorgino's short story, "Bill Gates Shrugged" (March). I often say to friends that if I were Bill Gates I would do something drastic — similar to what Francisco d'Anconia did in *Atlas Shrugged* when he destroyed his copper mines rather than have them taken over by the state.

Too bad Mr. Giorgino's story is fiction.

Jim Fleming  
Tobyhanna, Pa.

### Atlas Shrink

Bill Gates stood on the shoulders of the great computer scientists that came before him in order to create his operating system products. Core features such as virtual memory, memory protection, file systems, his beloved graphical interface, and many others all originated in earlier systems such as UNIX and MacOS (who in turn grabbed the idea of the graphical user interface from Xerox). This is a good thing. Microsoft properly borrowed those features because they are great technical ideas and drastically improve the robustness and usefulness of any computer system. Unfortunately, Bill Gates has claimed more credit for these "innovations" than he deserves (because Microsoft did not do the "innovating" in most cases) and is given inappropriate credit by Michael Giorgino ("Bill Gates Shrugged," March).

Microsoft has done some innovative things in their software, but those things are mostly limited to bells and whistles (like flying folders and dancing paper clips) that do not contribute to the real functionality of a computer system. In fact, Microsoft's inclusion of both core features mentioned above and other minor features is quite similar to Orren Boyle manufacturing Rearden Metal (oops, I mean "Miracle Metal"). How else could one view the inclusion of the MacOS trash can (oops, I mean "Recycle Bin") in Windows 95?

Up until recently, I could not purchase a PC class computer without a Microsoft operating system. Microsoft would only sell to PC manufacturers who agreed not to sell any alternative operating system on any of their systems. Because of Microsoft's dominance in the operating systems market, no PC manufacturer could hope to survive without selling most of their machines with Microsoft products installed.

Some fraction of those machines were going to customers like me who never had any intent of using those products. Many manufacturers would have preferred to sell me the machine as I, their customer, wanted it. They were forced, by Microsoft, to sell me a product that I did not want to buy. The exchange of computer hardware for money was by mutual consent and mutual benefit to myself and the PC manufacturer. The forced sale of Microsoft products accompanying the hardware had neither my consent nor was it to my benefit.

Why didn't I take my business to a manufacturer who had no such agreement with Microsoft? Because none existed. None could have existed in the presence of Microsoft's ruthless campaign to destroy all PC manufacturers who did not sell their operating systems exclusively (see Wendy Goldman Rohm, *The Microsoft File* for well researched specifics). So much for Giorgino's claim that Microsoft was "selling a product that they need to those who are willing and able to buy it." Or "I have made my money through the voluntary consent of every man I dealt with in my life . . . and those who buy my products." This is an outrageous statement, certain to enrage people like myself who are routinely forced to deal with (and even support through the forced purchase of product) Microsoft in order to complete their professional obligations.

In the setting of *Atlas Shrugged*, this would have been the equivalent of Hank Rearden refusing to sell Dagny Taggart.

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any rails without being forced to also use Rearden Metal exclusively for spikes, locomotives, bridges, and roundhouses.

The fact that Rearden Metal is useless to Taggart Transcontinental for locomotives (no manufacturer is willing to use the material) is of no concern to Hank Rearden. He can use his monopoly on Rearden Metal to force Dagny Taggart to buy more product than she can use.

Think what you will of antitrust law and the government's actions with respect to Microsoft, but Bill Gates is no Hank Rearden.

John Galbraith  
Los Alamos, N.M.

### ¡Guns Sí, Taxes No!

David Kopel's article ("Strongarm Suits," February) regarding the President's alliance with various mayors and trial lawyers who are hostile to the most basic of civil liberties is right on the mark — excluding his implication that all thirty-one right-to-carry states require government approved training. Fortunately, this is not the case. Of the states that recognize that carrying concealed weapons is a right, eleven (Alabama, Georgia, Indiana, Mississippi, Montana, North Dakota, New Hampshire, Pennsylvania, South Dakota, Vermont and Washington) do not have government training requirements. Moreover, one of these states (Vermont) does not require a permit to carry a concealed weapon.

It is perhaps noteworthy that the states with no income tax — Alaska, Florida, New Hampshire, Nevada, South Dakota, Tennessee, Texas, Washington and Wyoming — are all right-to-carry states.

Russell Greenidge  
Palm Springs, Calif.

### It's the Rail Thing

I once believed that drug legalization (Letters, February) was at least as much a "third rail of politics" as Social Security used to be. But I've discussed this issue with others on many occasions, only to discover people listening in with looks

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. Letters will not be considered for publication unless the address and telephone number of the writer are included.

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on their faces that say "Why didn't I think of that?"

I think the American electorate will respond positively on this issue — but only if we do it properly. Simply ranting that we must "end this insane War On Drugs" (as Harry Browne did in 1996) will not work without an explanation of why it is insane. The average voter sees the self-destructive effects of the drugs and sees the murders, robberies, and other mayhem "caused by drugs," and thinks that not fighting this evil is what would be insane. A little bit of effort spent pointing out that the real crimes are caused, not by the drugs themselves, but by the fact that they are illegal, could go a long way towards lighting the cranial light bulb.

Steven J. D'Ippolito  
Colorado Springs, Colo.

### Hackles on Edge

Normally I don't reply to reviews of my books, whether favorable or unfavorable. However, Martin Morse Wooster's review of my sequel (February), *It Still Begins with Ayn Rand*, was such a nasty piece of work that I feel an obligation to respond. I don't take issue with the opinions of my book expressed by Mr. Wooster. He read my book and obviously found it not to his liking, which is fair enough. I've been around the track enough times to know that you win some and lose some in the book-writing business. A rave from one reviewer today, followed by a knock a day later, is par for the course. Any writer who attempts to satisfy everyone's reading tastes is destined for a lifetime of frustration. However, what I do take issue with is the tone of Mr. Wooster's review. He sounds like someone with an ax to grind. His review reads like a missile lobbed by a closet conservative masquerading in libertarian clothing. Perhaps my less-than-favorable portrayal of the Reagan years set his hackles on edge. Or maybe it was something else. I don't pretend to fathom the diabolical workings of a mind that felt compelled to turn a book review into a vitriolic attack. All I ask is that others read the book for themselves and come to their own conclusion.

Yours in Liberty!

Jerome Tuccille  
Severna Park, Md.

### No Sex Without Obligation

David Allan Roberts' obvious misogyny and anti-abortion bias discredits his

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libertarian discussion of the rights of fathers ("A Woman's Right, a Man's Duty," January).

It's hard to imagine more egregious coercion than allowing the State to force a woman to either maintain or abort a pregnancy against her will. There can be no philosophy of liberty, human freedom or self-determination that puts the right to make this decision in the hands of anyone other than the pregnant woman herself. Roberts complains of the unfairness of an age-old human agreement: women will help propagate a man's genes into the next generation, and in return he is expected to pay at least some of the expenses for the child. Roberts' misogyny has led him to wrongly identify the point at which this contract is made. It doesn't occur at marriage or at the birth of the child. The contract is made when a man consents to have sexual relations with a woman of reproductive age.

Amy Brunvand  
Salt Lake City, Utah

## The Death of Words

Want to improve your zine??? Go to glossy stock and include lots of pictures.

In case you don't get out much, the written word is dead . . . it is the modern

equivalent of the spoken word handed down through the generations in a Baffin Island eskimo village. . . gone, done, kaput. Look at the way the streaming porn industry (TV, net, web, video, movie) demolishes the opposition — PICS! Example. Notice the way unflattering pics of Hanoi Jane are showing up now that she has been born again??? Barbarella is now shown as a menopausal harridan . . . all those wrinkles, dried up features of a natural predator, bad hair, hiding behind shades . . . the camera doesn't lie . . . just the elitists who mediate the images. So get with it and start mediating!!!

George Briendel  
Sumas, Wash.

## More Guns, Less Blubber

Regarding the debate over the Fourteenth Amendment ("Two Cheers," "Roger and Me," February; Reflections, March): The reality is that what confers "vast powers" on the government is not an interpretation of the Constitution but the fact that the state has guns and the organization to use them. What has guaranteed rights in this country has not been the Constitution or the courts, but the willingness of the people to fight for those rights, including breaking the law

in acts of civil disobedience and (horrors!) initiating force when necessary.

All this goes to indicate a deeper libertarian problem, and that is the belief that somehow, someday, the struggle for freedom can be won by some sort of trick: a debate on the Constitution, a celebrity candidate, changing the name of the party, and presto chango, tens of millions of Americans will vote for us.

Whenever liberties have been gained in this country, it has only been through mass popular action, from the American Revolution, through Abolition, to the smashing of segregation, and on to the sexual revolution. If Libertarians really mean what they say about liberty, they might organize protests, acts of civil disobedience and other forms of direct action as the anti-WTO movement did quite successfully in Seattle.

If we are really serious about preventing the imprisonment of Peter McWilliams and Steve Kubby, for example, then we might follow the example of last year's anti-police protestors in New York City, who shut down city hall until they got justice. What do you think is going to appeal more to citizens who have been victimized by the system in this country, another libertarian debate on the Bill of Rights, or a movement which is able to paralyze the ruling class?

Joseph Miranda  
Northridge, Calif.

## Hillsdale, No Problem!

As a former Hillsdale College student, I just wanted to let you know that all of this ruckus about the administration ("Is It True What They Say About Hillsdale?" February) was much ado about nothing. At Hillsdale, I listened to punk rock, wore tee-shirts with impudent social messages, and boasted about my Atheist/Idolatry "religious" status on their marketing survey. Needless to say, I lasted only one semester. So what? Nowadays, I can take continuing education classes online, and I can read *Human Action* on the internet. All of the information that I need comes from the internet, without the nosy Hillsdale administrators looking over my shoulders. Hallelujah!

Benjamin S. Parkinson  
Redwood City, Calif.

## The Fallacy of Falsifiability

Bart Kosko's interesting and cogent article, "Let's Teach Creationism," (February) makes the unfortunate, but

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# Reflections

**A new leaf** — On a positive note, Janet Reno intervened in the Elián González case several weeks ago, and as of press time, she has not killed him. —Clark Stooksbury

**Straight-shootin' spin artist** — John McCain has denounced George W. Bush in the harshest terms imaginable: he has called him another Bill Clinton. Which is curious, since the salient characteristic of Clinton's political career has been his ability to "spin" any event in a way favorable for himself.

As I write, McCain has won one primary (New Hampshire) by a comfortable margin, lost one primary (Delaware) and finished near the bottom of the pack in the Iowa caucuses.

But to hear McCain tell it, his 5% showing in Iowa is a "victory" because he did only a little bit of campaigning there, and his being clobbered by a margin of more than two to one in Delaware is a "great victory" because he didn't campaign there at all. By the time you read this, I suppose he'll have lost the South Carolina and we'll know whether he managed to call his loss there another "victory."

I don't know what it is, but something about McCain bothers me. It's not just his spinmeistering. There's something dark about him that's worrying. Perhaps it's his easily-aroused moral indignation, always dangerous in a politician. Perhaps it's his self-righteousness, which is especially scary in a politician who accepted money from convicted savings-and-loan swindler Charles Keating. Somehow he scares me a little: he seems like the sort of man who could use the "mandate" of an electoral victory to do something really crazy.

Not that Bush is a great deal better. He's pretty much your ordinary politician, distinguished primarily by having the exceptionally good luck of being born to wealthy parents who greased his way to success, first in business and now in politics, and of emerging so early as an overwhelming front-runner that zillions of dollars were dumped in his lap.

Bush is not the sort of man I'd allow to enter my home, but if I were forced to choose between him and McCain, I'd take Bush in a minute.

But the most likely scenario is that McCain will not be heard from after he loses a few more primaries. His victory in New Hampshire, purchased by flattering the locals — he attended over 100 town-meetings and promised not even to visit other early primary states in order to help maintain New Hampshire's status as the premier early primary — will be as forgotten as Henry Cabot Lodge's write-in victory there in 1964. —R. W. Bradford

**Paleopols** — Re John McCain and Bill Bradley: Nothing is older than a "new politics." —Sheldon L. Richman

**Have you no decency, CNN?** — When Steve Forbes, the best of all the major-party candidates, withdrew from the presidential race, *CNN Headline News* formally

characterized him as a "rich, geeky presidential candidate." I don't know why — it's just some defect in my inner child — but I still expect at least a modicum of decency and fairness from the national media. Actually, just a pretension of decency would do. But that is obviously far too idealistic a demand.

I don't remember CNN describing John F. Kennedy as a "rich, puffy-haired president," or its calling Bill Clinton a "smarmy, bankrupt president," or Teddy Kennedy an "obese, sneering old senator," or Robert Reich a "dwarfish member of the cabinet," or Janet Reno a "gawky, horsefaced attorney general," or Bill Bradley a "superannuated former senator with triple chins," or John McCain a "baby-faced senator with bad hair days," or Al Gore a "rich, geeky presidential candidate."

If that had happened, it would have been media bias.

For the record, I have met quite a number of politicians, and Steve Forbes struck me as one of the most normal people among them. He is not a geek, and he is not a stereotypical plutocrat, and he is not a stereotypical politician. Maybe that's why the media have gratuitously insulted him throughout his campaigns for office. —Stephen Cox

**Nuts for Forbes** — The story is told that in 1958, after losing the Democratic gubernatorial primary to an even more radical segregationist, George Wallace vowed never to be "out-segged" again.

Steve Forbes began his quest for the presidency in 1996 as a quasi-libertarian, focusing on issues like tax cuts, privatization and deregulation. After losing the nomination that year, he apparently decided that his failure resulted from insufficient pandering to the nutball religious right. Like Wallace, he vowed never to be "out-nutballed" again.

As evidence of this strategic decision, I refer you to his attack on George Bush for signing a bill which named a stretch of Texas highway for a Houston physician, John B. Coleman. The Texas legislature honored the physician supposedly because he was a leading proponent of better schools, though it certainly didn't hurt that his son was a member of the Texas legislature. But Forbes' highly paid staff discovered that Dr. Coleman had performed abortions at some time or other. This gave Forbes an opportunity to accuse Bush of being soft on abortion. Not only did Bush sign the legislation — he also failed to "rename the highway immediately" when he found out that Dr. Coleman was a baby-murderer.

It is this sort of pandering that left me unmoved when Forbes withdrew from the race, some \$32 millions poorer. Yes, I am happy that he put tax cuts at the center of the Republican agenda, and broadened the constituency for school choice, the gold standard and privatizing social security. But his agenda-changing all happened in 1996, when he

made far less effort to pander to the religious right. In 2000, his programs were hardly different from those of his opponents, all of whom he "out-nutballed." Maybe he'd have done better this time if he'd struck to his original agenda. But we'll never know.

—R. W. Bradford

**Big Bill** — Whoever said talk is cheap never heard a Bill Clinton State of the Union Address.

—Sheldon L. Richman

**Gunlovin' Gore** — Bill Bradley discovered a new tack in his desperate campaign to overtake the Vice President for the Democratic nomination. The Deep Thinker from New Jersey accused Al Gore of being a gun-nut pawn of the NRA. Bradley's campaign pointed out the high marks Gore received from the NRA (Boo, Hiss) when he was a member of the House. "Since being elected to Congress in 1976, Al Gore has been there each and every time sportsmen and gun owners have needed a friend," according to a 1984 NRA scorecard. The subtext to this shocking revelation, as it often is when a politician deviates from his ideological script, is regional. Al Gore used to represent a rural middle Tennessee district that no doubt has a higher percentage of hunters and gunowners than Bill Bradley's New Jersey.

Gore is sort of like the late Senator Frank Church in this respect. Church was an Idaho senator who was fairly left wing. But he was from Idaho, so his progressive pals had to overlook his pro-life and anti gun-control positions. The major difference between the two is that Church stood out as a foe of the Vietnam War and of CIA abuses, while Gore stands out only as an opportunist willing to trim his sails to meet the current fashion.

—Clark Stooksbury

**The boy and the state** — About the competing familial claims for the young Cuban raft-survivor Elián González, I have no opinion. Parents and even grandparents can be just as dangerous as uncles and aunts. I do believe, in general, that the sooner most of us escape from elders the better off we are. This is an issue of children's rights for which, alas, there are few articulate spokesmen. What does matter, from the libertarian point of view, is establishing once and for all, the principle that no state is endowed with the right to ship anyone off to another country, regardless of his or her age. Ever.

One of the great scandals lost in the

*continued on page 10*

# Liberty Live . . .

Intellectual sparks flew in Port Townsend at *Liberty's* 1999 Editor's Conference. The best individualist minds of our time met there to debate the future of liberty and society — and have a ton of fun in the process.

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**How Environmental Regulation Prevents People From Protecting the Environment** — Environmental economist Rick Stroup explains how iron-fisted regulators provide powerful incentives against private landowners caring for the environment. (audio: A402; video: V402)

**The U.S. Forest Service: America's Experiment in Soviet Socialism** — The country's premier expert on the U.S. Forest Service, Randal O'Toole, tells a sad tale of excessive road building, clearcutting and the strangling effects of Soviet-style centralized decision-making. (audio: A403; video: V403)

**Environmental Religion in the Schools** — Author Jane Shaw explores how schools indoctrinate children in the New Religion of Mother Earth. In this religion, wealth and production are among the deadly sins. (audio: A404; video: V404)

**The Liberty Privacy Panel** — R.W. Bradford, Fred Smith, David Friedman and Doug Casey explore the privacy issues of the 21st century. (audio: A405; video: V405)

**Advancing Liberty in the Courts** — Washington Supreme Court Justice Richard Sanders explains how libertarians get more bang for their buck by supporting judicial candidates. You'll hear how one libertarian justice can make a huge difference! (audio: A406; video: V406)

**A Libertarian in Congress** — The sole libertarian in Congress, Ron Paul, on the art of building coalitions and on how he led the effort to slay the privacy-invading Know Your Customer regulations. Hear him recount the history of the Social Security number as an identifier, and learn how laws on immigration, welfare reform, and health care are shredding your privacy. (audio: A407; video: V407)

**Does the Libertarian Party Have a Future?** — R.W. Bradford makes a powerful case that the LP is failing to advance freedom, and suggests a controversial new approach that could lead to a political breakthrough. Judge for yourself whether the provocative strategy he outlines will propel the LP into the big leagues. (audio: A408; video: V408)

**Al Gore's War on Freedom and Mobility** — Al Gore hates the internal combustion engine. If he gets his way, America's cities will look a lot more like the cities of communist Europe, so says Randal O'Toole. (audio: A409; video: V409)



# Share the Excitement !

**Selling Liberty in an Illiberal World** — Fred Smith offers a revolutionary approach to spreading libertarian ideas, and explains how to frame issues for maximum appeal. (audio: A410; video: V410)

**Contracts and the Net** — The Internet will reshape contract law, argues David Friedman, at the expense of judicial power. Learn how netizens are developing institutions to allow for private litigation, and hear how arbitration and reputation loss are actually more potent on the Net than in real space. (audio: A411; video: V411)

**How to Write Op-Eds and Get Them Published** — Join former *Business Week* editor Jane Shaw, *Orange County Register* senior columnist Alan Bock and *Seattle Post-Intelligencer* business reporter Bruce Ramsey for a workshop on how you can air your opinions in the newspaper. Learn Jane's six points that will send you on your way to publication, and hear the one phrase which Ramsey says is taboo at his paper. (audio: A412; video: V412)

**What Does Economics Have to Do With the Law, and What Do Both Have to Do With Libertarianism?** — David Friedman explores how economics and law relate to each other and to libertarianism. (audio: A413; video: V413)

**Urban Sprawl, Liberty and the State** — Urban sprawl may turn out to be one of the hot-button issues of the next election. Learn why environmentalists want you caged in cities, and how they plan to do it, with Jane Shaw, Richard Stroup, Fred Smith, and Randal O'Toole. (audio: A414; video: V414)

**My Dinner With James Madison** — Scott Reid views modern America through the eyes of a Founding Father. Our Madison discusses some little known alternatives considered at the Constitutional Convention, and why they would have been better for freedom. (audio: A415; video: V415)

**The New Liberty and the Old** — R.W. Bradford explains how fundamental changes are reshaping the libertarian movement, and forthrightly takes on the advocates of the non-aggression imperative. (audio: A416; video: V416)

**Using the First Amendment to Smash the State** — Durk Pearson and Sandy Shaw tell how they've used the First Amendment to wage total war against the government. Learn how they brought the FDA to its knees, and share their secrets for successful litigation. (audio: A417; video: V417)

**Making Terror Your Friend** — In a world overrun with authoritarian creeps, Doug Casey highlights the attitudes and techniques that set him apart from the controlled masses. (audio: A418; video: V418)

**End the Drug War or Forget About Freedom** — Alan Bock journeys to the heart of darkness in America's failed effort at drug prohibition. The casualties of the war, says Bock, are a lot of harmless people and your civil rights. (audio: A419; video: V419)

**Juries, Justice and the Law** — Fully informed jury activist Larry Dodge explains the history and the importance of jury nullification, including efforts underway to increase the power of juries. (audio: A420; video: V420)



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recent discussion is the American practice of returning Haitian refugees who have landed on our shores and even settled here. Once here, they should be allowed to stay, no matter how they arrived, on the grounds of amnesty. I personally can never forgive the administration of Woodrow Wilson for deporting Alexander Berkman and Emma Goldman. (The latter would make my list of the five greatest libertarians, if only for her early recognition of women's rights to control their own bodies and the failure of Soviet Russia.)

Nor should states forbid voluntary emigration. Should Elián González want later in his life on his own initiative to return to Cuba or go anywhere else, may we wish him well. People should move to another country only when they want to, not because the state or its agencies deport them.

The Cuban-American community has made the keeping of González an occasion to demonstrate its political muscle, which many people find disagreeable, if not distasteful. The issue here is not whether one is for or against Castro but the rights of governments, beginning with the U.S.A.

The effects on children moved from one country to another should not be lost. A few years ago I contributed to these pages an extended profile of Vladimir Pozner, then a correspondent for Soviet radio, later a sparring partner for Phil Donahue. After quoting his story that he emigrated on his own initiative from New York to Moscow while attending Columbia College, I reported that Pozner actually left New York while in his middle teens to go with his parents to East Berlin before they moved him to Moscow. The point of Pozner's fib, made in his late forties, was that the crucial decision in his life — emigration to the Soviet Union — was made by someone else, in this case his parents. But it was important for Pozner to make me, and perhaps himself, think otherwise. The conflict over young González reminded me of Pozner, who in his fantasy espoused the principle, false though it was to his own experience, that we all not only want but deserve to control our fate. —Richard Kostelanetz

**Sinister politics** — It was 5:12 on a Friday evening, and we were all still at our desks. No one quite had the courage to leave yet. That would have required an excuse of some kind: "I have a racquetball date." "I have to get ready for that party." Or "My kid's probably hungry."

My obsessive zillionaire boss was at the work station of a colleague, raking over a database, and both were awkwardly trying to control the computer's mouse with their left hands. Apropos of nothing my colleague said, "When you were young, were they still trying to break you of using your left hand?"

"Oh, yes," said my boss with a shudder.

"How cute," I said. "the lefties are bonding." The other people in the office laughed, and my boss gave me a narrow and poisonous glance. He said the obstacles made for lefties by a right-hand world made them stronger and more successful in the long run than their peers. Just that afternoon, the topic of my boss's after-lunch monologue had been his own success, relative to that of his own peers, most of whom were presumably right-handed.

"There was an article in *The New York Times* pointing out that a majority of the presidential candidates are left handed," my boss boasted that evening. Not to be outdone, I

started officiously trotting out my store of campaign trivia.

"In 1992, all three finalists—Bush, Clinton and Perot—were left-handed," I said. "The same was true in 1996, but of course Bob Dole was only left-handed of necessity, his right arm being withered by a chunk of Nazi shrapnel." I admitted I had not paid enough attention to the current presidential beauty contest to know who was a southpaw.

This was a typical episode of tension-breaking office banter, but not too far beneath its veneer was a history of pain inflicted by the ignorant upon victims too young to comprehend why they should suffer. I had been told by a distant relative how the nuns of his parochial school had rapped the knuckles of dominant left hands, forcing the lefties to conform in handwriting classes. It was another curious punishment of bygone days to me, but to my boss it was apparently still a deep scar, like Wounded Knee.

One wonders if, at least on the level of national politics, the lefty chickens are coming home to roost. Was it a subconscious sense of grievance that drove the presidential candidates to offer such evil proposals as government-run health care, an outright ban on abortion, licensing of handguns, tax cuts that scarcely merit the name, a new and improved drug war, battering down the wall between church and state, muzzling political donors in the name of "reform," and further federalization of the public schools? It's like something out of science fiction: genetic mutants turning the tables on their oppressors. We righties made them. Now they threaten to be our undoing.

—Brien Bartels

**Not Everybody Loved Raymond** — Word has leaked out of Port-au-Prince that Lt. Gen. Claude Raymond, Haitian Army, ret., has died. His death occurred on either February 6 or February 9. The ambiguity results from the fact that Haiti, which has been experiencing one of its periodic restorations to liberty, equality, and fraternity by the occupying forces of the United States, had kept Gen. Raymond in prison for the past four years, despite repeated judicial orders to release him. Gen. Raymond's offenses were no doubt grievous. He had served successive generations of the Duvalier family, which is probably sufficient notice of his wickedness. The current government apparently holds him responsible for the murder of a number of political opponents in 1987. But since his arrest during what is described as "a voodoo festival in Haiti's Central Plateau area," that government has neither tried him nor presented evidence sufficient to try him. Is this one of the reasons why Haiti, formerly the great crusade of the Clinton administration, the mecca of all Democratic apostles of uplift, and the bottomless reservoir of footage for thirsty liberal media, now appears only in section B, page 7, "World and National Obituaries"?

—Stephen Cox

**The littlest defector, part II** — Anyone who thinks a definitive decision in the Elián González case will be reached anytime soon should revisit the story of Walter Polovchak. Remember him?

In 1980, 13-year-old Walter and his family left their home in Lvov, Ukraine to visit Chicago-based relatives and to explore the possibility of staying and working in the U.S. But after several months, the senior Polovchaks decided to return

to the Soviet Union. Walter, with his older sister, Natalie, chose not to leave the U.S. The battle was on.

The Ukrainian community in Chicago rallied active and vocal support for "the littlest defector" who ran away from his parents and sought political asylum. The ACLU took up the case for Walter's parents; Walter received pro bono legal assistance in a battle that dragged on in the federal courts and with the State Department until the issues became moot on Walter's 18th birthday. One of Walter's generous and heroic attorneys was Henry Mark Holzer, at the time a professor of constitutional and administrative law at Brooklyn Law School and formerly Ayn Rand's attorney.

There were two distinct and equally passionate camps then as there are now to argue points of international law, parental and children's rights, immigration/refugee policy and the quality of life under communism. But unlike today's White House and Attorney General, the Reagan administration did not support the repatriation of our young guest.

Standing with both feet firmly planted in the camp fighting for Elián's freedom to stay in the U.S. is the adult Walter Polovchak, who became an American citizen in 1985. Walter still lives in the Chicago area, and has an American wife and a six-year-old son. Since the collapse of the Soviet Union in 1991, Walter has visited his parents and siblings several times in his former home of Ukraine.

I seriously doubt it will take four years to settle the issues surrounding Elián González. Long before the legal case becomes moot on Elián's birthday I'm betting that Walter, Elián and Cubans everywhere will be celebrating the collapse of Castro's government and of Castro himself. The happiest ending to the González story would be for Elián to freely visit his father and for his father to freely visit him.

—Dyanne Petersen

### Think globally, speak hyperbole —

"People have to decide who they're going to trust with their life and with their job, 'cause that's what [the presidential election] is really about." — Bill Bradley, Feb. 1, 2000.

Excuse me, Mr. Bradley. But do you really mean that? Do you really believe that every American's life and livelihood depends on whom he votes for? Do you really believe that the president has (and by implication, should have) enough power to control the lives of every American?

Aren't our families and friends at least a little bit involved in our lives? What about our teachers, our bosses, our employees? Hasn't the invention of the computer or the automobile had more impact on most of our lives than anything any president has ever done?

How different will our lives be if Al Gore or George W. Bush or John McCain is elected president instead of you? Will that possibly make as much difference to us as whether the computer revolution continues to cut the cost of everything from product design to marketing? Or whether my local community decides to "spend" its budget surplus by subsidizing a "non-profit, educational" tourist attraction rather than cutting taxes? Or whom the local church chooses as its new pastor? Will it make even as much difference as whether our high school football team has a championship season?

Just where did you get the idea that if we elect *you* president we will be "trusting you with our lives"? Oh, I

know some politicians have had this power. I read somewhere that every night before he went to bed, Stalin made a list of people he wanted killed, and by morning every person on the list was dead. The citizens of Stalinist Russia really had to "trust" their leader with their "lives."

But we don't have to. Our lives depend on our genes, how well we take care of ourselves, our friends, our families . . . the way I look at it, whether you're living in the White House or back shooting hoops at your think tank in California is pretty low on the list of most people's worries. This isn't Stalinist Russia, you know.

Haven't you noticed that most people don't even *care* who's elected president? That half don't even vote? That many others decide whether to vote after checking the weather? Or that most who care enough to vote ignore the issues and base their decisions on trivia? Do you think they're all stupid? Or perhaps you've noticed these things, but you're in a state of denial.

The simple fact is that politics is greatly overrated. Does any intelligent person believe that Bill Clinton is more responsible for the current boom than Bill Gates? That William Howard Taft had more impact on the lives of Americans than Henry Ford? That whoever was Prime Minister of Britain in the early 19th century had as much effect on the lives and jobs of Britons as James Watt?

Or that you are really worth listening to on any question of serious human concern?

—R.W. Bradford

**A cruel accounting** — I just finished writing a story on the three-month merger battle between Pfizer Corp. and Warner-Lambert Co. The maker of Viagra and the maker of Bubblicious gum gave Wall Street what it always needs: a soap opera, complete with secret dealings, venomous rancor, huge piles of money and personal enmity between corporate leaders. The business writers will be sad to see Warner-Lambert finally disappear into Pfizer's Viagra-powered honeymoon suite.

Much has been made of mergers these days. AOL-Time Warner. British Petroleum-Amoco. SmithKline Beecham-Glaxo Wellcome. It seems to evince a trend. I'm waiting for *Liberty* magazine's unfriendly takeover of The Future of Freedom Foundation.

The more hyphenated companies accumulate, the more I think of Edward Bellamy's book *Looking Backward*. The socialist fable describes how capitalism became extinct as the big firms merged into what became a kind of syndicate.



"Oh, you poor man — here, have some carrot sticks."

The question is, did AOL's Steve Case and Time Warner's Gerry Levin enter their partnership under the pernicious influence of Ted Turner? Turner's an avowed socialist, after all. Perhaps in greasing the AOL deal he saw himself as mid-wife to the new order.

I don't think these mergers are the end of the free market, such as it is. Mergers get more press than divestitures and spin-offs, but these reorganizations happen in their season. The centrifugal forces of information technology, higher productivity, mobile capital, and (we should hope) deregulation will drive today's merged corporations apart. It will start happening just as soon as their losses are tallied by DeLoitteTouchePricewaterhouseCoopersErnstYoungAndersenPeatMarwick, the Big One accounting firm. —Brien Bartels

**Pardon me, Mr. President. . .** — Who said "The president should be more forthcoming in being willing to grant pardons when it's not really for the purpose of pretending that it didn't happen, but of liberating people to make the most of their todays and tomorrows"?

- a) Mumia Abu-Jamal, death row inmate
- b) Julie Stewart, President of Families Against Mandatory Minimums (FAMM)
- c) Dylcia Pagan and Carmen Valentin, freed FALN members
- d) Ira Glasser executive director of the ACLU
- e) Bill Clinton

Okay, here's a hint. The quotation comes from a January interview "after a breakfast of 'good grits.'" Narrow it down any?

Yes, it was Bill Clinton, in an interview with the *Christian Science Monitor* (January 20). According to the *Monitor*, the president also "intimated that he will look to grant more pardons this year, despite the controversy that erupted over the clemency he gave several Puerto Rican nationalists last fall."

"Several?" The number was 16.

"Puerto Rican nationalists?" Members of FALN, the Spanish acronym for the Armed Forces of National Liberation, used to be called terrorists, particularly those freed by Clinton who were convicted of crimes including armed robbery, seditious conspiracy and interstate transportation of firearms and explosives and who were professed Marxists. (I spent one year at FCI Dublin with four of the released FALN women before I was transferred to the lower security camp across the street in 1995.) Clinton's grant of leniency to the convicted terrorists was condemned even by his own Democrats with 93 crossing party lines in a 311 to 41 vote by the House of Representatives in September of last year.

The forgiving, "liberating" Clinton has granted fewer clemency petitions, including commutations of prison sentences or pardons for past crimes, than either of his Republican predecessors and than any other president in modern history. And he has achieved another distinction: his offer to the FALN prisoners is the first time any U.S. President has granted conditional clemency to persons convicted of terrorist acts. Justice Department records in 1999 showed 3,042 clemency petitions with reductions in sentences by presidential power in only three cases during the Clinton years.

Mr. Clinton's first "liberating" act for the new year was a high-profile, noncontroversial, politically-correct and motivated, no-brainer pardon for Freddie Meeks, the black seaman convicted of mutiny in the racially charged Port Chicago incident 55 years ago.

Mr. Meeks was interviewed in *The New York Times* after the public ceremony in Washington where he received his long-overdue pardon. "President Clinton took it upon his own to grant the pardon. I think he is a nice President."

I hate to rain on your parade, Mr. Meeks, but that "nice president" most likely pardoned you to buy his own pardon in the court of public opinion for "liberating" terrorists. We can only hope that they can "make the most of their todays and tomorrows" — just as you did, Mr. Meeks, for 55 years before Mr. Bill "liberated" you. —Dyanne Petersen

**An Empty Shell** — Rising some 555 feet above the national mall in Washington, D.C., the Washington Monument was built to be a symbol, not just of the nation, but of one of our most respected founding fathers — a man who, according to legend, could not tell a lie. It is interesting, then, that this symbol of that perfectly honest man of American mythology would serve to highlight the perfectly devious tendencies of the 41st president of the United States. As the year 1999 sped to a close, millions of people around the world made plans for the dawn of the new millennium. With the second and final term of William Jefferson Clinton winding to a close, the President and his staff wanted to go out with both a figurative and literal bang, so a team of White House staffers was created to plan the nation's "Millennium New Year's Eve," celebration on the mall.

For more than a year, the Washington Monument has been surrounded by an complex network of scaffolding itself swathed within a blue blanket of decorative fabric. The National Park Service has been conducting regular maintenance and cleaning on the exterior surface of the nearly 120-year-old monument.

The monument's scaffolding and blue brick-like wrapping were designed by the architect Michael Graves, hitherto best known to Americans as the artistic mastermind behind the new housewares collection at Target discount stores. Graves's design was sufficiently attractive that the scaffolding has itself been the subject of much attention during the last 16 months. Some wags have claimed that it is more aesthetically pleasing than the actual monument — providing a much needed update to the monument's outdated look. A few critics have even argued that the scaffolding should remain permanently, even after completion of the makeover.

As the maintenance project neared completion, a bidding war has erupted over the roughly 37 miles of aluminum tubing that comprise the current scaffold. Some bids are reported to be in excess of \$1 million. Once the scaffolding is totally removed, this shell, complete with wrapping, is likely to be re-erected on another site as an ideal bit of postmodern public art. Call it the Washington D.C. Monument: an enormous empty shell, useless, but occupying space, consuming resources and energy, and existing mainly for show. Such an attractive but empty shell fits nicely into the Clinton legacy. White House staffers have been looking back at what they've accomplished during their seven years in office, and have found their legacy, well, a little thin. Clinton failed in his first



term quest to bring American health care — fully one-seventh of the economy — under complete government control. And his second term goal of mending the breach of American race relations did even worse still.

And the two genuine accomplishments of the last seven years — ending welfare as we knew it, and bringing the federal budget into balance — have less to do with the political achievements of Bill Clinton than they do with fortuitous circumstances. The former is more easily attributed to Republican majorities in the House and Senate beginning in January 1995. The latter can be attributed to the confluence of a robust economy and the relatively parsimonious Republicans in Congress. Bill Clinton will be best remembered for his multiple ethical and legal violations, the chronic philandering that ultimately resulted in his becoming only the second president ever impeached, and perhaps his ruthless military attacks on such targets as Sudanese aspirin factories and Iraqi bus depots. Like politicians everywhere, Clinton seems more concerned with symbolic acts of celebrity than with substantive public policy. Which brings us back to the Washington Monument and the celebration planned for midnight, December 31, 1999.

Event experts hired by the White House planning staff decided that the typical style of fireworks display, used every year to celebrate Independence Day on the mall, just wouldn't do. Instead, the decorative scaffolding around the Washington Monument could be used as a framework for actually holding the pyrotechnic charges aloft. The resulting display would feature fireworks cascading down the surface of the monument. This plan was brilliant in conception, but it had one flaw: exploding fireworks produce fire and copious amounts of smoke. The National Park Service had just spent some 18 months and approximately \$5 million dollars cleaning the exterior surface of the Washington Monument. One can almost hear the Park Service middle manager chuckle as he rejected the event planners' ridiculous request to attach fireworks to the freshly cleaned monument.

But Bill Clinton didn't go to the bother of getting himself elected president in order to have an underling — even one with responsibility for the nation's best-loved monument — say "no" to his requests. All the White House needed to do was clarify its request, and make the National Park Service an offer it couldn't refuse. The guys in green got the picture, and the permit was approved. The rest, as they say, is history.

I was among those watching on that chilly New Year's Eve. But I think I may have been all alone on the mall, in perversely hoping that something would go wrong — that ash,

or soot, or something would stain the monument just as Bill Clinton has stained the presidency. It would be a perfect memorial for his presidency. But the evening went off without a hitch, and one more unremarkable tale of political machinations will go unremembered.

I have lived in or around Washington nearly all my adult life, and though I've seen many egregious assaults on liberty and common decency, this episode irks me in a way that defies explanation. Washington, D.C. is the kind of place where heavy-handed explanations are made all too often. Vito and Michael Corleone would feel at home in a place like this: where the appearance of propriety or accomplishment are all that matter, and where nothing's ever wrong unless you get caught.

—Greg Conko

**Payable on demand** — The Clinton administration is trying to get the power to levy enormous fines on tobacco companies if teenage smoking is not reduced within the next few years. If the administration succeeds, its legal innovation will undoubtedly be extended, as other meddlers and fanatics find uses for this new punitive power of government. The next target will be gun manufacturers. We all know how harmful guns are to kids, and we all know that gun manufacturers are responsible for all illegal holding of firearms, whatever. Some gang of bigots, I mean, some "children's advocacy organization," will be commissioned by the government to "assess" how many guns are still in the hands of infants under the age of 21, and the gunmakers will then be fined a million dollars or so for each offense.

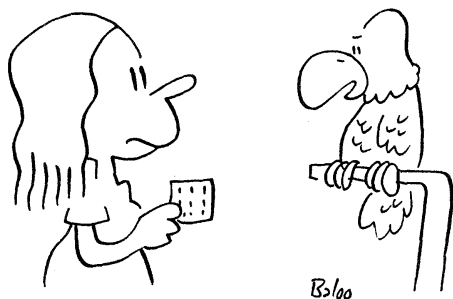
But what about pornography? We know how terribly harmful that is. And despite those warning labels about how you must be 18 years of age to see it, pornography can still be detected under the bunks of 17-year-old soldiers and college students. By the same logic as that alleged for the tobacco fines, *Penthouse* will get socked with a bill for something around one hundred billion dollars (conservatively estimated).

And why stop there? Clearly, certain toys that are made for "11 yrs. old and up" can be found in the hands of 10-year-olds, some of whom proceed to put their eyes out with them. This must be stopped. Mattel must be made to pay, and pay in plentiful amounts.

But toys don't screw up, people do. For every 35-year-old couch potato whose life revolves around Fritos and "I Love Lucy" reruns, we can surely find a 65-year-old couch potato who brought him up to be that way. To deal with this situation, a national obesity index can be constructed, showing all the relevant correlations and providing a basis for assessment of fines on the offending families, not to mention Desilu and Frito-Lay.

Yet there is still one source of evil left unfined, one Factor that has not been Held Responsible. I refer to the great pater familias, the world's most enormously recumbent couch potato, the world's greatest purveyor of educational videos, our national government.

Who is it that constantly promises to destroy all poverty, transform every school child into Leonardo da Vinci, provide a really adequate income for every citizen, both old and young, fully guarantee the safety of all products, services, and means of transportation, end all racial hatred, provide



"Yeah, I wanted a cracker. But just as an appetizer."

complete and mindless happiness to everyone on earth, and balance its own budget? The answer, of course, is the United States government. Yet some of its promises remain unfulfilled.

Fortunately, we now have the means to end our disappointment. The solution is to fine the government, and fine it so heavily that it will never offend again. Studies can be commissioned to determine how many millions of young adults remain illiterate after 13 or more years of government education. The number of penitentiary inmates who have been graduated from government schools can also be computed, to estimate the extent of the moral damage wrought by those insidious institutions. Poverty persists among old people, and its relationship to a lifetime of payments extorted by the Social Security Administration can be identified. The government's role in inciting animosity among racial groups is harder to represent in mathematical terms, but no harder than the tobacco companies' role in promoting teenage smoking. Then calculate all the dangers incident to government roads, government control of medicinal and recreational substances, and government harassment of peaceful citizens by means of its licensing, regulating, and tax-gathering functions.

I have done some rudimentary calculations and have discovered that the appropriate fine would be about 1.84 trillion dollars a year. Funny, that's approximately the size of the federal budget.

—Stephen Cox

**1.5 cheers for Steve Forbes** — As I write, Steve Forbes has just given up his quest for the presidency. Though still conservative, Forbes was the standard-bearer of the Republicans' libertarian wing. His four major proposals were all designed to increase private freedom and shrink the state: a flat-rate tax with a large net cut in taxation, school choice, medical savings accounts and private Social Security accounts. None went all the way; all were big steps in the right direction.

Forbes was an opponent of abortion rights and a supporter of the drug war. I abandon him there, but I liked him nonetheless.

I particularly recall an article in which he wrote:

Just ask yourself: how did America — the most pro-individual, anti-statist nation ever invented — come to permit its government to assume the size and scope it has today? The answer is war — the great shaper of this century. Throughout history, warfare fostered government centralization. You cannot face a major external threat unless you have a strong government to marshal the resources necessary to meet that

threat. For most of the last 80 years, America has faced a major external threat of one sort or another — first World War I, then World War II, and finally the Cold War.

These conflicts have been cited to justify government expansion in every direction. How did we justify federal aid to education? The initial rationale was national security. Federal aid for research and development and the space program? National security. Even the interstate highway program begun in the 1950s was partially justified on national security grounds. It seemed natural to some that if government could mobilize resources to fight external enemies, it could solve an array of domestic problems as well. Hence, the "War on Poverty."

It has taken us thirty years to learn, very painfully, the limitations of big government. Now that the Cold War is over, we no longer need such a massive, centralized federal government.

Forbes lost. But he defined a position and demonstrated a constituency — a major party constituency — for a position that could be called conservative-libertarian.

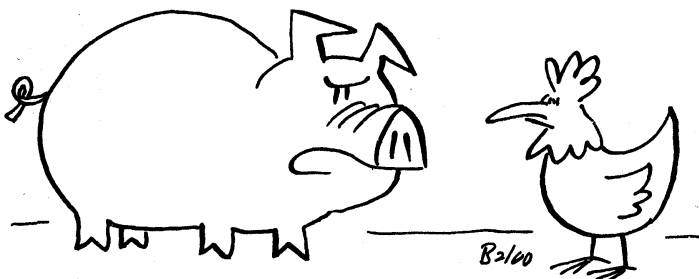
That's progress.

—Bruce Ramsey

**Voluntary pigitude** — Now that the Amadou Diallo trial begins in Albany, I'm reminded of the myth of police brutality. Believe that and you can be persuaded to think that four cops shot nineteen bullets into an African immigrant for no reason at all (or other than his race). You might then believe that such wanton police brutality can happen at any time, or even happens all the time, which it doesn't.

Let me suggest a contrary myth, no more flattering of the police, but perhaps more true — police pigitude (or laziness). As police in America are paid not to do work but to show up for a requisite number of hours, much as other public employees are paid, they have an incentive for doing nothing more than putting on their costume and displaying it in public. (The protective value of such theater is not inconsiderable.) Anything else is a kind of "overtime" for which there is no extra pay. I once heard a retired cop complain on New York talk radio that the lower standards in police admissions make the brandishing of weapons more likely. As he explained, in the old guys two beefy guys above 5'10" could quell a minor disturbance simply by getting out of their car. Now smaller guys, not to mention gals, lack that "police presence."

Most farmers keep guns in their houses because they know from experience that summoning a plumber in an emergency is more likely to succeed than summoning a policeman. The plumber, unlike the policeman, knows he will be paid for showing up in the farmer's house. The insufficiency of the police is to many an argument against strong gun control. The one time I knew many policemen, while teaching at New York's John Jay College, I was surprised to learn how many had never fired a gun (and then how surprised they were at my surprise at acknowledging a truth familiar to them). No doubt the job attracts some with sadistic impulses, especially in countries with little public control over police excesses; but I suspect that sadists have trouble getting partners where police travel in pairs, as in New York, because every cop knows a sadist beside you can



"That so-called 'gentleman farmer' cut my balls off!"

get you into needless trouble.

So every time I read about a policeman brandishing, let alone firing, his gun, my first thought is that something serious must have provoked him — not something trivial, which could easily be avoided, but something serious. This doesn't happen for nothing. And the sooner we think of policemen as typical government goofoffs, the closer we will come to understanding the unfortunate accidents that are initially classified as misbehavior.

—Richard Kostelanetz

**Borrowing from Peter to sue Paul** — “Your Web-based Business Will Exploit An Untapped Need for Venture Funding of Pending Personal Injury Lawsuits” proclaims an advertisement in a “business opportunity” magazine. You can become a Certified Funding Consultant and analyze pending personal injury cases, cases in which “personal injury victims” are “pressured into accepting sub-par injury settlements” because “their immediate financial obligations were forcing them to accept less than their cases merited!” You find the plaintiffs, the “venture capitalists” who train you to front their expenses, and you take a chunk of the “profit” when the judgment comes in.

While this system could conceivably help some poor schlimazel with a stiff neck and a totalled car recover some extra medical reimbursement from a negligent driver's insurance company, the subtext I read in this ad is “Get a piece of the next frivolous lawsuit against a fat corporation.”

This is, as they say, Sad Commentary. Apparently, the venture capitalist has inspired this unhappy hybrid of loan-sharking and piracy.

—Brien Bartels

**Good man in a bad trade** — For libertarians, there's good news and bad news from the forthcoming race for Senator Dianne Feinstein's (D-Calif.) seat. Among the challengers lining up to do battle with one of the Left Coast's most insufferable soft socialists is Rep. Tom Campbell (R-Calif.).

The good news is that Tom Campbell is, on several issues, the best Republican to come down the pike in some time. Rep. Campbell, a Stanford law professor and former McGovernik, has been the Imperial Presidency's most dedicated enemy in the Clinton years. When Clinton began his legacy-building war on Serbia without so much as a by-your-leave to Congress, it was Campbell who made Congress take a stand. Campbell forced one vote on a declaration of war, and another, under the War Powers Act, to bring the troops home. (Both failed.) What motivated Campbell to compel these votes? As he put it, “the thought that I carry with me is one of tremendous disappointment that our representatives [in the '60s] said nothing, and year after year voted the money and never put the question to the people's representatives: ‘Is this a war that you wish to declare, is this a war that you wish to

authorize?’ I thought that I would never let that happen if I had the opportunity to stop it in my own lifetime. I am redeeming a pledge from Vietnam.”

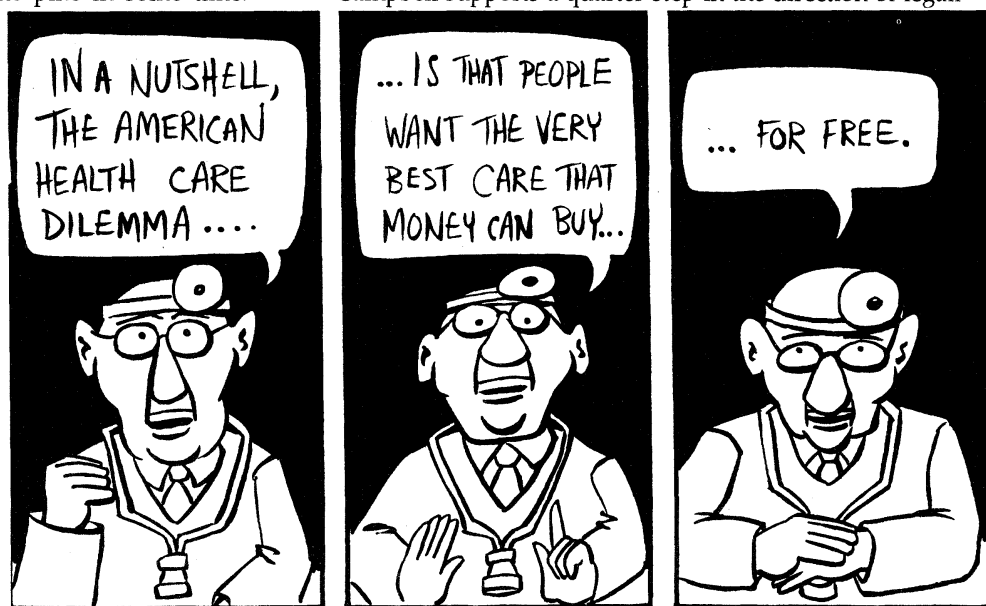
After Congress refused to authorize the war on Serbia, Campbell sued the President under the War Powers Act, charging that Clinton's cluster-bomb humanitarianism usurped Congress's constitutional authority to declare war. Though *Campbell v. Clinton* was ultimately thwarted by judicial cowardice, those of us who like to think we still live under a small-‘r’, republican form of government owe Campbell our thanks for defending that form of government at considerable political risk to himself.

We owe Campbell our thanks, too, for his latest endeavor. For nine years, the American government and its NATO allies have maintained a blockade against Iraq that keeps basic foodstuffs and medicines from Saddam Hussein's unfortunate subjects. As a result of the blockade, several thousand children under five die every month. Our ghoulis Secretary of State, Madeleine Albright, has said of the Iraqi death toll, “we think the price is worth it.” Campbell doesn't. He crossed the aisle to join up with John Conyers (D-Mich.), one of the House's most partisan Democrats. The two unlikely allies co-signed a letter to President Clinton urging him to lift the murderous embargo, and are actively seeking co-signers among their colleagues.

It's not often, since the death of Robert Taft, that you meet a Republican who's even half-right on the warfare state. Campbell is that rare creature, and he'd be a welcome voice for constitutionalism and noninterventionism in the Senate.

So what's the bad news I mentioned? Ironically, it stems from Campbell's attempt to cast himself as a “libertarian Republican.” Campbell has long been known as a moderate — some politicians were surprised when he voted to impeach Clinton — but he's lately trying to spice up his centrism with some quasi-libertarian ideas. Alas, one of these new ideas — on drug policy — is quasi enough to make one queasy, while the other — on tax policy — is actually dangerous.

Campbell supports a quarter-step in the direction of legali-



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zation. December 9, 1999's *L.A. Times* reported that Campbell would "encourage the federal government to permit a pilot project to distribute certain illegal drugs to addicts." Though I appreciate the sentiment behind this idea, I'm not even sure it's a step in the right direction. I resent every dime that is stripped from me to put my fellow citizens in jail for ingesting disapproved substances. But that doesn't mean I want to subsidize my neighbors' crack habits. For someone like Campbell, who considers himself a constitutionalist, it should suffice to say that no enumerated power in our Constitution authorizes the War on Drugs. (Note that in simpler days, when people took constitutionalism a bit more seriously, the 18th Amendment was necessary to legally authorize Prohibition.)

But worse still is Campbell's plan to replace the federal income tax with a sales tax. While there's nothing wrong with Campbell's idea in principle (except, of course, the idea that the income tax, once eliminated, should be replaced with anything), there's quite a bit wrong with it in the execution. Campbell wants to phase out the income tax over five years, while gradually phasing in the sales tax.

You can see, even if Campbell can't, where this is going. As Sheldon Richman has noted, one of the problems with replacing the income tax with a sales tax — as opposed to simply eliminating it — is that we're likely to end up stuck with both. Any unexpected revenue shortfall will be seized on by the feds as an excuse to keep the sales tax and the income tax. Campbell practically invites this result when he says "the importance of a gradual phaseout [of the income tax] is that if I am wrong, if I am making a mistake, we can turn it around."

Despite his ideological errors, Campbell's heart is in the right place on several important issues. Campbell seems to be, as H.L. Mencken said of Grover Cleveland, a good man in a bad trade. But if someone gave him a good talking-to, he might become an even better one. Any volunteers? —Gene Healy

**Mises and the draft** — Shocking as it may seem to most libertarians, Mises really did say, as Jeff Riggenbach quoted him as saying (Letters, March), that anyone who opposes military conscription is an "abettor of those aiming at the enslavement of all." The legendary Mises, who spent his lifetime teaching about the importance of limiting government and leaving people free, who wrote dozens of books and hundreds of articles about economic principles and free markets, did actually write those words; he said, on page 282 of *Human Action*, that those who opposed conscription were aiding and abetting the destruction of freedom. But why? To most libertarians, this is heresy. But don't think for a moment that Mises recommended conscription to support a government interested in power, interventionism, tyranny, or imperialism at home or abroad. In explaining his position, he spoke of government force figuratively as a "bayonet." He used to say that a government could do certain things with bayonets. But not everything!

According to Mises, the role of the bayonet was not to operate the market economy but to "crush the onslaughts of peace breakers." And in Mises' view, this was the only task of a bayonet. If a government failed in this task, which is its *raison d'être*, it left the people at the mercy of the "peace breakers." For one dramatic example, see William Tonso's tale of Lance Thomas ("The Spirit of Northfield and Coffeyville," March); Thomas was forced out of business as a result of the

repeated "onslaughts of peace-breakers."

Mises was not an anarchist. On that he was clear! He held that a government was necessary to protect the lives and property of individuals. Government is necessary to create the conditions under which individuals may be free. Government is necessary for society to exist, necessary for peaceful social cooperation to prevail, necessary for people to live in freedom. As Mises wrote in *Human Action*, "The state is essentially an institution for the preservation of peaceful human relations. However, for the preservation of peace it must be prepared to crush the onslaughts of peace-breakers" (149).

Mises confronted head on the question as to how the state was to accomplish this. A free nation is continually threatened by aggressor states, tyrants, and terrorists. And a free people are also continually threatened by robbers and others who seek short-term gains by injuring others. "If society were not to prevent such [antisocial] conduct, it [antisocial conduct] would soon become general and put an end to social cooperation and all the boons the latter confers upon everybody" (280). "In order to establish and to preserve social cooperation and civilization, measures are needed to prevent asocial individuals from committing acts that are bound to undo all that man has accomplished in his progress from the Neanderthal level. . . . The essential implement of a social system is the operation of such an apparatus commonly called government. . . . What is restrained [by government] is merely conduct that is bound to disintegrate social cooperation and civilization, thus throwing all people back to conditions that existed at the time homo sapiens emerged from the purely animal existence of its nonhuman ancestors" (pp. 280-281).

In order to maintain peace and freedom for individuals, therefore, government must curb antisocial elements, in other words "crush the onslaught of peace-breakers" domestic and foreign — this but no more. To do this, government needs money and men. Mises posed "the often-raised problem of whether conscription and the levy of taxes mean a restriction of freedom." In a truly liberal economy, a government would not be engaged in promoting the interests of ambitious, power-hungry politicians, bureaucrats, interventionists, tyrants, or imperialists; it would be strictly limited to its legitimate role of protecting life and property. When such a government "conscripted" money and men for this limited purpose, it would be helping to preserve peace at home and abroad and making individual freedom and peaceful social cooperation possible. Insofar as government "confines the exercise of its violence and threat of such violence to the suppression and prevention of antisocial action, there prevails what reasonably and meaningfully can be called liberty" (281).

Shocking as it may seem, therefore, the "conscription" of men and money to support such a limited goal is pro-freedom; those who oppose the "conscription" of men and money for this limited purpose are aiding and abetting, as Mises said, the enslavement of all.

I might add that Mises looked on a people's army, an army made up of the general public, that is, of conscripts; although an army of volunteers might do as well, as a safeguard against the likelihood of a military takeover or coup.

—Bettina Bien Greaves



# A Survivor's Tale

by Peter McWilliams

The Federal drug police can't keep a good man down.

I love to paraphrase Oscar Wilde. His original line — the third-to-the-last of the witty lines credited to him — was, “The way England treats her prisoners, she doesn’t deserve to have any.” (The last two were made as he lay dying at only 45 shortly after his release from prison, a butterfly broken on the wheel. When presented with his final hotel bill he replied, “I am dying beyond my means.” At the end, he looked around him and observed, “Either this wallpaper goes or I do.”) A century ago, Wilde was incarcerated in a British prison for sodomy.

I may soon be incarcerated in an American federal prison as the result of sodomy. Apparently, time, oceans, and Revolutionary Wars don’t seem to change the nature of oppressive government intrusion into the private lives of homosexual eccentrics. I have AIDS.

As I was unable to convince my parents that I was Haitian, and as I have a well-documented aversion to needles, I had to admit I got my HIV in the Oscar Wilde way. Although I had not used illicit drugs in more than two decades, in 1996 I began using medical marijuana to relieve the nausea caused by my cancer and AIDS medications. In July 1998, I was arrested on federal medical marijuana charges, even though I live in California, a state in which the use and cultivation of medical marijuana by the sick is legal. The “official” reason I was arrested was that I gave a book advance (I blush to confess I have been a publisher for 32 years, the progeny of my press having appeared five times on the *New York Times* Bestseller List) to an author for, *How to Grow Medical Marijuana* (available at Amazon.com). A fellow medical marijuana patient, he used a portion of his advance to grow medical marijuana. The government arrested him in June 1997.

Because I was the source of the funds he used to finance his grow, I was arrested as a drug kingpin — the head of the notorious Medicine Cartel, I suppose. By this federal logic, if a *New York Times* reporter used a portion of his or her meager salary to engage the services of a prostitute, the owners

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of the *New York Times* could be arrested on federal pandering charges.

I also grew some marijuana for my own medical use, in the time-honored tradition of Washington, Jefferson, and Timothy Leary. The actual reason I was arrested, however, was that I had written *Ain't Nobody's Business if You Do: The Absurdity of Consensual Crimes in Our Free Country*. During questioning after the pot-growing author’s arrest in 1997, four DEA Special Agents told me that they had found my book on the shelf of *every* drug dealer they had ever busted. I, naturally, was flattered. To the DEA, however, I represented the lowest of the low. To them, my libertarian view of the War on Drugs provided the intellectual underpinnings and philosophical justification for the most nefarious criminals in our country — those who are poisoning our precious children with pernicious drugs.

Thirteen months of harassment later — including five subpoenas for voluminous documents; dragging all my employees, an unknown number of past employees, my contractor, my electrician, and my neighbor before a federal grand jury; and a dawn raid on my home by eight DEA agents and one IRS agent (documented in my article “The DEA Wishes Me a Nice Day” in *Liberty*, May 1998) — I was arrested.

Bail was set at an astounding \$250,000. My attorney had sent a letter to the federal prosecutors months before saying that I knew I was going to be arrested, that I was not about to flee the country, and that I would willingly appear for arraignment at the time and place specified by the government. Nevertheless, I was deemed a “flight risk.” I spent a

month in federal custody while my mother and brother had their houses appraised and navigated their way through the endless labyrinth of federal obstacles required to use real estate as collateral for my bond.

### **Live Free and (Nearly) Die**

Once released, I was not permitted to use the medical marijuana I needed to keep down my nausea-producing AIDS medications. For more than two years prior to my arrest, thanks to medical marijuana, I had a perfect retention rate. My viral load — the measure of active AIDS virus in the body — was undetectable. Unable to keep down the life-saving prescription medications, by November 1998, four months after the arrest, my viral load soared to more than 256,000. In 1996, when my viral load was only 12,500, I had already developed an AIDS-related cancer, non-Hodgkin's lymphoma (now in remission, thank you).

Even so, the government would not yield. It continued to urine test me. If marijuana were found in my system, my mother and brother would lose their homes and I would be returned to prison. As both the President and the Vice-President of the United States had admitted to marijuana use themselves, I was — as were the other 4 million Americans arrested for marijuana during the Clinton-Gore watch — caught between a rock, a hard place, and deplorable hypocrisy.

For the next year, with essentially no immune system, I fully expected daily to develop one of the thirty-or-so AIDS-related opportunistic illnesses and die. If I lived, I faced a ten-year mandatory minimum sentence, with no possibility of parole. (Already over capacity, the government would merely release a murderer earlier to make space for me.) I slept eighteen hours a day. I was unable to work. My personal fortune, not that fortunate to begin with, had evaporated. I filed for bankruptcy — which one must do, ironically, in federal court. My publishing company — once a \$6 million-a-year enterprise employing eighteen people — fell apart. (This was partly due to my inattention and inability to write new books, and partly due to the DEA telling my

ing me from presenting to the jury that I am a cancer survivor, that I have AIDS, that marijuana is medicine according to the federally funded March 1999 Institute of Medicine report, that since 1974 the federal government has been supplying eight patients with medical marijuana, or that California passed a law permitting the very act of cultivation that I was accused of violating federally.

How could the government do this? Well, federal law, you see, is far tougher on criminals than state law. The rate of federal convictions is astonishingly high — 85 to 90 percent. Federal criminal law was originally designed to dis-

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*The federal prosecutors successfully obtained an order prohibiting me from presenting to the jury that I have AIDS or that California passed a law permitting the very act of cultivation that I was accused of violating federally.*

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pense with the wily and slippery destroyers of the nation, such as traitors and spies. In the late 1940s and 1950s, the federal tough-on-criminals code was expanded to break up organized crime — organized, as it turns out, as a direct response to federal Prohibition. Thanks to the War on Drugs, this guilty-until-proven-innocent-beyond-all-possible-doubt mind-set is now being applied to cancer-surviving AIDS patients treating their illnesses while trying to help other gravely ill people treat theirs.

The specific peg on which the government barred all evidence of medical marijuana in my case is a nifty federal rule saying that no evidence can be presented that might “confuse” the jury. Due to the nefarious criminals and horrific crimes federal law at one time addressed — back when “to make a federal case out of it” actually meant something — this rule has essentially been interpreted by the courts as applying to any evidence that might “confuse” the jury as to the guilt of the defendant.

In my case, because marijuana is a Schedule I drug under the federal Controlled Substances Act, and since Schedule I drugs are, by definition, of no medicinal value, marijuana can have no medicinal value because it is, after all, a Schedule I drug. To tell a jury otherwise would tend to “confuse” them.

As to the federal government distributing marijuana to the sick each month, that “Compassionate Use” program (as it was called) was discontinued by the federal government in 1992 because too many pesky AIDS patients were imploring the government for medical marijuana. The federal health officials did not want to send “the wrong message” to children, so it closed down the program. The program is now being “phased out” by “attrition,” meaning that the government is waiting for the last eight people in the program to die (everyone else from the original program is already dead). Information about a defunct federal program would tend to “confuse” the jury.

As to California's medical marijuana law, well, every federale knows that federal law trumps state law (something about the “supreme law of the land” in that otherwise-

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*I grew some marijuana for my own medical use, in the time-honored tradition of Washington, Jefferson, and Timothy Leary.*

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employees during its search of my offices in December 1997, “You’d all better look for other work. The DEA will own this place in six months.” Three months later, all my employees had followed the DEA’s advice.) My waking hours were consumed with nausea and vomiting. Every productive hour was spent working on my defense. Of thirteen motions submitted to court, twelve-and-one-half were denied; every motion submitted by the federal prosecutors was granted. My boyfriend of eleven years deserted me.

By the way, did I mention that during this year I was depressed?

### **Don’t Confuse Them With the Facts**

But in November 1999 came the most crushing blow. The federal prosecutors successfully obtained an order prohibit-

completely ignored-by-the-federal-government document, the Constitution), so there's no need to "confuse" the jurors about the long-ago-settled supremacy issue, either.

As I never denied my medical marijuana cultivation, that left me with no defense whatsoever. To avoid an almost-certain guilty verdict and a ten-year mandatory-minimum sentence, I pled guilty to a lesser charge (The whole, sad story is at [www.petertrial.com](http://www.petertrial.com)).

I am overjoyed to end this article on a jubilant note. My most recent viral load came back undetectable. This brings to mind the telegram Mark Twain sent to a New York newspaper that had printed his obituary: "The reports of my death are greatly exaggerated."

Over time, I tried various techniques to keep the AIDS medications down a little longer before vomiting. In addition to large doses of Marinol, which is essential, I added herbs, lying in hot water, curled up in a fetal position in bed, and two electric massagers — a smaller one to stimulate the acupuncture points for anti-nausea, and a larger one for my stomach.

Gradually, over many months of trial and mostly error, I was able to increase the length of time I could hold down my

medications from 30 minutes to one hour and fifteen minutes. That 45-minute increase is apparently enough for the medications to get into my system.

Since November 1998, I had been living week by week, fully expecting any day to redevelop non-Hodgkin's lymphoma (my viral load now 20 times higher than the first time I developed it) or some other AIDS-related opportunistic illness, and die. Now, I can look ahead to a series of books and web sites that will not be completed until the end of 2003.

My personal physician, as well as the foremost AIDS physician in Southern California who recently examined me, are both writing strong letters to the judge saying that I have medically proven that I can take care of my illness at home using methods not available in federal prison. This is an excellent argument for serving whatever time I may be sentenced to under home detention.

The procedure of keeping down the medications is agonizing, exhausting, debilitating, and I must do it three times a day. It would be entirely unnecessary if I could use medical marijuana. But it seems to be working. I have gotten my life back the old fashioned way — I *earned* it. ┘

## May It Please the Court . . .

I do hope you are asking yourself, "Can I do anything to help?" Yes, thank you, there is. Would you please take the time to send a letter, or a fax, or even an e-mail, to the judge on my behalf? It would make all the difference in my world. My sentencing for this charge will be in late May 2000. The deadline for turning in letters of support is May 10, 2000.

The letter need not be long or eloquent. One sentence is sufficient.

The judge can sentence me to anything from 0 to 5 years. The federal sentencing guidelines place my recommended (but not mandatory) sentence in the 5-year range. It is probably unavoidable that I get a sentence to serve some time — perhaps the full five years.

What I am asking the judge — and what I am asking you to ask the judge — is that I be able to serve my sentence under "home detention," also known as "electronic monitoring." An electronic transmitter would be permanently fastened to my ankle and my whereabouts would be monitored 24 hours a day. (Hillary now has a similar device on Bill as well as all White House interns. She can monitor everyone's location from her campaign bus.) I would not be able to leave my home except for medical or court appointments. As I live in Los Angeles, this will allow me to write books, including *Galileo L.A.*

In writing to Judge King, please observe these commonsense guidelines:

1. Please be respectful. The judge owes me, or you, nothing. You are asking for a favor. When Judge King was asked to allow me to use medical marijuana while out on bail, he said to the attorneys on both sides, in a voice trembling with compassion, "I am struggling mightily with this. Please, struggle with me." Alas, there was nothing in federal law that permitted him to allow me to break fed-

eral law, even to save my life. But I believe his struggle was sincere. Judge King is a good judge upholding a bad law. My sentence is at his discretion. I believe he will be fair, that he will read the letter you send, and that he will be moved by your heartfelt request.

2. Please focus on my health, my contributions to society (through my books), and, of course, most significantly, my contribution to *Liberty* magazine, as reasons why I should receive home detention or electronic monitoring (the term can be used interchangeably). The legal arguments will be made by my attorney.

3. If you know me, please say so. Kindly state any positive character traits you may have noticed wafting by from time to time. (Although this letter is going to a federal judge, it is not written under oath, so you will not be arrested for perjury.)

4. If you have read any of my books, please say so. If they helped you, please say how. (Exception: Please do not mention *Ain't Nobody's Business if You Do*.)

5. Please do not give your opinion of the War on Drugs (unless you're in favor of it), how the government treated me in this case (unless you approve), your views on medical marijuana (unless you're against it), or anything else critical of the status quo. Save those remarks, however well-reasoned and accurate, for letters-to-the-editor and conversations with your friends. They may be counterproductive in a letter to a federal judge.

6. If you can, please keep the letter to one page, and no longer than two.

Actual letters (those things popularized during the last millennium, printed on paper, put into envelopes, and sent through the Post Office) are best. Typed is better, but handwritten is fine. Please use the most impressive letter-

*continued on page 40*

# Media Bias: A User's Guide

*by Bruce Bartlett*

Newspaper reporters and television newsreaders tell you what to think, not what happened. But that's changing.

A while back, I was watching C-SPAN and saw a dinner sponsored by the Media Research Center "honoring" the most biased press coverage during the 1980s. It certainly was amusing to see so many journalists make fools of themselves, but I felt that the "awards" were painted with a bit too broad a brush. As someone who has observed the media closely for many years and is well aware of its overwhelmingly left-liberal orientation, I would like to add my perspective to the question of bias.

For many years, the people who presented the news, primarily in newspapers, were simply reporters. They went to events and told us what we would have seen and heard if we were there. It was not a particularly glamorous profession, it didn't pay well, and many of its practitioners were not especially well educated.

These early "journalists" made no pretense of objectivity. In many cases, they worked for papers aligned with political parties or owned by publishers with definite points of view. If they didn't submit stories consistent with their masters' perspectives, they would either find their articles killed or they would have to find new employment.

This sort of bias in press coverage, however, was quite different than today. For one thing, it was displayed openly and proudly, not hidden behind a cloak of "objectivity." For another, press competition was far more intense than it is today, with every major city having several independent newspapers. Everyone knew where each paper stood, politically and ideologically, and they read the one that most closely reflected their views. If they wanted a different view — and many did, with multiple newspaper purchases being common — they knew where to find it.

In short, the situation was somewhat like what one finds in courtrooms. Strong advocates did the best they could to present their side of an issue — and only their side — while an impartial group of jurors sought to find the truth within the evidence presented. Although there were no judges to ensure that the rules were obeyed, competition did a good job of taking their place. A paper that consistently got the facts

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wrong would cease to be an effective advocate for whatever position it represented, for its competitors ensured that any mistakes were well publicized.

## Enter the Box

The advent of television changed all this. Suddenly, reporters went from being anonymous and faceless to being performers, rewarded more for their ability to present the news than report it. This was not immediately apparent because many of the early stars of television news — like Edward R. Murrow and David Brinkley — were competent journalists of the old school. But as they faded from the scene, they were replaced by those whose only skill was in reading copy written for them. Such people have nothing in common with those whose job it is to actually find and report the news. They are simply performers not unlike Hollywood actors, who at least have the virtue of not pretending to write the lines or think up the characters they portray on screen.

Cutting the link between those who actually report the news and those who merely present it created an enormous problem for journalism. Because those who "reported" the news to most people now had no meaningful connection to the actual events being reported, a basis of legitimacy was lost. Henceforth, "journalism" was on a slippery slope between reality and make-believe.

This transition from true reporting to Hollywood-style line-reciting was clouded by an offsetting effect: television allowed citizens to actually see events as they happened, oftentimes live. Thus in the beginning, television newscasters tended to limit themselves to describing actual events. But soon it became obvious that skillful editing could transform almost any set of pictures so as to present whatever image



was desired.

With the volume of video images increasing exponentially, more and more power was vested in the hands of television producers and editors. It is doubtful that many consciously told themselves that the editorial decisions they made were for the purpose of having a political effect, but the result was the same. Severe time constraints — the major networks still devote just 30 minutes to the evening news, just as they did in the days before video cameras, satellite hookups and fiber optic cable — and the pressure to give high-priced news “anchors” maximum face time, inevitably meant that snippets of pictures had to replace more thorough coverage of events. Like newspaper photographs, they illustrated stories, rather than being the story.

The result of this evolution was to cut the linkage between being a reporter and being a journalist. Now people could simply sit behind a camera and call themselves “journalists” without ever having to dirty their hands going to crime scenes, war zones or boring political rallies. In the process, they lost their connection to the real world.

Compounding the problem is the fact that television

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“journalism” became extremely lucrative. Top tier news anchors make millions of dollars per year and even second tier television journalists can break into seven figures. Such rewards soon attracted those who were still trained and committed to serious reporting. This transition was facilitated by the proliferation of talk shows, like *The McLaughlin Group*, featuring reporters heretofore confined to the print medium. Not pretending to be news programs in the traditional sense, these new media encouraged — indeed forced — serious journalists, previously constrained by the need to base their work on hard reporting and facts, to let loose and voice opinions on every conceivable issue.

Thus the blurring of the line between reporting and journalism was complete. Instead of hiding their political opinions, even serious reporters were encouraged to glorify them. And as more and more of their incomes came from television appearances and attendant revenues, such as books and speaking engagements, they had less and less incentive to adhere to norms of accuracy and objectivity.

This would be less of a problem if today’s news media faced the same competition that existed in earlier times. Unfortunately, economics has led to the closing of vast numbers of newspapers. There are but a handful of cities left with as many as two major newspapers and only one — New York — with as many as three. At the turn of the century, even small towns had several papers and big cities had a dozen or more. Consequently, most papers have monopolies in their markets, which inevitably leads to less effort being made to get stories first and get them right. It is not surprising that some of the worst papers in the U.S. are some of the most profitable.

Nowadays, many of the nation’s most well known “journalists” are as far removed from actual reporting as a chef is from the farm where the food he prepares was grown. And their product bears as much resemblance to portage as a meal in a fine restaurant does from unprocessed meat and grain. In short, there is a linkage, but a distant one.

One can go down the list of people who once had been serious reporters, but now make most of their income from blathering on TV about things they often know nothing about. Indeed, ignorance is bliss. It is harder to be provocative and present predictable views if one has firsthand knowledge of what one is talking about.

Nevertheless, there are still reporters out there. These are people whose bylines appear in the paper frequently, but are generally unknown even to those who read them daily. They do not appear on TV because they are ill-at-ease expressing a personal viewpoint.

This brings me back to the Media Research Center awards. It appeared to me as if the Center made no effort to distinguish between those journalists who openly taint their reporting with personal views and those who essentially are paid to spout off. It seems wrong to me to criticize someone like Eleanor Clift for making absurdly biased comments as if she is really still a reporter for *Newsweek*. (I can’t remember the last time I saw her byline in the magazine she allegedly works for.) She is the TV equivalent of a newspaper editorial writer or columnist — someone expected to reflect a point of view, however silly.

### Unsanctioned Bias

On the other hand, I think I was even more appalled than the Media Research people at the growing number of people maintaining that they are in fact reporters who have publicly made the most unbelievably biased comments without sanction. That is inexcusable. It is a far worse offense, in my book, to present a standard news story in a biased way than to voice the same view on *The McLaughlin Group*. There should be a Chinese Wall between reporting and opinion on TV as there is (at least in principle) between the two in newspapers.

This gets at one of the real problems with TV news. It really cannot separate the two. Nor does it have the ability to present contrary views. TV time is too precious to allow the equivalent of letters to the editor or commentators with a differing perspective. That is why TV newscasts need to make a much greater effort to ensure objectivity and accuracy than newspapers and magazines. Yet ironically, the latter do a far better job than the former.

I would rather rely on the left-liberal *Washington Post* than the similarly biased broadcasts on ABC, CBS, NBC and CNN. For one thing, the *Post* occasionally allows other voices on its pages, unlike the networks. Also, the volume of news is far greater in the *Post*, so that some useful information still leaks through. And I think there is a greater level of professionalism among the print media, including the *Post*, than even at the best TV news operation.

I think it is inevitable that almost everyone who works in journalism today will reflect a left-liberal viewpoint to some degree, at least among those covering national affairs. But unlike most conservatives, I think this is for institutional reasons, not a conscious strategy by a few devout liberals. It is hard to explain why this is the case. Clearly it has much to do with the increasing distance between those who present the

news and those who actually cover it. It also has to do with the increasingly corporate ownership of most newspapers and TV stations. Their owners don't have an ax to grind, they just want to make money. And as long as they do, they really don't care what the so-called journalists in their employ say or do.

Thus there is a lack of accountability. Newspapers, often monopolies with owners far removed from the city in which they are published, are very profitable. Even those publishers with a conservative point of view, such as Rupert Murdoch or Conrad Black, make little effort to rock the boat as far as news coverage is concerned. They content themselves with running a few conservative editorials, knowing that these have almost no impact — least of all on their own reporters. Thus *The Wall Street Journal* maintains a reputation as a free market paper solely because of its editorial page, even though most of the reporters for the paper remain conventionally liberal, a fact reflected daily in its news coverage, especially from Washington.

Furthermore, these publishers often own so many media properties, including TV stations and even networks, that they make almost no effort to reflect their views. Even Murdoch, who supposedly established the Fox News Channel as a conservative alternative, has never had the nerve to say that this channel actually is conservative, nor has he made any effort to inject a conservative viewpoint into any of his over-the-air outlets. Instead, the Fox News Channel advertises itself as being objective and unbiased. Presumably this represents a move toward the right from the totally left-liberal perspective of the other news networks. (CNN is not called the "Clinton News Network" for nothing.)

I do not mean this as criticism of Rupert Murdoch. Rather, it shows how ingrained the institutional constraints are. If he were to advertise the Fox News Channel as a conservative alternative, he would have difficulty getting on a single cable system. This is not so much because cable system owners are themselves leftists, but because they don't want to rock the

Administration abolished the "fairness doctrine," Limbaugh recognized that there was an opportunity for talk radio with a sharp conservative edge. It dominates the AM airwaves and conservatives, denied a more conventional voice for their views, have responded overwhelmingly. High listenership has led to new advertising and high profits for station owners — more than enough to compensate for any misgivings they might have over presenting views generally considered "outside the mainstream."

The Internet has, of course, spawned a massive growth in web sites devoted to news of every viewpoint. Not only are there any number of openly conservative news and commentary sites, but even those run by major media, such as

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*Now people could simply sit behind a camera and call themselves "journalists" without ever having to dirty their hands going to crime scenes, war zones or boring political rallies.*

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CNN.com and MSNBC.com, now released from the constraints imposed by a 30-minute news broadcast, provide a much more balanced presentation of the news than their on-air counterparts. In short, the same constraints that have limited bias in newspapers now limit bias on the Web.

The Internet also provides direct access to news sources in a way that ordinary consumers have seldom had before. If someone wants to know what Steve Forbes or Gary Bauer or Alan Keyes had to say, they are not limited to the possibly biased presentation of it by a leftist reporter, they can log on to their web site and see for themselves. (Of course, the greatest left-liberal bias is often simply to ignore libertarian and conservative views, which may be worse than misrepresenting them.)

This access to the raw material of news is also the reason why C-SPAN is in effect a conservative voice. While resolutely nonpartisan, C-SPAN makes a strenuous effort to present all sides. So a conservative or libertarian, accustomed to seeing no reflection of his views on television, seeing it even some of the time is an enormous improvement. (Also, unlike many other television outlets, C-SPAN treats its conservative and libertarian guests with respect, rather than derision.) C-SPAN is also an admirable throw-back to what news reporting used to be before it became journalism — just the facts, straightforward, unvarnished and unconstrained by time or space limitations.

The Media Research Center is right to call attention to egregious examples of leftist bias, but those who are doing the most to counter it are talk radio hosts, those who are making the Internet a pervasive fact of life, and Brian Lamb (who started C-SPAN). Given that the ratings and circulation of the broadcasts and newspapers dominated by left-liberal views are dropping like rocks, while those with a conservative and libertarian content are rising like rockets, I am inclined to think that the problem is taking care of itself. Sooner or later some nonpolitical businessmen will get the idea of replacing Dan Rather and his ideological twins on the other networks, with a real reporter who also happens to be conservative or libertarian. I think ratings would shoot through the roof. ┘

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boat. They know that left-liberals are far more likely to complain about any hint of conservatism on the air than conservatives are to complain about liberalism. Partly this is due to their nature and partly because conservatives are so demoralized about pervasive bias that they don't even try to do anything about it anymore.

### Hope on the Horizon

But there is a ray of hope from new media. These include talk radio, the Internet and outlets such as C-SPAN. Talk radio is overwhelmingly conservative, owing mainly to the success of Rush Limbaugh. He came along at a time when AM radio was virtually dead, eclipsed by FM, which delivers music in much higher quality. When the Reagan

# Better Living Through Genetics

*by James Wood*

Science promises utopia. What could possibly go wrong?

Utopia beckons. Its promises are already beginning to come to fruition.

Genetic analysis during in vitro ("test tube") fertilization enables couples to eliminate sickle cell anemia and a host of other diseases from their offspring. Gene therapy experiments have reversed brain deterioration in aged monkeys and show great promise for humans with Alzheimer's disease. The unprecedented convenience of Internet shopping has caused some shoppers to go overboard, at great risk to their credit standing.

But we should be neither worried nor judgmental: addiction to binge shopping, as well as to sex or gambling, is (according to many scientists) linked to genes, rather than to weakness of character. A little more research, and we will know how to tweak the genetic makeup to cure or avoid such problems. On other fronts, we are informed that Global Positioning Satellite technology will enable insurance companies to refine premiums to reflect when, how much, where, and under what circumstances each insured's car is driven. Sophisticated analyses of Internet messages and computer hard drives enable police to catch criminals who thought they were safely anonymous. Thus the miracles of genetic and cybernetic technology are said to be carrying us toward a crime-free, disease-free, ultra-convenient, well-regulated utopia.

The people I've drawn on for coherent descriptions of the coming utopia are responsible academics, often holding directorships or chaired positions, and specialist journalists. They include, among others, Nicholas Negroponte at MIT, Gregory Stock at UCLA, Kevin Kelly, formerly executive editor of *Wired* magazine, and Lee Silver at Princeton. These people predict a swift and radical shift into a new global culture, a shift which goes beyond biological evolution. Though varying in some particulars, their descriptions of the world to come show remarkable commonality. These visions ensue from careful consideration of technological advances in genetics and cybernetics, advances commonly reported in major newspapers. Perhaps most telling is the fact that even

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forceful critics of the emerging utopia — Jeremy Rifkin and Bryan Appleyard, for example — accept most of the assumptions on which these predictions are based.

The most fundamental new technologies will control the genes which determine the nature of humans and all other living organisms. "Bad genes" can be detected and eliminated, and "good genes" can be fostered. Current practices of combining genes from different sorts of organisms will be expanded to create entirely new species and to modify humans. In the new utopia, humans and computers will combine into a global system to reverse planetary warming, prevent famine in sub-Saharan Africa, or resolve ethnic clashes in the Balkans.

Presumably, such social and economic problems will be too complex for human direction and too important to be left to short-sighted, self-interested human deliberation in the marketplace of ideas. Air traffic control and management of electric power grids, already slipping beyond human control, are trivial challenges compared with integrating a global economy while preserving a livable environment. The Internet is a crude prototype of this entity's nervous system. Individual humans will function much as cells in the human body do now. We humans will scarcely understand bits of what's going on, much less control anything of importance. For this global organism, Gregory Stock coined the useful, if somewhat melodramatic, term "Metaman." Kevin Kelly parallels Stock with his own notion of a "whole world wired into a human/machine mind."

Will we face overpowering incentives to abandon individual autonomy and meld into Metaman? Kelly, for one, thinks so; he suggests that our chief psychological task in the

coming century will be "letting go with dignity" (127). We may want to explore our situation and options more fully before "letting go."

It's easy either to dismiss the projected future as science fiction or to accept it as inevitable. But it is neither fiction nor inevitable. It is a genuine threat to our autonomy as humans, grounded in the eugenics implicit in genetic research, the narrowing views of what is acceptably normal for both humans and cultures, and the erosion of personal identity and moral responsibility.

### Genetic Research And Eugenics

The vast sums spent on basic research in human genetics, most evident in the project to map the Human Genome, are based on an underlying assumption of genetic determinism: the significant characteristics of a person, both mental and physical, are determined by that person's genetic makeup. Genetic testing can detect potential defects. The meaning of "defect" will become very elastic: today it usually refers to catastrophic congenital diseases, but in the future it is liable to include wrong eye color or lack of athletic prowess.

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*The miracles of genetic and cybernetic technology are said to be carrying us toward a crime-free, disease-free, ultra-convenient, well-regulated utopia.*

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To prevent children from having precisely predictable defects, parents will have the current options of embryo selection during in vitro fertilization (IVF) procedures or abortion when defects are detected after normal conception. In the emerging utopia they will add far more powerful options for actually altering genes in early stage embryos to achieve what biotechnologist Lee Silver calls "designer children." Alterations in germ-line cells will determine traits to be carried down through generation after generation.

Such genetic engineering in pursuit of improved humans is eugenics. It doesn't really matter much for purposes of definition whether it's market-driven or government-ordered. Genetic engineering does seem a more humane procedure than genocide to remove "impurities" and to "improve" the ethnic group or society. It is also a much more precise means for controlling human evolution. The prospect of changing — "designing" — the genetic makeup of human embryos to control evolution did raise enough ethical issues to cause a meeting of concerned scientists at UCLA in 1998. As reported in *The New York Times* (March 20, 1998), several scientists present expected to see the process in use within twenty years, at least by parents who can afford it.

Would ready availability of the technology place irresistible pressure on parents-to-be to use genetic testing and act on the results? Or to put it differently, would substantial portions of the population find themselves participating in eugenics, even without storm troopers at the door? Several reasons suggest that the answer is yes. Lee Silver provides the most direct argument: some parents will use these procedures, including genetic modification in IVF, to give their

offspring advantages, and other parents will have to follow suit in order to have kids who will be competitive.

I have yet to read an informed author who disagrees with Silver's line of reasoning here. The strength of parental ambition is illustrated by past examples, as from northern India in which use of amniocentesis had the unfortunate side effect of leading to abortion of large numbers of embryos whose only defect was that they were female. The greatest pressure will be on parents who find themselves in a dilemma: revolted by the notion of interfering in natural evolution but driven by responsibility to give their offspring a competitive edge in, for instance, memory capacity, stature, or good looks.

Another factor driving parents to practice eugenic control begins with the inclination of insurance companies and employers to discriminate against those who may be genetically risky. In a free market who can object to the insurance company which refuses health insurance to a family in which one member has been diagnosed with Huntington's disease? Who can blame the oil refinery manager who declines to invest time and money training a highly effective engineer because her family history shows several emotionally unstable individuals? As genetic testing of individuals becomes more refined such discrimination should become more rational. Inaccurate predictions for individuals will continue, however, as many decisions are made on the basis of statistical probability that certain combinations of gene-forms will produce certain characteristics. The point is that parents-to-be will feel compelled to have embryos tested — and if necessary, "corrected" — in order to make sure their progeny do not face these sorts of discrimination.

Defensive eugenics goes beyond merely avoiding discrimination in the marketplace. If a couple insists on having a child without use of readily available genetic testing, then society can hold them responsible for any ensuing problems with that child, whether its mild social maladjustment or catastrophic illness. What once would have been cause for sympathy and financial support from society now becomes cause for social stigma.

Governments will be sorely tempted by the benefits of applying genetics. Genetic determinism provides a very attractive theoretical basis to planners for solving such problems as homelessness, poverty, and crime: mandatory testing can isolate the genetic predispositions toward such sad states, and then the state can terminate at least the capacity of such individuals to reproduce. Involuntary sterilization is rather coercive! If this seems implausibly extreme, reflect on the fact that by 1931 some thirty states had sterilization laws, many of which were being actively applied to reduce undesirable classes. Then Hitler gave eugenics a bad name. Memories pale. Now the miracles promised by genetic research reinforce a growing faith in genetic determinism, laying the groundwork for a new eugenics.

### A Narrower Range of Acceptable Normalcy

How much deviation from an ideal norm will be acceptable in utopia? Less than we might initially expect. Medicines job is to cure diseases. Obesity, alcoholism, and clinical depression are diseases; at least, some people consider some of these to be diseases. At the minimum, the propensities toward such defects are found in the genes, so corrections at

that level will be sought. Most people consider cynicism and pessimism to be less conducive to a cheerful life than optimism; so presumably these qualities will be identified as defects in want of correction through genetic engineering. Rifkin gives short stature as one current example of the shift from acceptable personal characteristic to an "illness" that doctors can now treat with hormones. How far will the trend go to purge departures from a social concept of "normal"?

The philosopher Philip Kitcher, certainly one of the more conservative writers on the subject, provides a hypothetical depiction of the scene a couple of generations hence: genetic medicine, practiced in a culture of "reproductive responsibility," has virtually eliminated such congenital defects as Tay-Sachs and Down's syndrome, and has gone on to eliminate obesity and homosexuality; now the issue is whether to eliminate left-handedness.

A subtler and often unjust constriction on acceptable normalcy will stem from increasing reliance by parents, physicians and officials on statistical probabilities. At the present time, to avoid congenital illnesses genetics relies on selection from a couple's embryos in vitro, and is based on equations of single defective genes with virtual certainty of specific diseases, such as Tay-Sachs. It is unlikely, however, that the cause of, say, colon cancer or clinical depression will be confidently linked to a single defective gene. Rather, the geneticist will be looking at complicated patterns of causation involving several genes and environmental factors. The solution will almost certainly be to link propensities toward specific defects to combinations of specific gene-forms on the basis of statistical probability, e.g., someone with such and such combination of genes has an 83% probability of exhibiting violent criminal behavior. Lack of complete reliability may seem a small price to pay for preventing cancer deaths, suicidal depressives, and serial killers.

But there is a problem. We must wonder about early-stage embryos whose suspect genetic combination would condemn them, by a shake of the statistical dice, to non-

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*In the new utopia, humans and computers will combine into a global system to reverse planetary warming, prevent famine in sub-Saharan Africa, or resolve ethnic clashes in the Balkans.*

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existence even though these particular individuals would have grown up innocent of the feared defect. In reflecting on an actual instance from the mid-1970s, Kitcher wonders how many mothers did the "responsible" thing and aborted male embryos which were found, through amniocentesis, to carry an extra Y chromosome. It was then believed that such offspring were highly likely to become violent criminals. Later, of course, this belief was found to stem from an error in statistical inference.

As the technology improves, parents and doctors will be able conveniently to achieve relatively trivial, even cosmetic, results. Preventing serial killers may justify some gambling on statistical probability and some narrowing of the human

genetic pool. Preventing hyperactive or introverted children does not justify that. But both advocates and critics of the new genetic engineering agree that if the technology is available some parents will use it and others will feel compelled to follow suit, until the eschewed characteristic, whether shyness or shortness, is banished from the range of acceptable normalcy.

Thus we have an irony. The promise of genetic engineering is to give parents greater choice in designing their offspring. Actually, in the long run, economic and social

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pressures to use a ready technology will reduce parents' options to a narrower range of conformity.

Bounds of acceptable behavior are being constricted on another front. Cybernetic technology is ubiquitous. Refusal to rely on it is to place oneself outside the pale in a business or professional culture, and the costs can be high. One use of the Internet (as reported in *The New York Times* on April 29, 1999) illustrates the power of current cybernetic technology to shape and constrict human behavior. College students seeking their first professional jobs are compelled to focus a great deal of energy on application documents that can be easily scanned for key words and will look professionally polished in a variety of text languages. Such adaptations have very little to do with communication of relevant information. One applicant was quoted in the *Times* as saying, "It seems as if a computer is reading it. It's too impersonal." Her suspicion is quite correct. Many large colleges and corporations do, in fact, initially screen applications by such computerized processes as key word searches. Successful applicants have always felt forced to adapt to the expectations of prospective employers. But in these Internet applications the medium, not the interviewer, makes the decision.

Cybernetic technology will also be the primary agent for narrowing the limits of acceptable normalcy for cultures. Nicholas Negroponte, founder of MIT's Media Lab, captures the essential nature of the new world order in the title of his best-selling book *Being Digital*. He foresees cybernetic culture pervading every aspect of life and unifying all peoples around the globe into a homogeneous world society. He provides ample evidence that the expansion of digital culture worldwide is well under way. In *Metaman*, Gregory Stock describes just how inexorably this cybernetic culture will dominate: "Cultures that try to preserve their cherished traditions by blocking out the rapidly changing world cannot long succeed."

A spate of news reports on a study published in *Science* illustrates subconscious assumptions which drive acceptance of the cybernetic monoculture. The study shows that blacks paired with whites on the basis of income and education are much less likely than the whites to own computers.



Newspaper reports of the study found the disparity in computer use to be a "disturbing" problem in want of correction. It apparently never occurred to anyone to investigate the worth of cultural values which produce *less* enthusiasm about joining the digital age. Negroponte and Stock are on the mark: enthusiastic immersion in cybernetic culture will be the norm to which all societies will eventually be expected to adhere.

But reduction in human and cultural diversity would have a high cost. In the long run, survival of a species depends on adaptations to changing circumstances — it depends, in effect, on the capacity to evolve, which in turn depends on having a diversity from which to draw. As Kevin Kelly explains, "A uniform entity [whether species or culture] must adapt to the world by occasional earth-shattering revolutions, one of which is sure to kill it. A diverse heterogeneous entity, on the other hand, can adapt to the world in a

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thousand daily minirevolutions." Kelly, certainly not a sentimentalist, argues for the value of preserving esoteric cultures, such as aboriginals.

From a more abstract perspective scientist Ray Kurzweil arrives at the same central notion: to adapt and evolve, a species or culture must draw on a range of choices. Perhaps ironically, Kurzweil's reasoning is buttressed by computer simulations of evolution. Kurzweil himself, however, remains sanguine: within a century, machine intelligences will be in every way superior to current, primitive human intelligences. Perhaps with a thousand different cultures on which to draw, from Navajo to Irish poet, we might duck that bullet. We might retain some sorts of spiritual and creative human superiority. But with a global monoculture built around computer technology our chances of dodging Kurzweil's well-argued prediction seem considerably less.

### Technology And Personal Identity

The notion that each of us is a complexly integrated being with a unique identity is under attack, partly in the form of a double-barreled reductionism. One type of reductionism views each human as essentially an information-processing system, arguing that we differ from other information-processing systems, whether organic, social, or mechanical, only in our brain's greater capacity to contain and internally arrange information. This capacity marks our superiority over the amoeba and the orangutan . . . and our presumed future inferiority to new generations of supercomputers. The other type of reductionism splinters the individual into a conglomerate of discrete characteristics, each of which can be defined by DNA analysis and be subjected to manipulation by genetic engineering. As the technology becomes more reli-

able, transgenic engineering could combine genes from other species into human embryonic cells, thus "improving" the human species, at least for those individuals and their progeny. After all, in this view, there is nothing significantly unique about humans, either as individuals or as a species.

Another attack on individual autonomy results from our virtually unavoidable integration into broad networks of information. Can a person under constant scrutiny develop and flourish as a unique being? Probably not, or various rights to privacy would not have been so gravely protected from chilling invasions since before the founding of this nation. Privacy is a source of personal freedom, most clearly freedom from self-incrimination under the law, but also, though less dramatically, freedom from self-revelation in a host of areas from financial activity and health to entertainment preferences. In the cybernetic world, individual citizens' privacy is evaporating. Repeatedly at issue are government initiatives to protect sensitive agencies and financial infrastructures against cyberterrorists. The power that these initiatives would give government agents to access, for example, innocent persons' e-mail, draws vigorous objections, even from some politicians. But such issues of security versus privacy are largely a matter of posturing rather than real policy making. Our dependency on cybertechnology makes serious threats to its reliability unacceptable, regardless of what privacy rights must be trampled to assure that reliability.

Invasions of privacy by commercial and partisan interests, unwarranted by even a pretense of social need, are chilling. A brief article in the May 1999 *Harper's* describes an unusually sophisticated piece of software, GeoVoter, which can provide a political candidate with "potential constituents' attitudes toward everything from private property rights to taxation," drawn from "any list ranging from activists to anglers, from corporate officials to NRA members," and of course with classification according to income, occupation, age, profession, and party affiliation. It provides the candidate this analysis of target audience down to the household level. GeoVoter, according to *Harper's*, was used in twenty-one states in 1998.

A decision announced on August 18, 1999 by the United States Court of Appeals, 10th Circuit, gives the tone of the era: "Although we may feel uncomfortable knowing that our personal information is circulating in the world, we live in an open society where information may pass freely." *U.S. West Inc. v. Federal Communications Commission* gave telephone companies the right to sell lists of numbers called and services used by customers to other companies. Joe Smith should bear that in mind when he calls his therapist or his bookie. Of course, this loss of privacy is vastly compounded in cyberspace by interlocked data banks, to say nothing of hackers. If we assume that developing individuality requires some privacy, then personal development must be stunted by the oppressive, subconscious awareness that there are no longer many secrets.

Emotional depth, as a dimension of personality, is also stunted by the new technologies. Antonio Damasio, a chaired professor of neurology at the University of Iowa College of Medicine, drew largely on clinical observation of brain-damaged patients to formulate a theory that rational thought is driven by emotions which in turn depend on physical sensation and experience. His book *Descartes' Error* reverses the famous maxim to read: "I am, therefore I think." Damasio's

thought is driven by emotions which in turn depend on physical sensation and experience. His book *Descartes' Error* reverses the famous maxim to read: "I am, therefore I think." Damasio's findings on the primacy of physical experience in emotional development have profound implications for a society increasingly existing in the mediated world of cyberspace. A *New York Times* article on September 2, 1999 was titled "The Digital Brain Drain: So Many Computers, So Little Interest in Hard Science." It ended with an elementary teacher contrasting physical lab experiments, which produce continued interest, with computer-mediated simulations, which bored students after one exposure. She concluded: "[Students] can learn from computers, but they need . . . hands-on experience to get hooked on science." Other evidence is based on the first comprehensive study, reported in 1998 by researchers at Carnegie Mellon University, of the psychological and social effects of Internet use (*The New York Times*, August 30, 1998). The researchers were shocked to discover that even "social" uses of the Internet "decreased psychological well-being" and increased depression among normal adults.

The perception of the human mind and soul as a machine or a congeries of genetically determined characteristics, the disappearance of personal privacy, and the atrophy of emotional capacity are consequences of emerging technologies or perhaps the misuse of emerging technologies. The most salient shrinking of the human soul, however, would be negation of free will and with it personal moral responsibility.

Intuitively, we reject this ultimate attack on our identities as autonomous individuals. We insist that morality exists. Genetic determinists have a ready answer: A central

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*Sex or gambling, is (according to many scientists) linked to genes, rather than to weakness of character.*

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theory of evolutionary psychology tells us that "morality" is what has over time proven to be the most effectual means for genes to assure their continued survival generation after generation. Philosophy, religion, serious literature, and political idealism, all are merely subterfuges to conceal a genetic determinism which can theoretically be described with mathematical precision. Francis Crick, as quoted by Appleyard (29), warns, "The development of biology is going to destroy to some extent our traditional grounds for ethical beliefs, and it is not easy to see what to put in their place."

Substitution of genetic determinism for free will has unpleasant consequences beyond demeaning the human spirit. The notion that an individual is responsible for his or her actions — free will — is a central assumption in our legal and moral systems. But in utopia individuals can hardly be held responsible for their genes or for actions deterministically flowing from those genes. Nevertheless, society will still have to protect itself from criminals. The only practical solution, until defects are purged from the species, is mandatory genetic testing and preemptive action, including preventive incarceration. Recall that many of the links between

genes and criminal traits are based on statistical probabilities. The notion of political agitation as sign of criminal defect opens still further possibilities for controlling large societies in the name of the greater good. Some readers may feel secure that preemptive incarceration on the basis of a likelihood, or even a possibility of criminal behavior, is impossible in America. They should recall the preventive detention in internment camps for Japanese-Americans during World War II.

In sum, the new technologies invite conceptualizing future humans as information-processing systems genetically pre-set to fit narrowly defined ranges of acceptable normalcy. Decisions of any importance will be made, as for example they are now in an increasing number of major

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*Microsoft or Monsanto or Genentech has no more right to dictate our futures than does a federal government.*

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investment houses, by machine intelligences with minor roles for human input. Denied significantly unique identity and free will, the individual can appropriately be subordinated to the welfare of the global society, to Metaman. Those few hardy souls who resist utopia will, like recalcitrant cultures, be banished to the fringes; they will cease to matter.

### Let Go With Dignity?

In dozens of books, articles, and speeches, I encounter the phrase "brave new world(s)." This allusion must resonate deeply, even with people who have only a vague notion of Huxley's novel. It's hard to sort out the emotions which may be stirred: respect, yes, and perhaps awe for technology; though Huxley's title seems, as he intended, more often to suggest irony, even fear, than enthusiasm. We buy into the little conveniences and welcome the big promised breakthroughs, especially in health. Still, if the anxieties of a society can be detected in its popular novels and movies, then large numbers of people in the United States and Europe are having serious subconscious problems accepting the technologies that will usher in Metaman.

The fundamental question is: Do we have any choice? The prophets for the new world — Negroponte, Stock, Silver, Bill Gates, and others — are generally quite forthright: No, we don't have a choice, at least not on any of the important issues in, for example, genetic engineering or reliance on machine intelligence. I think otherwise. To accept their future as inevitable is tantamount to being imprisoned in that future. We do have choices.

Pockets of resistance have formed in both scientific communities and the general public. At the level of technical capacity, Joseph Weizenbaum, a pioneer computer scientist at MIT, argued forcefully in his 1976 book *Computer Power and Human Reason* that computers were inherently incapable of some sorts of thinking and therefore some sorts of decisions should be left to humans. Although writers such as Stock and Kurzweil extol the vast increases in computer power and range, I don't think they have ever convincingly refuted Weizenbaum. Echoes of Weizenbaum's reservations live on in public school teachers who object to the assump-

tion that providing every student with a computer and an Internet connection will necessarily produce happier people or wiser citizens.

As early as the late 1960s, as Appleyard among others describes at length, many scientists urged caution and restraint in genetic research. After the discovery of recombinant DNA in 1974, a nonbinding moratorium on DNA research was agreed to. During the late 1960s and the 1970s scientific cautions, including the moratorium, were overrun by ambition for commercial exploitation. This pattern has continued ever since. On September 2, 1999 *The New York Times* reported that Dr. Joe Z. Tsien at Princeton had discovered gene manipulations which produced more intelligent mice and which showed promise for the same results in humans. Fellow scientists praised Dr. Tsien's discovery, but at the same time urged caution. Dr. Eric Kandel, for example, pointed out that enhancing human intelligence "is a very slippery turf from a moral point of view." Scientists are far from unanimous in viewing full development and application of genetic research as either inevitable or desirable.

Has resistance to these new technologies ever been effective? Yes, at the political level it has. In Europe where the new genetic technologies have been vigorously opposed, a European Parliament committee in 1989, according to Appleyard (90), recommended against genetic modification which would interfere with human evolution. More recently, under intense public pressure from some farmers, officials and followers of Jeremy Rifkin, Monsanto disavowed any intention to commercially market seed containing the so-called Terminator gene, which would compel farmers to buy new seed each year (*The New York Times*, October 5, 1999). And on November 6, 1999, the *Times* reported that public resistance persuaded the British government "to extend its current ban on commercial growing of genetically modified crops for three more years." Public intervention can shatter the arrogant facade of "inevitability" assumed by the futurist technologists.

Acceptance of the coming utopia takes place incrementally and on several fronts at once. So the critic must select which aspects to accept and which to oppose. One can, for

example, agitate against manipulation of the human germ cells which control evolution, while accepting use of transgenic animals to produce medicines for human use. Or one can oppose making cybernetic technology central in public education, while accepting the Internet as one communication tool.

Almost every one of the myriad incremental steps toward utopia appeals to some value such as competitive advantage or convenience. Unintended, long term, or more fundamental effects are often ignored. Thus, those who feel ethically responsible to oppose some technological innovation are challenged to persuade others to see beyond the temptations of short-term appeals.

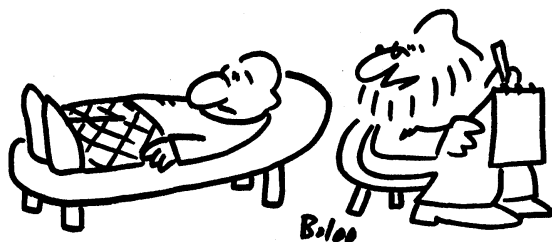
The rhetorician Richard Weaver advised that the strongest foundations for arguments are to be found in what he called first principles. For critics of utopia these would be fundamental assumptions, such as the need to preserve moral autonomy and to value the identity of humans as both individuals and species. The raw material from which to dialectically refine first principles is found in the humanities — history, serious literature, philosophy — not in the data of science.

Now we probably stand on the threshold of genetically engineered improvements in human intelligence. Scientists and informed lay persons express misgivings about using the technology, but their reasons often seem without solid persuasive foundation. On the use of nuclear weapons after WW II, by contrast, there were tangible reasons for "why not?" Unfortunately, even sound reasons like "respect natural diversity within the human species" lack the palpable impact of reasons like "avoid incineration or agonizing death from radiation."

Thus, persuasive effect depends on making first principles vividly and forcefully important as arguments against excesses of technology. This requires what Weaver called the art of emphasis and what Cicero described as the means of "copious amplification": wit, vivid description, argument by literal analogy, figurative analogy, multiplicity of arguments appealing to various motives, and other types of language choice calculated to stir deep-seated emotions.

So far, such amplification has taken place largely in fiction, as in the popular entertainment films *The Net* and *Gattaca*. Even serious critics of the approaching utopia have for amplification often reverted to two classic novels, *Frankenstein* and *Brave New World*. But despite Marshall McLuhan's compelling argument that creative artists are the early warning system for humankind facing the impact of new technologies, fiction is easily dismissed as merely fiction. One rhetorical strategy would be the explicit combination of fiction and fact. Simon Mawer did this effectively in his novel *Mendel's Dwarf*, which intertwined a well-informed history of genetic research with a dramatized dilemma about whether to apply it — in this case, through embryo selection — at cost to the personal identity of the central character.

Commercial interests pushing the new technologies try to capitalize on libertarian resistance to government. However, key policy issues cannot be reduced to a simple matter of government versus the rights of entrepreneurs. The fundamental rights are those of private citizens. Microsoft or Monsanto or Genentech has no more right to dictate our



"Oh, I wouldn't recommend a mental hospital — It took me years to get out of one of those."

# Handcuffing the Nutrition Cops

by Durk Pearson and Sandy Shaw

The days when the Food and Drug Administration could violate the First Amendment with impunity are coming to an end.

The FDA continues to act and to plan as if the Congress hadn't intended that the FDA implement the provisions of the Nutrition Labeling and Education Act of 1991 (NLEA) and the Dietary Supplement Health and Education Act of 1994 (DSHEA), one of which is to increase the flow of health information to consumers by approving truthful health claims. The FDA is also refusing to comply with the decision in *Pearson v. Shalala* (1999) in which the U.S. Court of Appeals for the District of Columbia Circuit ruled 3-0 (later voting 11-0 to deny a rehearing) that the FDA's health claim approval process for dietary supplements violated the First Amendment. This decision is now the law of the land, since the FDA did not appeal to the U.S. Supreme Court during the statutorily allowed period.

The FDA has now denied a health claim petition which sought permission to claim that saw palmetto may reduce the symptoms of benign prostatic hypertrophy on the basis that the claim went beyond mere reduction of risk and actually amounted to a disease treatment and was therefore (in FDA's view) a drug claim, not a dietary supplement claim. This is plainly in violation of the law: the Dietary Supplement Health and Education Act of 1994 defines herbals as dietary supplements that were not to be regulated as drugs. The DSHEA made it clear that health claims for dietary supplements were not to be held by the FDA to the prescription drug standard of evidence. Clearly, the reason for the FDA's denial of a health claim for saw palmetto — in violation of congressional statute and court ruling — is to protect the market for the prescription drugs that are used to treat benign prostatic hypertrophy. (Saw palmetto is as effective as these drugs, is much less expensive, and has far less potential for adverse reactions.) We have sued the FDA on First Amendment grounds for denying this claim, as well as on grounds that it has violated the DSHEA.

The new suit is a continuation and expansion of the process we started by filing our original suit (resulting in the landmark ruling in *Pearson v. Shalala*) that will eventually

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result in the FDA's losing its current authority over dietary supplement health claims. There now exists — thanks to the NLEA and DSHEA and various court decisions — a nearly free market in dietary supplements, an important part of modern medicine. The FDA can run but can't hide from the ultimate consequences of its resistance to this new, powerful, and growing market.

The FDA has also denied two recent health claim petitions: one for the claim that folic acid, vitamin B-6, and vitamin B-12 may reduce the risk of vascular diseases, by reducing homocysteine levels; the other for the claim that vitamin E may reduce the risk of cardiovascular disease. The evidence for these claims is powerful, though not conclusive. (In science, of course, nothing is ever conclusive in the sense that one knows all there is to know about something. There is always new information being discovered and, hence, one must continually modify one's model of how things work. This sort of change is anathema to the FDA's attempt to say everything is either 100% conclusively true or 100% false and there are no gradations in between.) We have petitioned the FDA to reconsider these rulings. If they refuse (which is likely), we will sue them again. [You can download our petitions and briefs at [www.emord.com](http://www.emord.com).]

The goal of the new FDA Ten Year Plan for Dietary Supplement Strategy (<http://vm.cfsan.fda.gov/-dms/>) is to establish by 2010 a "science-based regulatory program that fully implements the Dietary Supplement Health and Education Act of 1994" — in other words, that it will need only sixteen years to implement the DSHEA. One wonders how the public would have reacted if, in 1970, the Justice

Department had announced that it was working on a plan to implement the 1964 Civil Rights Act by 1980.

Many of the items listed in the Ten Year Plan which the FDA proposes to define — for example, the difference between a dietary supplement, and a drug, or when a disease claim for a dietary supplement becomes a drug claim — have already been decided by statute. Apparently, the FDA's theory is that it can debate matters already decided by law for more than a decade in order to evade the law.

FDA also proposes to "clarify" the regulation of a "dual status" product, which is a substance that is used both as a drug and as a dietary supplement. An example is beta carotene, which is used at very high dose levels in the treatment of xeroderma pigmentosum and in much lower doses as a component of dietary supplements. But there is nothing to "clarify" since beta carotene qualifies as a dietary supplement under DSHEA and, as such, cannot be regulated as a drug.

### The First Amendment and Nutritional Information

One of the provisions of the DSHEA is that a dietary supplement may contain information on its label about the relation between a dietary supplement and a structure or function of the body without receiving prior FDA approval, provided no claim is made for the treatment or prevention of disease. In a "clarification," the FDA has ruled that one can point out that a supplement "helps maintain a healthy cholesterol level," but cannot claim that a supplement "helps prevent an unhealthy cholesterol level" because the latter would suggest prevention of a disease, while the former somehow wouldn't. The FDA published 50 pages of rules on when and how these "structure/function" claims can be made, making it unlikely that any important information can be provided.

The FDA doesn't like structure/function claims because even if such claims don't explicitly mention a disease, a consumer may know the relation between that effect on a function and the risk of a disease. Hence, the FDA is trying to

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*FDA has ruled that one can point out that a supplement "helps maintain a healthy cholesterol level," but cannot claim that a supplement "helps prevent an unhealthy cholesterol level."*

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eliminate any structure/function claims where somebody might infer that the supplement would have an effect on a disease. Most structure/function claims would end up in this category and thus be converted to "health claims" which require pre-approval from the FDA.

The final structure/function rule provides examples and explanations that supposedly make it clear what truthful statements can be made without the FDA's permission. But after reading though the 50 pages of the *Federal Register* (<http://vm.cfsan.fda.gov/~lrd/tr000106.html>), it appears the FDA has instead provided guidance that is so vague that every structure/function claim has to be judged on a case-by-case basis, thus increasing the cost of making such claims and punishing those who attempt to exercise their First Amendment rights. For example, the FDA claims that advis-

ing that a particular dietary supplement "helps maintain cardiovascular health" is not a health claim (and therefore can be included on the label of the supplement), but to say that the same dietary supplement helps "to reduce the risk of cardiovascular disease" is a health claim and thus cannot be included on its label.

It is appalling, but not surprising, that the FDA's First Amendment analysis of their structure/function rule is filled with legal nonsense. For example, the FDA cites (page 1038) commercial speech cases from the 1940s to the 1960s,

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*The fall of the FDA and the opening up of freedom of choice in medicine could have a major impact upon the public's scrutiny of other agencies — such as OSHA and the EPA — that claim to protect public health and safety.*

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during which time the courts accepted much greater government authority over "commercial speech" than rulings in recent cases, such as *44 Liquormart v. Rhode Island*, *Rubin v. Coors*, *Central Hudson Gas & Electric Corp. v. Public Service Commission*, and *Virginia State Board of Pharmacy v. Citizens Consumer Council*.

Perhaps the most ridiculous FDA claim is its assertion that "As a government agency with no financial stake in either permitting or denying claims, FDA is in a position to evaluate the strength of the safety and efficacy evidence objectively" (1039). This is just plain false: the FDA receives hundreds of millions of dollars each year as "users' fees" from pharmaceutical companies to approve drugs. If the FDA cannot protect the market for these drugs from dietary supplement competitors, pharmaceutical companies may decide to stop supporting the FDA. Contrary to its claim, the FDA stands to lose a lot of money.

Finally, and most astonishingly, the FDA simply rejects the Court's decision in *Pearson v. Shalala*. It asserts that if it permits, as the law requires and the Courts mandate, claims about the effect of dietary supplements on diseases (even when they are not "inherently misleading" and are accompanied by appropriate disclaimers), "the longstanding system of drug regulation in this country would be eviscerated" (1040), presumably because drug companies could avoid the expense and time required to comply with FDA regulations. One of the clearly stated purposes of the DSHEA was to allow marketers of dietary supplements to avoid "the time and expense of complying with new drug regulations" in the communication of truthful information about supplements. And of course the First Amendment trumps any "longstanding system of drug regulation."

To support its claim, the FDA brings up the old, discredited argument that the average consumer "does not possess the medical and scientific expertise necessary to evaluate claims about the effect of a product on disease." There will always be those who receive information that they do not understand, but the courts recognize that the First

*continued on page 40*



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## Biography

# Defender of Laissez Faire

by Bruce Ramsey

There was a time when the United States was a free and peaceful republic, and the most widely read economic writer in America thought it should stay that way.

There are those who still think they are holding the pass against a revolution that may be coming up the road. But they are gazing in the wrong direction. The revolution is behind them. It went by in the Night of Depression, singing songs to freedom. There are those who never ceased to say very earnestly, "Something is going to happen to the American form of government if we don't watch out." These were the innocent disarmers. Their trust was in words.

A man with the extraordinary name of Garett Garrett wrote those words in 1938. Garrett saw the New Deal was a "revolution within the form" of the law. "Like the hagfish," he wrote, "the New Deal entered the old form and devoured its meaning from within."

Garrett was the chief economic writer for the *Saturday Evening Post*. In a time before television, the *Post* wielded immense influence in middle-class America. Garrett, as its writer on political economy, defended the old values against the New Deal. He called the old system Laissez Faire, and he knew what Laissez Faire meant. At the time, he was thought of as a conservative, a defender of a world that was slipping away.

"It was a world many people grew not to want, or wanted so little they were unwilling to defend it," he wrote at the end of his life. "Only the strong could love it. Anyhow, it is gone. The number of those who knew it is rapidly declining. In a little while nobody who knew it will be able to remember it at all."

He was born Edward Peter Garrett in 1878 in the village of Pana, Illinois. He wrote often of his upbringing on a farm, and he went back to living on a farm, in Tuckahoe, N.J. as an adult. Although he was fascinated by machines, and called Americans the machine people, his personal ideal was rural self-sufficiency. Like many people who were brought up on a farm, his formal schooling ended at the third grade. He learned thereafter by reading books.

"I was born in the Mississippi Valley, handled a team at

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ten, wore overalls, as all the men did, made by the women out of striped cotton material called bed ticking," he wrote in the *Post* of Aug. 22, 1936. It was a time, he wrote, "when automobiles, tractors, motor trucks and combines were unknown, and except for the steam-engine threshing outfit, the only power was animal power."

At 20, Garrett hopped a freight for Chicago. He started work as a printer in Cleveland, then as a newspaper reporter. He went on to Washington, D.C., and covered President William McKinley. He took the name Garett as a pen name, to make his name more memorable. Later, he would make it his legal name as well.

At age 25, in 1903, he became a financial writer for *The New York Sun*, moving on to *The New York Times*, *The Wall Street Journal* and the *Evening Post*. In 1911 he published his first book, *Where the Money Grows*, a compendium of Wall Street sketches. He wrote for muckraking magazines. From there he went into newspaper management until, in 1919, he abandoned management to be a writer of magazine articles and books.

On December 24, 1921, the *Post* began serializing Garrett's second novel, *The Driver*. The story begins in the 1890s. In response to populism, Congress has ordered the coinage of silver dollars with half the value of gold dollars. "Anyone would know what to expect," Garrett wrote. "People ran with white dollars to the Treasury and exchanged them for gold." Bank runs were followed by depression.

Garrett, who had lived through it, said the depression of the 1890s was worse than the 1930s, because the country was much less wealthy when the 1893 depression began than in 1929. Out West, union gangs commandeered railroads. The

army was called out to protect mail trains. That depression brought "a great swell of radical thought," Garrett wrote. A man named Jacob Coxey, owner of a sandstone quarry in Ohio, organized a march of the unemployed on Washington, demanding that people be put to work building roads. To pay for it, Coxey proposed that the Treasury should sell \$500 million in zero-interest bonds.

"Coxey's Army" set out on Easter Sunday, 1894, holding a banner:

*Peace on Earth.*

*Good Will to Men.*

*But Death to Interest-Bearing Bonds.*

The newspapers printed the story as light news. "Then everybody begins to talk about it," Garrett wrote, "and the response is amazing. People laugh openly and are secretly serious."

The New Deal could have begun right there. William Jennings Bryan would have done it. President Grover Cleveland did not.

Garrett's novel tells the story of Henry Galt\*, an investor who buys up shares in a midwestern railroad and takes control in receivership. "The country is rich," Galt proclaims, "Nobody knows it. Nobody will believe it." But Galt does.

All the years he has spent memorizing the railroad's curves and grades, its cost of fuel, its sources of freight, he puts to use. He pores over a map. "Cut that grade down to 3 percent," he says, "and freight can be moved at a profit."

But it would cost money the railroad doesn't have, his assistant says.

Borrow it, Galt says.

"You and Coxey ought to confer," says the assistant. "You are not so far apart. He wants the Government to create work by the simple expedient of borrowing money to build good roads. And here you say the railroads, if they would borrow money to reduce their grades, might employ all the idle labor there is."

"It isn't the Government's business," Galt says.

Garrett would try to maintain that distinction in the Depression of the 1930s. He, too, would remind people how rich they were, though they were in no mood to hear it. He would also argue that the way out was to take advantage of cheap capital and labor, and invest to cut costs.

In 1932, with the Depression around him, a mature

Garrett went looking for such successes. He found them: a producer of ruffled curtains who had devised a new sales system; a producer of lawn rakes who pioneered a new design; a producer of toys who developed penny toys. There was the Harvard Business School prof who bought a failing woolen mill, broke up the cast-iron machines and replaced them with new ones. This man went to buyers in Manhattan, and found that their big complaint was having to wait four to six weeks for merchandise. "Well, here was a man who

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*Although he was fascinated by machines, and called Americans the machine people, his personal ideal was rural self-sufficiency.*

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would undertake to make delivery in two weeks, or, under extreme pressure, in eight days," Garrett wrote in the *Saturday Evening Post* of August 6, 1932. The professor got the business.

Garrett summed up, "The man who beats depression is in every case a pattern breaker who has in him the business passion . . . He wastes no more of his thought matter on universal solutions, or on how, by some act of monetary legislation or government policy, prosperity may be restored at one stroke. He gets all his energies free to act upon one problem." His problem.

The economy posed less risk than people thought. "The factory yards are bare," Garrett wrote. "Where normally there would be piles and pyramids and stacks of raw material, now there is little." In stores, he wrote, "the whole of a merchant's stock is on the front edge of the shelf."

The bubble had burst — that was the bad news. The good news was that it could not burst twice.

For the economy to recover, psychology had to change. "Everyone is afraid," he wrote. "And where, three years ago, it was shrewdness in the manufacturer to buy first and then sell, lest his cost of raw materials should rise overnight . . . now in that same manufacturer it is acumen to sell first and then buy."

What that meant, Garrett wrote, was that "if suddenly the idea should break through that prices are on the ground, because there is nothing more to be liquidated and nobody has anything to sell, then a slight impulse to build up stocks and inventories might easily produce a universal buyer's panic."

For enterprises like the railroads, the old way of dealing with financial panics was to let capital values deflate. If claims were unpayable, write them off. Let new hands take control of the tracks and rolling stock. "By that healthy process we had again and again, after every crisis, in fact, junked what was dead in our capital structure," Garrett wrote in the *Post* of September 29, 1934. "And it was one secret of our economic strength that we did it in a ruthless manner, no matter how much it hurt. Between 1892 and 1896, 200 railway companies, representing one-quarter of the country's total railway capital, went into receivership and were reorganized. In the next ten years the entire railroad system was rebuilt with new capital."

What brought recovery was an "heroic and competitive reorganization of industry," he wrote in the *Post*, December

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\*Justin Raimondo argues in *Reclaiming the American Right* (1990) that this is where Ayn Rand got the name of John Galt for *Atlas Shrugged* (1957). I suppose she may have, but the similarities between the books are superficial. Rand opens with the line, "Who is John Galt?" which appears again and again, and has a mysterious significance. *The Driver* twice uses the line, "Who is Henry M. Galt?" but it is a simple question. Henry Galt is a businessman emblematic of laissez-faire, but presented more in terms of macroeconomics than a moral ideal. He is not a Rand character. His motivation isn't to build things, but to run them properly. He runs his railroad financially; you never see him on a train. And *The Driver* doesn't have the atmosphere of *Atlas Shrugged*. The sense of doom in the first third of Rand's book is more like that in Garrett's later essays, "Rise of Empire" and "The Revolution Was."

16, 1933. "Those who got their costs down and their profits back immediately swept the field."

"Such a thing now is forbidden," he wrote. Under the banner of the Blue Eagle, Franklin Roosevelt's National Recovery Administration required industry to get special licenses to buy new labor-saving machines. The policy was, "Wear out the machines we have." This was part of a broader attack on machine efficiency. Bills were introduced in Congress to forbid patents on labor-saving machines, and to tax machines on the amount of labor they saved.

In earlier depressions, Garrett wrote, the first to recover were the makers of machine tools. Not this time. Machines would be put in their place — an idea Garrett found disturbing. In the *Post*, November 12, 1938, he wrote, "When you speak of taming the machine, what you are really suggesting is that the creative power of man shall be restrained."

But in the short term, limiting production held out hope for owners whose investments were under water. "That fact was let pass as a minor inconsistency," Garrett wrote in the *Post* of February 23, 1935. "The New Dealers themselves never stressed it, and besides, this was the sweetness that reconciled business and finance to much else that was sour to their taste."

On the farm, the New Deal began by plowing under cotton and slaughtering pigs.

The farmer's problem predated the Depression. Agriculture had boomed during World War I, when America fed Europe. After the war, the boom predictably collapsed. In the *Post* of April 12, 1924, Garrett was writing about the farm depression in Minnesota, the Dakotas and Montana.

It was an old story. When food prices went up, land went up, and the farmer's credit at the bank went up. "Practically all these bankrupt farmers," he wrote, "besides having mortgaged their land, borrowed money also on their notes at the local bank."

The city man had got much more out of the 1920s than the farmer had. The New Deal promised the farmer to

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*Bills were introduced in Congress to forbid patents on labor-saving machines, and to tax machines on the amount of labor they saved.*

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restore his rightful position. "But suppose the trouble is that the farmer's contribution to the total product of modern wealth is unequal," Garrett wrote in the *Post* of August 22, 1936. "Suppose that the trouble is that the contributions of others have increased more than his. In that case, the problem is how to increase the farmer's contribution."

Garrett's answer was the same as for industry: accept low prices. Reorganize. Use new technology. "The chemists have taught the textile makers to get a silklike yarn from the cellulose of wood," he wrote. Instead of subsidizing cotton farmers, let them clear out the cotton and plant their land in pine trees. Create a new industry of Southern forestry, logging, paper and rayon.

All this would happen, but not in the 1930s.

The main industrial policy of the later New Deal was

unionism. Before the New Deal, Garrett wrote in the issue of September 23, 1939, "the attitude of the Government toward labor relations was neutral. Freedom of contract was supposed to make all persons equal. Labor was free to organize and bargain collectively if it could; the employer was free to resist and keep open shop if he could. Thus the crucial thing — namely, the price of labor — was fixed by trials of economic strength. . . . It was generally true that the employer had the advantage in bargaining. That he used it systematically to depress wages was not true. This was the highest wage country in the world . . . and an open-shop industry might be the highest wage industry of all, paying more than union wages — for example, the motor industry, which for that reason was for many years the despair of the organizer."

The New Deal made the worker's right to bargain for himself subject to the vote of his co-workers. In the *Post* of October 27, 1934, Garrett described the strike at the Kohler Co., where 1,105 workers had voted for the union, 647 against it, and 400 hadn't voted at all. Old Mr. Kohler was willing to recognize the union as representing the 1,105 —

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*The city man had got much more out of the 1920s than the farmer had. The New Deal promised the farmer to restore his rightful position.*

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but not the rest. But under the Blue Eagle, and after that, the National Labor Relations Act, the union represented all of them. The result of this principle in the late 1930s was the largest increase in unionism in American history — from 13.7% of the non-farm workforce in 1936 to 27.5% in 1938.

In the issue of March 18, 1939, Garrett described Seattle, "the perfect closed-shop town" under Teamster boss Dave Beck.

"The hotel men of Seattle were fearful of a strike," Garrett wrote. "They appealed to Beck. He made all hotel employees Teamsters . . . then he fixed wages at what the hotels could afford to pay, which was just at the point of ouch; appointed hours and conditions, imposed discipline. There was no strike. The hotel men, half hating him, all trusting him, were properly grateful."

Garrett wrote, "What Beck says to business is, 'Let us collaborate. We fix wages. You fix the prices that are necessary to pay the wages and leave you a fair profit, and let us both be reasonable. We will police your prices to see that no chiseler breaks them down.'"

This was not socialism. But it was not the old capitalism, either. It was the Teamsters as the Blue Eagle.

Garrett wanted to ask Beck, "But are you sure that under such happy conditions Seattle would not decay at the roots? What incentive would there be for a man to improve his methods, to risk his capital in new machinery . . . ? What is to save you from becoming a static community . . . ?"

It was a question for the whole country. The New Deal had tried the theory of prosperity through scarcity. "High wages, high costs, high prices, limited competition and controlled production — that was the formula for recovery," Garrett wrote. "A surplus measure of grain, a surplus pig, a

surplus bolt of cloth, was regarded as a social calamity."

Did it work? A measure of recovery occurred between 1935 and 1937, but it was slow. In 1937, the market crashed. In twelve weeks stocks fell by one-third. Steel production fell 80 percent from its 1937 peak. General Motors laid off 30,000 employees.

Garrett supplied the verdict in the *Post* of March 5, 1938. Even at the top of the recovery in 1937, industrial production had barely reached the level of 1928. Per-capita production was still behind. There was still an army of the unemployed.

The most telling comparison was international. The Depression had been deeper and longer in America. Of the industrial countries, the only one doing worse in 1938 was France, which, Garrett wrote, "was the only one that tried to copy the New Deal."

## Part Two: Revolution

World War I brought the Communists to Russia, and after them, a wave of radicalism to the West. In Germany, the Spartacists tried to seize power. Seattle had America's first general strike. In the "Red Scare" of 1920 the Wilson administration deported thousands of suspected Bolsheviks.

Garrett was dismissive of all this radicalism. In his story, "Red Night," in the April 3, 1920, *Saturday Evening Post*, industrialist Anthony Gault is confronted in his private study by anarchist Jacob Mygatt. The anarchist had wounded him a quarter-century before, and gone to prison. This time Mygatt aims to kill Gault as part of a "red night" of revolution.

Gault is not impressed. "Mygatt," he asks, "how do you account for the fact that your trade is so unsuccessful?"

To Gault, the revolutionaries are romantics. They ignore science and technology. "You employ archaic weapons in a modern world and they break in your hands," he says. "And because people see you do this over and over, they instinctively distrust you to manage their complex industrial affairs."

Gault tricks the anarchist. The "red night" fails.

Radicals of a less crimson stripe took over North Dakota. The anti-capitalist Non-Partisan League, founded in 1915 by A.C. Townley, elected a governor and a legislature from 1919 to 1921. It built a state-owned mill and grain elevator at Grand Forks and a cooperative packing plant at Fargo. It created a state-owned bank to make credit plentiful to the farmer.

North Dakota's experiment became the basis for Garrett's novel, *Harangue* (1928), subtitled *The Trees Said to the Bramble Come Reign Over Us*. It follows the course of a red heiress and her New York cabal, who are invited out West to create socialist institutions. They make a mess of it, and are chased out.

As they retreat, one admits, "The people are not radical here. They are conservative. Radicalism in this country is a pale ferocity. A personal attitude." The farmers had been enjoined to rise like peasants against the castle. "They are not peasants," he says. "They are proprietors of the land they work. And there is no castle."

A decade later, the attitude was different. The Depression of 1929-1939 put many Americans in the mood to try something new and even radical. Money had always been a favorite topic of homespun social engineers. In the *Post* of October 6, 1932, Garrett noted that writers about money "will be immediately overwhelmed with letters of five hundred to ten

thousand words long . . ." If he checks in to a hotel, he will be "waked on the telephone, or else taken unawares at breakfast, for fear he may escape without hearing a new formula of exorcism."

A Midwestern banker gave a radio speech entitled, "If I Were King." In earlier years, people would have laughed at a banker who talked like that. But "a change has taken place," Garrett wrote. "All the prophets have failed. Unknown roads lie open in all directions. There is a medley of voices proposing this way and that way to go, just to see what will happen."

He was thankful that there was no wild man like Bryan running for President: "In the presidential campaign of 1932 the worst is a choice between Hoover and Roosevelt." Garrett was friends with Herbert Hoover, reports biographer Carl Ryant in *Profit's Prophet* (1989), and had corresponded with Roosevelt.

Franklin Roosevelt was no radical. On the gold question,

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*The Depression had been deeper and longer in America. Of the industrial countries, the only one doing worse in 1938 was France, which, Garrett wrote, "was the only one that tried to copy the New Deal."*

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the Democratic platform promised "a sound currency to be preserved at all hazards." Roosevelt, pinned down, had affirmed that.

Yet there were dangerous currents. In the *Post* of January 21, 1933, Garrett wrote, "Leaders of industry themselves are proposing to do what only the antagonists proposed before — namely, to stabilize industry by coercion and restraint, to limit production by a plan beforehand, to control change. A planned economy hereafter."

Roosevelt took office in the midst of a banking panic, on March 4, 1933. He ordered the banks closed for a week. On March 9, he ordered all citizens to turn in their gold. They were not told why, other than that it was an emergency. "It was not expedient for people to realize clearly what the purpose really was," Garrett wrote. On June 5, Congress annulled all contractual promises to pay in gold money. Over the next seven months the gold value of the dollar on foreign markets was devalued to 59 cents.

Roosevelt asked Congress for huge sums to be spent at his own discretion. He got them. He asked for wartime powers over industry, labor and agriculture. He got them, too.

Garrett held off in attacking Roosevelt. But in the *Post* of August 12, 1933, he let fly. Congress had granted "a complete temporary dictatorship in the person of the President," Garrett wrote. "The country is in a state of revolution." It had been done, he wrote, "with no conscious intention, with no serious debate about it, by implied consent . . . There was no program. There was no time to think one out. Yet action was imperative."

The public response was enormously favorable. "The first and all-controlling fact was a change in the feeling of the entire country from worse to better," Garrett wrote. "It began at once and grew steadily as in every direction signs multi-

plied of a real physical improvement in the state of economic being. How much of this was owing to any new cause and how much of it was but the deferred reaction from a state of abnormal depression, nobody was able to say . . . The psychic relief was so tremendous that nobody really cared."

To Garrett, it was unforgivable to default on the promise to back currency and bonds with gold. To be sure, default eased the bind on debtors. Garrett approved of doing that piecemeal, through the bankruptcy laws. If it were done in that way, a price would be paid in reputation and in control of assets. If it were done in Roosevelt's way, it would allow a nation of debtors to get off scot-free.

Default let the Treasury keep the gold. "This gold did not belong to the Government," Garrett wrote in the *Post* of August 18, 1934. "The Government was merely the custodian of it." And repudiation was not necessary. In the issue of September 29, 1934, he reported that the United States owned one-third of the world's monetary gold. If Roosevelt had kept the country on gold, Garrett wrote, "we should have been able to command the free capital of the whole world, offering the only absolute security there was."

Was repudiation constitutional? By five to four, the Supreme Court said it was. The Constitution gave Congress the power to coin money and "regulate the value thereof." Were bondholders cheated? Well, yes. But Garrett reported (May 4, 1935) that, according to the Court, "the holder of a Government bond was not damaged by this act of repudiation, or, that if he were, he could not prove it." Bondholders couldn't prove their loss because "it was impossible to price anything in gold, which no one could possess, or in a dollar worth 25.8 grains of gold that no longer existed."

This judicial sleight-of-hand foreshadowed worse to come. "Many of the things the New Deal proposed to do were of doubtful constitutionality, as everybody well knew; the Government, nevertheless, was resolved to do them. And so it hired lawyers, very subtle with words and periods, to find holes in the Constitution and ways to go around it." This Garrett wrote for the *Post's* issue of Aug. 18, 1934, three years before the Court gave up fighting the New Deal.

The New Deal changed America. Farmers were no longer

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*Defenders of the Old Republic — including such Democrats as Senator Carter Glass and 1928 presidential candidate Al Smith — said that the New Deal's actions on gold, on spending, and on the centralization of power had repudiated the tradition of the Democratic Party.*

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lords of their land. During the Blue Eagle, business owners no longer controlled their enterprises. Workers lost the right to negotiate on their own behalf and to collect their entire pay.

But all these things came with perceived benefits. As Garrett wrote years later, "People were willing. They were not coerced."

Business was remarkably complaisant, particularly during the early New Deal, when the system was not tipped so

obviously in favor of the unions. Though the Blue Eagle was supposed to be voluntary, almost everyone complied. The outstanding exception was Henry Ford. He went to see Roosevelt and Blue Eagle boss Hugh Johnson (soon to become a Roosevelt foe), and announced that he would have nothing to do with their program.

"But for the Ford Motor Company, it would have to be written that the surrender of American business to government was unanimous, complete and unconditional," wrote Garrett in *Henry Ford: The Wild Wheel* (1952). "Its representatives went to Washington in relays and signed Blue Eagle codes, binding themselves under pain of fine and imprisonment, not to compete any more, not to cut prices, to limit production . . ."

Many beneficiaries of the old system were too demoralized to fight for it. In the *Post* of October 14, 1933, Garrett pictured a typical capitalist:

He believes in the system he grew up with — rationally he believes in it . . . He believes in competition, struggle, survival, success. The Government is mad. You cannot restore prosperity by decree . . . Then a strange thing happens. In a moment he turns heretic. "But my God!" he says. "Look at this unemployment . . . Millions of them . . ." No one feels personally responsible, of course; yet there is again and again this sense of guilt about it, especially on the part of those who know how to take care of themselves.

In his inaugural address, Roosevelt had attacked "a generation of self-seekers" and "unscrupulous money-changers" who had "fled from their high seats in the temple of our civilization." In "The Revolution Was" (1938), Garrett wrote, "This was the pattern and it never changed. The one enemy, blamable for all human distress, for unemployment, for low wages, for depression in agriculture, for want in the midst of plenty — who was he? The money-changer in the temple. This was a Biblical symbol and one of the most hateful . . . Capitalism was the one enemy, the one object to be hated. But never was it directly attacked or named; always it was the *old order that was attacked*." The enemy was not the business man, but the *economic royalist*.

In the *Post* of March 28, 1936, Garrett noted a change in the idols of the popular press. Its tone had become cynical; its focus was on poverty and failure; its image of the wealthy was hateful. "The theme of achievement is missing," Garrett wrote. "Ten years ago that had been the ruling theme; and even though what it celebrated had been materialistic only, nevertheless there was with it a sense of direction, and that, too, has been lost."

In the November 7, 1936, issue, Garrett recalled coming to New York as a young man in the '90s. New York was "a hard, unfriendly city" then; it expected you to make it on your own. If you asked for a handout, "you were a bum." He then described a New Deal band in Central Park, playing tunes for unemployed men:

I said to myself, "Here is civility of a very high order. . . . But it then occurred to me to project these people into their own future . . . These who were saying, "No matter what happens, I shall be fed and clothed and housed. The Government will see to it." And then, by contrast, to project in like manner another crowd of the same general char-



acter, but only that each one is saying to himself, "This is very nice, but I ought to be thinking of tomorrow." . . . At the end of twenty years, how will the works of one crowd compare with the works of the other?

A 24-year-old listening to all of this replied that people are out of work because of the economy. It wasn't their fault. Speaking of himself in the third person, Garrett responded, "Suddenly he began to see where the impasse was. His way of thinking was individual. Theirs was not."

Defenders of the Old Republic — including such Democrats as Senator Carter Glass and 1928 presidential candidate Al Smith — said that the New Deal's actions on gold, on spending, and on the centralization of power had repudiated the tradition of the Democratic Party. Voters had not known in 1932 what they were getting. In 1936 they knew —

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*Garret believed in liberty, individualism and self-reliance — inside the United States. At the border he became a nationalist.*

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and they endorsed it. Shortly thereafter, resistance collapsed on the Supreme Court. In 1937 a militant new union federation, the CIO, began organizing through the sit-down strike, which involved the temporary seizure of property.

Where was the New Deal going? In "The Revolution Was," Garrett said that every choice the New Deal made "was a choice unerringly true to the design of a totalitarian government, never of course called by that name here or anywhere else."

It seems a painful exaggeration today. But government today is not leading a great national crusade to conquer the private domain. It was in 1938, as were governments throughout the world. Garrett had no idea where it would stop.

In the *Saturday Evening Post* of January 22, 1938, he described a gloomy dinner conversation with two business lawyers, an electric power executive and a public relations man. "They talked about the Government . . . and what it was doing to business . . . It went on for a long time, and with frequent references to the Constitution." But, "Listen, you economic royalists," Garrett says. "Do you realize that everything you have said could have been expressed in one word? . . . The word is 'fear.' You are all afraid of the Government . . .

They admit it; they are afraid.

Years later, historians would question why private investment collapsed in the 1930s, and whether the explanation that business gave then, the lack of "confidence," was correct. Garrett knew that it was; concern for the safety of capital ran through much of what he wrote during the New Deal.\* In the *Post* of August 31, 1935, he wrote, "Wealth is looking for holes in which to hide itself; it is running to and fro in the world, seeking places of asylum, and willing to pay for them."

At that dinner in Washington, Garrett describes the change in the relationship of citizen to state.

"When I first came to Washington," he says, "the attitude of every man . . . was that the Government was his Government. He supported it. He had something to say about it because he paid the bill." Now "that feeling is entirely gone," Garrett says. "In place of it is fear. No man is sure what his immunities are. He may be suddenly confronted by a law he knows nothing about."

"Yes, we agree," the lawyers for business reply. So Garrett tells them that they should fight for the right ideas. They should stop pinning their hopes on the Constitution: "There is no power on phrases written on a piece of skin to stop government."

"Why don't you write that?" the lawyer says.

He did. But there were too few like him.

### Part Three: Empire

After World War I Garrett wrote a political fantasy, *The Blue Wound* (1921). He imagined that by 1950, Germany has invented a superweapon that could destroy everything within 300 miles. America does not have the weapon because it has relied on German imports instead of building its own chemical industry.

Garrett liked the idea of self-sufficiency, especially at times of crisis. At the bottom of the Depression, he wrote, "There is nothing — almost nothing — in Europe that we need" (*Saturday Evening Post*, July 1, 1933). After the fall of France, 1940, he wrote, "We are the most nearly self-contained nation of modern times" (*Saturday Evening Post*, July 20, 1940).

He believed in liberty, individualism and self-reliance — inside the United States. At the border he became a nationalist.

He would accept a protective tariff (for security reasons or to develop an industry), but he thought that trade should otherwise be left alone. In *American Affairs* (January 1950), he wrote, "Free trade and freedom of trade are not the same. Free trade, as we ordinarily understand the term, means to abolish the protective tariffs, whereas freedom to trade means that people should be free to produce and exchange wealth with other people as they please, and make their own bargains at their own risk, with no direct intervention of government."

He rejected the claim of the free traders that the Depression had been caused by the Smoot-Hawley Tariff of 1930. Imports and exports together added up to just 7 percent of the economy in 1930. The implosion of trade was too small to cause the Depression. What seized up the financial engine, Garrett argued, was unpayable debt, particularly the war debts of Europe and the foreign loans made during the 1920s

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\* Robert Higgs, a contributing editor of *Liberty*, argued in *The Independent Review*, Spring 1997, that investors' political fears prolonged the Depression by reducing long-term investment. As evidence, he cites statements, poll data, short-term and long-term investment aggregates, and, most interesting, a comparison of bond rates. The gap between short and long rates on high-grade corporates jumped in 1935 and remained high until 1941 — as high as 6 percent on 30-year bonds, up from a percent and a half. Higgs notes that this was the most radical period of the New Deal. With the coming of World War II, hard-core New Dealers were replaced by businessmen. The political problem, which Higgs calls "regime uncertainty," ended, and long rates fell.

by American banks. Those were not acts of "isolationism," but of a soft-headed internationalism.

In *The Bubble that Broke the World* (1932), Garrett's book about the credit bubble of the late 1920s, he wrote, "It had long been the darling theme of a few world minds among us that as a people we should learn to 'think internationally.' To 'think internationally,' if it had ever been defined, was a way of thinking not of ourselves alone, but of others too, as all belonging to one world."

It is this that Garrett stood solidly against, even as it rose up around him.

The two oceans had given America the option of going it alone. In Garrett's view, that was what it should do. America should mind its own business.

Mostly it had. But there was always the lure of the moral crusade. "People may think they do it for the good of mankind," he wrote in his last book, *The American Story* (1955). "In fact they do it with intent to change the world, to make it over more to their liking."

They had done it in the war against Spain. And they had done it again in World War I, the war to save the world for democracy. That war, Garrett wrote, had been "a total loss."

Then came the stirrings of World War II. In the April 8, 1939 *Saturday Evening Post*, Garrett observed "the steady onset

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*Garrett didn't want to give weapons to the British. America needed them itself. America should get ready to fight Hitler, whatever the financial cost. But Garrett objected to starting the fight. In the September 7, 1940, editorial he wrote, "For all we think and feel about Hitler, he has not attacked us."*

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of the idea that we shall have to save the world for democracy again . . . You can feel it . . . The American character is inhabited by a strong crusader spirit. Many voices, for different reasons, have been calling to it, and it responds."

In the spring of 1939, Garrett wrote, the catch phrase of the war party was "all aid short of war." The United States should oppose Germany and Japan by measures greater than words but less than blows. That meant economic sanctions. And sanctions, wrote Garrett, "are measures of war."

News stories spoke of Roosevelt's policy toward war. "His policy," Garrett sniffed. "The President does not make the foreign policy of the United States. He has not that constitutional power. He can negotiate treaties, but he cannot make them; a treaty is not made until the Senate confirms it. He cannot declare war. Only Congress can do that. Nevertheless, he can, if he is so minded, provoke war. He can create situations and entanglements such as to make war inevitable. He can, as we have seen, condition the national mind to thoughts of war."

In September 1939, Germany and Russia began the war in Europe. In May 1940, Germany invaded France. Roosevelt declared a national emergency and, in June, 1940, issued an executive order to send military aid to England and France.

Garrett had recently become the *Post's* chief editorial writer. On June 10, 1940 (for the issue of July 13) he wrote,

"The private citizen of a neutral country may sell arms and war material to a belligerent power . . . The government that does it is no longer neutral. It has taken part. It is, in fact, at war."

Garrett didn't want to give weapons to the British. America needed them itself. America should get ready to fight Hitler, whatever the financial cost. But Garrett objected to starting the fight. In the September 7, 1940, editorial he wrote, "For all we think and feel about Hitler, he has not attacked us."

In August 1940 Congress passed the conscription law.

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*The New Deal, said Garrett, was a "revolution within the form" of the Constitution. There is no such revolution underway today. The portion of gross domestic product taken by government has changed little since 1954. In Garrett's lifetime, it changed enormously.*

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Garrett reluctantly accepted it. In a September 24, 1940, editorial, he concluded, "In the extreme case, even freedom is subject to necessity, and one of its rights would be the right to conscript itself."

Garrett didn't accept the argument that a country that refuses to defend itself with volunteers is not worth defending. The American republic was worth defending, and in the kind of war being fought in 1940, conscription was unfortunately necessary. But Roosevelt's purposes went beyond necessity. The war party was embracing conscription with too much enthusiasm, without even trying voluntary enlistment first. "These and many other signs and omens, all clothed in the arguments of defense, were bound to produce forebodings that could hardly name themselves," Garrett wrote. There was the foreboding of "being dragged backward into war," and the greater foreboding that "in order to overcome the totalitarian principle, or not to overcome it, we shall have to surrender our liberties."

To Garrett, the nation's crucial choice was not about conscription, or even war as such, but about what to fight for. In the *Post's* November 9, 1940, editorial, he observed, "The thought of fortifying America, instead of saving the world, may have been a selfish thought; yet we loved it. The dream of keeping a New World of our own may have belonged but to the youth of our destiny, yet we believed it. Say not it was impossible. An America strong enough to save the world was strong enough to stand alone."

In the December 14, 1940, editorial, he noted that in the last four weeks of the campaign between Franklin Roosevelt and Wendell Willkie, both had talked up peace: "It was very remarkable that a positive expression by either candidate against taking the country into war was sure to receive quick and prolonged applause . . . The propaganda of the war party abated almost to the vanishing point." Yet the Washington correspondents predicted that when the elections were over, the war campaign would resume — which it did.

In January 1941, Roosevelt asked Congress for Lend-Lease, which virtually authorized him to give war material to

to countries at war. This law, Garrett wrote in a February 15, 1941, editorial, would give Roosevelt "power in his own discretion . . . to conduct undeclared war anywhere in the world" and to mobilize the nation behind him. "These are the standard powers of a dictator."

Lend-Lease became law on March 11, 1941. To Garrett, that was Congress's real declaration of war. In his May 24, 1941, editorial, he said flatly that the debate over intervention was over. "From the beginning we had been on the losing side of it," he wrote. "Not that the people were resolved to embrace the war. They were not. Walking straight toward it, they would not believe it. The directional signs were all

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*Garrett wrote of the nature of imperialism: "What is the very essence of it? Absolutely, at last it turns out to be the power to kill." He would be appalled at how casually Americans accept their obligations to wield that power.*

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reversed, reading, 'This way to stay out of the war,' and they believed the signs. Nothing was called by its right name."

Whatever it was called, America was on a crusade. "The truth is that the only way now to avoid the shooting . . . is to repudiate the Government."

What were the implications of this war? In the editorial of March 29, 1941, he wrote, "From now on there is for us no foreign war. Any war anywhere in the world is our war, provided only there is an aggressor to be destroyed, a democracy to be saved or an area of freedom to be defended."

He wrote, "We do not yet know what that means." He noted that Hitler's invasion of the Soviet Union meant that the United States would now aid Stalin. America had changed. "It is a strange land," he wrote, "and if it is ours we are strangers in it" (*Post*, August 2, 1941).

He imagined what would happen if Germany were defeated and the Soviet Union became the paramount land power in Europe: "Having saved the world from Nazism, should we not be morally obliged to go on and save it from Bolshevism?" (*Post*, November 8, 1941).

Such a thought.

On December 7, 1941, came the attack on Pearl Harbor. The *Post* supported the war, as it said it would; furthermore, it would support the rest of the government's policy. On March 12, 1942, Garrett and the *Post's* editor, Wesley Winans Stout, resigned. The war between the *Saturday Evening Post* and Roosevelt had ended. In a letter to Herbert Hoover, Garrett wrote that the *Post* "has lifted up her garments to the New Deal."

Garrett did not get a writing job during the war. He organized a Home Guard unit in Tuckahoe, N.J., and worked on a lathe in a factory. He wrote *A Time is Born* (1944), an update of *The Blue Wound*. One of his few published pieces was "The Mortification of History," published in Colonel Robert McCormick's *Chicago Tribune*, September 19, 1943.

In it, Garrett attacked the term "isolationism." Americans had never been isolationists, he argued. They were nationalists. They put their country first — most of the time. But they

had an occasional internationalist itch.

Deep in the American heart lies a longing for the heroic errand — the errand of the plumed knight . . . going forth to perform feats of crusade, rescue and deliverance, at any sacrifice whatever. But we are not like that in fact. We love the fantasy and sometimes indulge it to the point of ecstasy. Then just in time we remember that we do live in this world.

It was a lost hope. As he had postulated in 1941, the crusade against Nazism was followed by a crusade against Bolshevism. And, as with Nazism, the danger to America was real. Garrett did not argue that it was conjured up. But he preferred a response that looked much less like an American empire.

After the war, Garrett's friends in industry gave him an outlet as editor of *American Affairs*, the organ of the National Industrial Conference Board. His attention was focused on economics. He wrote about such Truman policies as aid to socialist Britain, the Marshall Plan, and support of the General Agreement on Tariffs and Trade (now the World Trade Organization). He was against all of them — and, it's worth noting, he misread the GATT, which he considered an instrument for planned trade.

It was later, in *The American Story*, that he penned his thoughts about Harry Truman, the man who made the American empire permanent. Garrett saw Truman as "a sudden, brittle little man . . . His notable qualities were quick

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*"A surplus measure of grain, a surplus pig, a surplus bolt of cloth, was regarded as a social calamity."*

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pugnacity, valor of prejudice, heroic mediocrity and an easy way with the words yes and no. As Commander-in-Chief of the Armed Forces he could say: 'All right. Let them have the atomic bomb.' That decision seemed to involve him in no prayerful anxiety. He had no capacity for awe."

Truman "was not a Caesar, not a dictator, not a conscious demagogue, only a haberdasher . . . Nothing could ever have been more improbable than that under the leadership of a man like that the American nation was launched on a career of global empire."

Garrett summed up his case in "Rise of Empire" (1952), an essay that has been quoted by anti-imperialists of both the Right and the Left. He began it in his characteristic way:

We have crossed the boundary that lies between Republic and Empire. If you ask when, the answer is that you cannot make a single stroke between day and night; the precise moment does not matter. There was no painted sign to say, "You are now entering Imperium." Yet it was a very old road and the voice of history was saying: "Whether you know it or not, the act of crossing may be irreversible." And now, not far ahead, is a sign that reads, "No U-turns."

He listed the signs of empire and checked them off, one by one: the dominance of the President over Congress, the subordination of domestic policy to foreign policy, and so

on. "War becomes an instrument of domestic policy," he wrote. "Among the control mechanisms on the government's panel board now is a dial marked *War*."

Another sign was a system of satellite nations. "We use that word only for nations that have been captured in the Russian orbit, with some inflection of contempt," he wrote. "We speak of our own satellites as allies and friends or as freedom-loving nations. Nevertheless, satellite is the right

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*Garrett summed up, "The man who beats depression is in every case a pattern breaker who has in him the business passion . . ."*

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word. The meaning of it is the hired guard. When people say we have lost China, or that if we lose Europe it will be a disaster, what do they mean? How could we lose China or Europe, since they never belonged to us? What they mean is that we have lost or may lose a following of dependent people who act as an outer guard."

Was this a voice of the Right? When I read these words in the late 1960s, I wasn't sure what to make of them. He didn't sound like Barry Goldwater. As Justin Raimondo wrote in *Reclaiming the American Right* (1990), there was no room on the American political spectrum for a man like Garrett "for as long as the Cold War lasted." Garrett's most enduring book, *The People's Pottage* (1953), which contains "The Revolution Was" and "Rise of Empire," was reissued in 1961 by the John Birch Society. It was quite a come-down from the *Saturday Evening Post*.

Garrett died in 1954. One wonders what he would say of today's world, and what today's world should say of him.

That world would certainly call him a pessimist. Even in his lifetime, his libertarian friend Rose Wilder Lane complained of his excessive gloom. All the reader of "The Revolution Was" could do, she wrote, was to "wail with Garett for the happy past that is no more and can never be again."

But some things return. When Asia fell into depression in 1997, the universal advice was to let prices fall, sweep away the dead capital, deregulate markets and let entrepreneurs act.

I recently asked a high economic official in the Clinton administration whether this was an admission that the New Deal had failed. He looked at me quizzically. Roosevelt was his hero, he said. The New Deal had created bank deposit insurance.

And the strategy of propping up prices?

"Policy errors."

Consider also the unions. Garrett was right about the effect Dave Beck would have on Seattle. Historian Roger Sale wrote in *Seattle: Past to Present* (1976), of Beck's no-chiseling policy: "This made labor costs high, rewarded existing businesses, but discouraged everyone else." Until the mid-1960s, the Seattle skyline looked like it did in 1929.

It doesn't now. Seattle's new companies — Microsoft, Starbucks, Amazon.com — are dynamic (and non-union). The city's economy, including its labor market, is as fluid as it has been in more than half a century. So is America. Culturally, we celebrate the entrepreneur in a way we have

not since Garrett's youth.

Garrett celebrated dynamism. He wrote in *American Affairs*, April 1947: Life (is) inherently unstable. So are dynamism and progress unstable. 'Stability,' said Ford in one of his moments of inspiration, 'what is it? It is a dead fish floating downstream.' "

The New Deal, said Garrett, was a "revolution within the form" of the Constitution. There is no such revolution underway today. The portion of gross domestic product taken by government has changed little since 1954. In Garrett's lifetime, it grew enormously. Government has retreated from "the commanding heights" of industry. Yet the constitutional territory taken in the New Deal has not been relinquished.

Garrett, defender of the Old Republic, would say: You lost something in the 1930s that you never won back.

Psychologically, too, something crucial was lost. In *The American Story*, Garrett said of laissez faire: "Let the people be; let them make their own mistakes and absorb their own troubles. Few Americans now living have any idea how strong that conviction was." That conviction is still there, but is nowhere near universal.

And what of empire?

The Cold War is over. No longer do most young men expect to spend time in "the service." No longer is there an "ascendancy of the military mind." Conscription is gone.

But Empire is not gone.

Its defenders argue that the two oceans no longer protect the New World in the way they once did, and that its security interests now span the globe. To some extent, they are right. But to what extent? There is an American act of war just about every year — nasty little police actions, mostly, in which the dead are mainly foreigners. Wars without new

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*The one enemy, blamable for all human distress, for unemployment, for low wages, for depression in agriculture, for want in the midst of plenty — who was he? The money-changer in the temple.*

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controls and taxes. Wars without new war powers. But wars nonetheless.

In his final book, Garrett wrote of the nature of imperialism: "What is the very essence of it? Absolutely, at last it turns out to be the power to kill." He would be appalled at how casually Americans accept their obligations to wield that power.

I think he would have liked the impeachment, though. It was messy, it was over the wrong issue, and it failed. But it was republican. America dusted off a piece of the Constitution that hadn't been used in over a century, and used it on the President.

Other parts of the Constitution could be dusted off, if Americans desired it. Garrett's bitter recounting of the "revolution within the form" is a reminder that the form is still there.

## McWilliams, "May It Please the Court," *from page 19*

head to which you have legitimate access. (Your business stationery is better than your personal stationery, for example, unless your company is Bongs 'R Us.) If you don't have stationery, you can create a letterhead on any word processor in about two minutes.

Please address the letters to: "The Honorable George H. King" and begin the letter: "Dear Judge King." But mail the letters to me at: Peter McWilliams, 8165 Mannix Drive, Los Angeles, California, 90046.

If you know you're probably not going to get around to writing a letter, and I know just how you feel — I don't know where to find an envelope any more, much less a stamp — please send a fax (signed, on letterhead stationery, if possible, but if not, that's fine) to: 323-650-1541.

If you think you might not get around to sending a fax, please send an e-mail. Please write at the bottom of the e-mail "You have my permission to reformat this letter, edit it, print it, and sign my name at the bottom."

Your name will be signed for you, next to which will be the initials of the person signing it. Please include your complete mailing address. The e-mail address is peter@mcwilliams.com

Finally, please circulate this request as widely as you can — post it on bulletin boards, send it to receptive people on your e-mail list, send it out in newsletters. Kindly use your creativity, but, please, no spamming.

If you cannot post the entire missive, the online address of this request is [www.petertrial.com/letters.htm](http://www.petertrial.com/letters.htm).

Thank you from the bottom of my weary but very grateful heart.  
— Peter McWilliams

## Wood, "Toward a Genetic Utopia," *from page 28*

futures than does a federal government. On some key issues the government should simply stop its present intervention. For example, government could end, or at least radically curtail, patent protection for discovered or modified genes. Whether such patenting does more to aid valuable research by giving it incentives or to retard it by limiting the use of new technology is a complex issue. In any case, there is nothing in our social or political system which would justify this key to massive exploitation of the genes of living things, including humans. The whole idea of "patenting life" was initially rejected by relevant government agencies and lower courts. It was finally upheld, in the instance of a patent for a genetically engineered microbe to combat oil spills, by a narrow five-four decision of the Supreme Court.

Governments at all levels could end measures to saturate with computer technology schools which can't really afford it, or can pay for it only by curtailing other aspects of schooling. Conditioning people to depend on one medium is to deny them balanced opportunity to select their own blend of media, sources, and modes of thinking. Yet such conditioning is precisely what is sought by policies that exalt cyber-

netic technology in public schools.

Some issues call for government intervention. Perhaps the most important is a ban on altering human germ-line cells. Objections to such engineering are based on the inherent dignity of the human species as well as the dangerous arrogance of attempting to control its evolution. Most catastrophic congenital illnesses can be eliminated by the much less drastic process of embryo selection.

On a personal note: I have on several occasions found myself, cash in hand, waiting behind someone using the "convenience" of a credit card to pay for a three or four dollar purchase. Such events, trivial in themselves, reinforce my suspicion that many so-called conveniences provided by the new technologies don't actually make life any more convenient. On a deeper level, I wonder in what other ways the committed credit card devotee trades off privacy and personal space and time in exchange for electronic convenience. Is this person also, via cell phone and Internet, constantly linked into the electronic nervous system of Metaman? Existence in a constant, electronically-mediated "now" no doubt increases people's efficiency in moving ahead. But moving ahead *where*? Silver, Shock, Negroponte, and others have answers. But I really don't want to go there. □

## Shaw & Pearson, "Nutrition Cops," *from page 30*

Amendment does not permit the FDA to prohibit communication of truthful information on this basis.

"Products intended to treat or prevent disease are subject to regulations as drugs unless they qualify for an authorized health claim," the FDA concludes, contrary to both statute and court rulings. The FDA just doesn't get it.

In our judgment, the FDA will eventually lose its battle to restrict free speech rights on dietary supplement labels and advertising. The agency will also lose its battle to control market availability of dietary supplements. Continuing its legal struggle using poorly reasoned arguments only reveals its arrogance, its contempt for the constitutional rights of Americans, and the lengths it will go to retain — even temporarily — its illegal power. It only hastens the day when Congress will withdraw even more authority and reduce its funding further.

"Health" and "safety" are key buzzwords that the state uses to manipulate and expand its power over an unwitting populace. The FDA currently has more power than any other agency with a mission of protecting the public health and safety. The fall of the FDA and the opening up of freedom of choice in medicine could have a major impact upon the public's scrutiny of other agencies — such as OSHA and the EPA — that claim to protect public health and safety, particularly when the agency makes coercive decisions in areas where individuals can make their own choices to improve their own health and safety, like the recent OSHA attempt to regulate safety in home offices.

It is fascinating to see how the explosion of information availability is leading to irresistible pressure for greater access to products based on that information. Maybe — just maybe — we do have a chance for much greater freedom in our lifetimes. □



# I Was a Peace Corps Dropout

by *Andrea Gregovich*

Joining the Peace Corps seemed like a good idea at the time.

For as long as I can remember, the Peace Corps marketing department has been sneaking its mantra into my subconscious: "It's the toughest job you'll ever love." For some reason, I thought they must know what was good for people like me.

I was the sort of college student who refused to think about the future. I did what felt good: I majored in Russian and creative writing, spun CDs at my college radio station, and worked crummy jobs over the summers. I had no focus or experience that would launch me into the fun and exciting career that I figured I'd have after college. So when I came across a Peace Corps application at the career center, the wheels started spinning in my brain.

If I join the Peace Corps, I thought, I can travel the world! I can put an amazing blurb on my resume that will boost my career to new heights, and I will be helping save the world, to boot. I would have a great job in an exotic locale, where my life would instantly become cinematic and poignant.

How could I go wrong?

So after an intensive application process, Peace Corps offered me a spot as a trainee in their English teaching program in Ukraine, and I signed up without thinking twice.

My romantic ideas faded less than an hour after arriving in the capital city of Kiev when I discovered the nearest ladies room to be a hole in the ground. Reality hit me — Ukraine was going to be rough and raw, not exotic.

Ukraine is bleak. Dealing with the Chernobyl nuclear disaster requires an ominous portion of the national budget, and the unstable reactor under its cracking sarcophagus remains a serious health hazard. Big stretches of rich Ukrainian land were ravaged over the years by heavy industry and Soviet carelessness.

Ukrainians spent most of their existence under the cruel and oppressive rule of the Mongols, Poland, Lithuania, and finally Russia and the Soviet Union. So in 1991, when the Soviet Union collapsed and Ukraine suddenly found itself

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independent, the people lacked any experience with self-government and were not remotely prepared to deal with the free market and democratic ideas that were pouring in from the West. The economic situation is desperate, too, with staggering international debts and a reputation as one of the most corrupt and riskiest investment climates in the world.

It is also a complicated place to be an American woman. Ukrainians appear more or less Western — they have light skin, wear pants and skirts, shop in department stores, and watch *"The X Files"*. But the subtle differences make most Americans in Ukraine stand out like freaks. The Ukrainian concept of fashion and beauty, keeps women in high heels, sexy short skirts, and heavily applied make-up. They're comfortable in this get-up, and can't fathom why American women might prefer to wear jeans, a sweatshirt, and hiking boots in public. And a Ukrainian woman's place is definitely in the kitchen. Women aren't supposed to look men in the eye or shake their hands, and they're generally supposed to respect them as the authority.

I wasn't even supposed to be seen in public with my coat unzipped because — I'm not making this up — if I was so warm I needed my coat open, I must have been all sexed up and looking for trouble. Otherwise why wouldn't I want to be as warm as possible? I was a happily single 22 year old in a culture where unmarried women my age were regarded with suspicion and I knew what Thomas Pynchon was talking about when he described a despair you feel when you are sexually irrelevant to everyone around you.

Ukrainians like to think of themselves as modern Europeans. I think it would have been easier to be sent to an

African village where everyone had a mud hut and wore loin cloths. At least I would have known exactly where I stood.

But as days turned into weeks, things got easier. I didn't mind peeing in weird toilets anymore. I got used to open manholes, packs of stray dogs roaming the alleys, and shoving myself between two old men on a trolley so crowded that the doors behind me couldn't close. I dealt fine with frequent outages of electricity and water, and I began not to care that men leered at me wherever I went.

There were things, too, that I loved about Ukraine. I lived with a family who treated me like one of their own. I could buy a fantastic loaf of fresh bread on almost any street corner for less than fifty cents. Traditional Ukrainian food was delicious, from the borsch to the little dumplings called vareniki. And I did get a thrill from the Dostoyevskian images I experienced — the dark figures huddled in shabby, dim-lit corridors, the accordion player in the subway who seemed to read my mind with his morose and beautiful tune, and the mysterious woman in a bus station who grabbed my hand and promised that I would meet my husband within the next two months.

As training wore on, I began to realize that I hadn't known what I was getting into. I naively took the word "volunteer" to mean that I would have some kind of veto power in what I was doing. But the only voluntary part of Peace Corps was signing up. Beyond that, there was a rigorous training schedule, job placement, secondary project requirements, quarterly reports, and mandatory in-service training. And there were rules about travel, voicing political opinions and making public statements.

For all this, I would receive free housing, an American standard of medical care, and a stipend that worked out to something like \$2,000 a year. That sounds meager, but it was more than four times what average Ukrainian teachers made in a year, and they had rent and family and other expenses that I didn't have. Besides, I was being granted a unique cultural learning opportunity.

The Peace Corps calls itself an apolitical organization, but I felt more like a political pawn than a development worker.

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*My romantic ideas faded less than an hour after arriving in the capital city of Kiev, when I discovered the nearest ladies' room to be a hole in the ground.*

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Language was a controversial issue: Ukrainian was made the national language in 1991, but most of its people still prefer to speak Russian. Our language teachers told us the situation was shameful — people were forced to speak Russian under Soviet rule and were now too lazy to relearn their own language. It would do them good, they said, to hear Americans speaking Ukrainian better than they could. This may have been true, but it seemed to contradict the notion that the Peace Corps was there to promote crucial sustainable development, not to embarrass people about their linguistic inabilities. I spoke Russian comfortably, and I wanted to learn

Ukrainian, too. But even though the two languages are quite similar, the teachers frowned and scoffed when I tried to grasp Ukrainian grammatical structures by comparing them to Russian ones, and they snapped at me when I accidentally said Russian words in Ukrainian class. Eventually I gave up and spoke Russian defiantly. It was one of the only civilly disobedient things I could do.

I questioned other issues that came up in training, like when we discussed how to cope if we sensed we weren't wanted at our job placement. I was stunned — why would the Peace Corps stick me somewhere I wasn't wanted? We were supposed to be teaching practical English (as opposed

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*I wasn't even supposed to be seen in public with my coat unzipped because — I'm not making this up — if I was so warm I needed my coat open, I must have been all sexed up and looking for trouble.*

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to the very bookish English they knew from their Soviet textbooks) to give them the tools to understand Western literature and ideas. But that came very close to being a political motive for me as well. And when I heard one of my Peace Corps colleagues say she was teaching her class the Pledge of Allegiance, I wondered if things weren't going awry.

Peace Corps literature lauded the powerful impact you can make when you live and work among the natives, no matter how successful you are at completing your mission. But I felt more like a show pony. I knew I was a nice cultural exchange for the university I was assigned, but not a dire need. They wanted an expert American teacher to be proud of, and my being an American was more important than my accomplishments or abilities.

And not only was I far from being an expert, I was only a few years older than the students I was to teach. And when I happened to mention to a Peace Corps administrator that I would be working at a university with only a bachelor's degree, he said, "Don't worry, just tell them you are working on your Ph.D." My assigned university wanted me to teach English literature classes, and I had to wonder: is this really a need? Or is it more of a want? I suspected the latter, in which case, I didn't think American taxpayers should be paying my salary and expenses.

The Peace Corps would have answered that the school would assign me what they thought was needed, and it was up to me to assess their true needs and develop my own projects, using my assignment as a platform. But how could I decide what was best for them, and still work and live humbly among them? I found myself trapped in an corner, with no idea how to rationalize my way out. The Peace Corps office was staffed mostly by Ukrainians, who ran things with a lingering Soviet mentality — trust the system to decide what's best for the common good, and be grateful for what you are given. They were no help.

Other volunteers said I'd get used to working for a government organization. They told me that I could easily

become a ghost in the Peace Corps bureaucracy, which had to keep track of more than 100 volunteers spread across a country the size of Texas. If I was slick and kept to myself, nobody would notice if I went to Poland for a few days without permission, or didn't complete the required secondary projects I proposed. But I have always felt much better living under a reasonable set of rules that I can follow with a good conscience.

They also told me that Ukrainian ethics and values would start to wear into my psyche, and that I would have an easier time assimilating if I just stopped questioning everything. But this was far more serious to me than remembering to zip up my coat all the time or peeing in a hole in the ground. I valued my free-thinking and individualism more than anything else, and the thought of letting them lapse to adapt to a country I didn't even like that much was something that kept me awake at night.

The evening after our swearing-in ceremony, I sat in my hotel room while the rest of my training group was partying in the restaurant downstairs. I was in over my head, and I didn't even believe in the cause.

I tried to call my mom that night for a second opinion, but I couldn't find a phone that would let me dial out of the country. So I told myself I would give things a try and headed off the next morning to the town of Chernigiv, where I was supposed to live and work for two years.

Chernigiv is about 70 kilometers east of Chernobyl. The State Department had warned us not to eat any Ukrainian mushrooms or berries, which, I guess, were setting off Geiger counters, so I was a bit concerned about being so close to the site of history's worst nuclear accident. But the Peace Corps assured me that the prevailing winds had blown all radioactivity in the opposite direction, so I put my worries to the back of my mind.

I spent about two weeks as the only American in this lovely historical city, hiding my internal conflict from my very welcoming hosts and spending most of my time sulking in the two room apartment they had arranged for me that, despite its patchy heat, electricity, and hot water, was quite adequate by Ukrainian standards.

But none of this made me feel any better. I packed up my bags one night when I felt particularly disgruntled, and early the next morning I found a taxi to help me lug them to the bus station, where I climbed on the next bus for Kiev.

Over the next two weeks, I sucked down a lot of government-issue Pepto Bismol. There was a whole new batch of paperwork to deal with, and I had to come out of the closet and tell everyone I was bailing out. Since Ukrainian currency can't be exchanged, I started handing out my leftover grivnas to beggars and street musicians, figuring that doing something to stimulate the economy, if even minutely, was the least I could do. And my Peace Corps director made me return to Chernigiv to say goodbye, since I had left so abruptly. This makes perfect diplomatic sense to me now, but at the time I had no idea how to act. I was cold and distant, and told them I had problems in America that I had to attend to. I thought that if I was honest with them, they would find a way to talk me out of leaving.

In some ways, I felt like I left without giving the whole thing a fair chance. I was in the textbook depths of culture shock, which usually gets better with time. And I couldn't

decide which option was more detrimental to my conscience — leaving Ukraine when I did, or staying to do something productive with the thousands of government dollars it took to transport, feed, and train me there. I also felt extra guilty for blowing off the teachers in Chernigiv, after they had been so kind to me. I felt stigmatized, and I feared nobody would ever want to hire me in the States after I'd quit the Peace Corps.

But most of the other volunteers understood. A few of them even said I was brave to quit. And I wasn't the first or the last to quit the Peace Corps. Worldwide, about 29% of

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*I questioned other issues that came up in training, like when we discussed how to cope if we sensed we weren't wanted at our job placement. I was stunned — why would the Peace Corps stick me somewhere I wasn't wanted?*

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volunteers leave the Peace Corps before completing their two years of service.

Eight months after my return to the States, I got the terrible news that the next volunteer they placed in Chernigiv was murdered soon after moving into his apartment — stabbed once, with no sign of robbery or forced entry. This made me wonder if my extreme need to leave was a little psychic, like something on *Unsolved Mysteries*: woman has a breakdown in the airport terminal and refuses to get on her plane. That very plane breaks up in the sky, killing all three hundred passengers.

Maybe I'm having romantic ideas again.

Two years later, I'm still not sure how I feel about Peace Corps as an organization. But there is one thing I can say for certain. "It's the toughest job you'll ever love" is a slogan, not a promise. ┘

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# The Truth About Hillsdale

by Gary Wolfram

In the February *Liberty*, an anonymous alumnus reported that a lot more was wrong at Hillsdale College than the incest-suicide scandal that was making headlines. A distinguished member of Hillsdale's faculty offers a different perspective.

I was greatly disappointed by the article, "Is It True What They Say About Hillsdale College?" The accurate pieces of the article, like the fact that Hillsdale College is consistently rated by national publications as one of the best liberal arts colleges in the country, can be verified through independent sources. But the majority of the story consists of rumor and innuendo, and is filled with statements that clearly cannot be true. Take, for example, the statement that "half of the students are afraid of the school — the others have no objection to authoritarianism." This is simply ludicrous. How could a college survive, much less thrive, if 600 of its 1,200 students were in fear of it?

Nearly every statement in the article, aside from the first page documenting Hillsdale's court case regarding its independence and federal funding, is rumor or the author's supposition. The anonymous author acknowledges this. He writes of the pervasiveness of rumors but seems to be too lazy to find evidence to deny or confirm them. He writes: "Of course, this too, is merely a rumor," and "Another rumor told of the student who," and "Rumor has it that the school is . . ."

Anonymous makes blanket statements with no facts. Take for example his assertion that "Many professors speak to reporters only on condition of anonymity." This is a complete falsehood. I have been an economics professor at Hillsdale College since 1989. During that time I have taken one leave of absence to serve as Deputy State Treasurer for the State of Michigan and one to serve as Chief of Staff to Congressman Nick Smith. I am president of my own consulting firm and have written numerous articles for clients, held dozens of press conferences and published opinions in the *Detroit News*, *Detroit Free Press* and several other local and national papers. Never once have I been spoken to about this by the college's administration, other than in positive terms. Even when a colleague of mine and I published a piece as part of my consulting work that went against the interests of one of the college's

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donors, we heard not a word from the administration.

## The Business of Hillsdale

What Anonymous feels he has discovered is merely what occurs in every business in America. There will always be employees who feel that "the boss is out to get me." To find that, among a faculty of more than 80, there are one or two who feel persecuted is not surprising. What is surprising is that anyone would try to imply that all or a majority of employees feel that way.

Anonymous asserts that the Christian Right rules the College. I have published several letters, the latest just last week in the *Detroit News*, discussing the advantages of casino gaming. How is it that I am able to be so public in support of casino gaming, as well as to teach in my classes the follies of the government's drug war, without one complaint in eleven years? Indeed, I recently participated in an on-campus debate where I took the position that the government should decriminalize drugs and received the greatest applause of all the panelists.

Anonymous seems simply to be irritated that he or she was not allowed to use college funds to express his rumors and allegations in the college newspaper. He lacks a fundamental understanding of how private higher education works. Hillsdale College is not Camelot. It is a firm that must compete for customers and sell a product. That product is classical liberal arts education. It produces as good a product as any other higher education institution in the country. Students are not forced to go to Hillsdale, nor are they subsidized by the

federal government to go there. Hillsdale must protect its image in the same way that Nike, Pepsi, General Motors, or Disney must. Nike does not provide its employees with a company newsletter to publish allegations that Nike's product is not as the commercials say it is.

The college newspaper, the *Collegian*, is not paid for with taxpayer dollars. It is a private paper that is part of the college. The college does not and cannot censor anything in the student newspaper. It edits it. Governments can censor newspapers. If you are a reporter for the *Washington Post* and the editor doesn't like your story, the story doesn't get published. That is the job of the editor. It would be ridiculous for the college administration to allow students to print articles that did damage to the college's reputation. If these rumors that *Liberty* magazine allowed Anonymous to spread had been factual, they would have appeared in the local newspaper, the *Hillsdale Daily News*. For example, take Anonymous' statement about "one of the rumors told of a student having been raped." This was not covered in the *Hillsdale Daily News*, nor is there a police record of it. Does Anonymous believe that the entire Hillsdale County judicial system is afraid of Hillsdale College's administration? I am a personal friend of the county prosecutor, the district court judge and the circuit court judge, and I can assure Anonymous that this is not the case.

As for Mark Nehls, he was a student of mine. Mark came into my office and asked my opinion about starting a newspaper that would publish allegations and rumors about things that were going on in the administration and on campus. I told him that Hillsdale College is a business and businesses take care of problems internally and that the line of communication was directly open. Mark could have arranged to speak with any member of the college administration at any time. He could have asked me or any other of his instructors to speak to the president, or any of the trustees for that matter. At least four members of the board of trustees live locally, attend semi-

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*Hillsdale College is not Camelot. It is a firm that must compete for customers and sell a product. That product is classical liberal arts education.*

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nars and sporting events on campus and are quite available. Unfortunately, Mr. Nehls was more interested in making noise than he was about solving problems, and that is probably not unusual for an undergraduate. But there is no reason the college should have assisted him or encouraged him.

The Tau Kappa Epsilon fraternity was not, as implied by Anonymous, simply a group of well-meaning fraternity members falsely accused of malicious destruction of property. There is ample evidence that the TEAKS, as they were called, had a history of unsettled conduct. When the fraternity lost its charter, the house was in such disrepair that the cost of rehabbing it was not worth the property's value as a parking lot. Anyone wishing to dispute this can ask the fraternity's faculty advisor.

All we know of the author is that he knew Lissa Roche, something the author claims in the first paragraph and then never connects with the rest of the story. I also knew Lissa

Roche, and I suspect for a good deal longer time than Anonymous did. I am sure that Lissa would agree with me that the *Collegian* is not like a taxpayer-funded student newspaper and needn't allow a forum for every rumor that comes down the pike.

Anonymous claims, "Dorm rooms are subject to search at any time without notice, and searches are frequent, usually at night." I have trained with the cross country and track team here at Hillsdale for eleven years. I have served as faculty advisor to several student organizations. During this time I have learned of many things about student life, ranging from

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*It would be ridiculous for a college administration to allow students to print articles that did damage to the college's reputation.*

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what girlfriends are doing, to what parents are doing, to which professors are boring. I have never heard one student complain of his room being searched. Anonymous does not provide the name of one student or provide evidence of one incident of a dorm room being searched. Anyone who has rented an apartment is aware that most leases provide for unannounced searches by landlords. Landlords put such

*continued on page 51*

### ***How Hillsdale Obtained the Mises Library***

Anonymous made one factual error in "Is It True What They Say About Hillsdale?" (February). His claim that "Ludwig von Mises had been so taken by the place that his wife left his personal library to the school" is simply not true. Neither Ludwig nor his wife Margit bequeathed his library to Hillsdale; the college paid for it!

Mises had known George Roche when George was Director of Seminars at the Foundation for Economic Education but to the best of my knowledge he never visited Hillsdale himself.

Mrs. Mises had been concerned for some time about what would happen to Mises' books when he died, but Mises wouldn't discuss the subject. On her own, she put out feelers through Professor Israel Kirzner at New York University and with several Austrian universities. She wanted money for the books. And she asked also that they be kept together as a unit. To this NYU would not agree, although I believe they would have taken the books as a gift. The University of Innsbruck, where Böhm-Bawerk had taught, wanted them and was willing to set aside a room as a memorial to Mises. The only comment Mises had to this was that he preferred that the books stay in the United States.

After Mises died, Mrs. Mises sold the Mises library to Hillsdale for \$25,000. It is my understanding that George Roche collected \$25,000 from two separate donors, each of whom was led to believe that it was his donation that made the purchase possible.

After the sale, I believe Mrs. Mises donated Mises' desk to the college.

—Bettina Bien Greaves

# The Thought Police Discover Orwell's Diary

by David Ramsay Steele

The author of *Animal Farm* and *Nineteen Eighty-Four* had his peculiarities, but he was not an anti-Semitic, homophobic imperialist.

Orwell once wrote in a letter that "by my own experience it is almost impossible to mention Jews in print, either favorably or unfavorably, without getting into trouble."<sup>1</sup>

In his lifetime Orwell mainly got into trouble from anti-Semites for his numerous writings defending Jews and attacking anti-Semitism, but 50 years later he's catching it from Martin Tyrrell, who continues to defend the assertion (*Liberty*, March 2000) that George Orwell "was capable of the crassest anti-Semitism."

Publicly, Orwell was strongly opposed to anti-Semitism.<sup>2</sup> He enjoyed friendly relations with a number of people of Jewish background (Tosco Fyvel, A.J. Ayer, Arthur Koestler, Fredric Warburg, to name but a few). Orwell called for lifting restrictions on immigration of Jews into Britain. He greatly admired Chaplin's movie *The Great Dictator*. His original outline for *Nineteen Eighty-Four*, written in 1943, had the horrific ruling party, Ingsoc, as explicitly anti-Semitic.<sup>3</sup> He wrote a couple of lengthy analyses of anti-Semitism, one of them for a Jewish journal, and often made derogatory passing remarks about anti-Semitism.<sup>4</sup>

Tyrrell seems to acknowledge that Orwell was not anti-Semitic by the end of the war; the charge becomes narrowed to Orwell's attitude early in the war<sup>5</sup>, and arises from a diary entry in the context of the influx of Jewish refugees into London. Orwell was concerned about the possible growth of anti-Semitism in response to this influx. He was also, under wartime censorship, anxious to check both official propaganda and unofficial rumor against his own observation, wherever that was feasible.<sup>6</sup>

Tyrrell's exhibit is Orwell's remark "What is bad about Jews is that they are not only conspicuous, but go out of their way to make themselves so." Tyrrell insists that this is a universal statement applying to all Jews at all times and places. I say it is a response to the influx of new, non-English-speaking arrivals in London, and that what is "bad" about it, in Orwell's opinion, is that it tends to provoke anti-Jewish

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feelings in the native population.<sup>7</sup>

This is a sentence in a diary that has many clipped sentences, and the most likely meaning is "What is bad about these Jews." (The sentence two before this lacks a subject. The sentence immediately before it lacks a true finite verb. The sentence two later lacks an article where one is needed.)

It doesn't look too promising for Tyrrell's interpretation that the very portion of this diary entry he chooses to quote shows that what Orwell is saying of these recent Jewish arrivals from the continent applies to "almost any central European," and that the incident of the Jewess fighting her way off a train "took me back to the old days on the Paris Métro" — continentals again, rather than specifically Jews.<sup>8</sup>

In the same diary entry<sup>9</sup>, Orwell passes quickly from the behavior of Jews in the air raids to the behavior of all "foreigners" in the same air raids, in a way that shows him almost equating them (most of the obvious newly-arrived foreigners in London at that time were indeed Jews).

Tyrrell makes various remarks about Orwell's methods of observation. I think what he's trying to insinuate is that Orwell couldn't tell who was Jewish and who wasn't. Speaking a central European language, not knowing English<sup>10</sup>, gesticulating a lot, wearing clothing more typical of central Europe than of London, having characteristically Jewish physiognomy and coloring, would all be indications, though not of course conclusive in every individual case. Orwell may well have checked his impressions by engaging people in conversation, and he was candidly a bit tentative ("I think") on this very point.

And let's not forget, in scrutinizing the minutiae of this



diary entry, that Orwell's main conclusion was simply that the people sheltering in the subway were *not* all Jews and by implication not predominantly Jews. Orwell was refuting by his own observation the (arguably "anti-Semitic") tale related by his unnamed acquaintance.

Ordinary English working-class and lower-middle-class people in those days were typically gentle and well-behaved when engaged in such pastimes as queuing for a bus.<sup>11</sup> They would never push; they would always wait their turn. In many parts of continental Europe, the custom was for such matters to be adjudicated by shoving, or lashing out with one's fists or with any hard object one might be carrying. When an isolated individual came over from Europe and behaved according to his native mores, he would be directed to the back of the queue, and if he had boarded the bus, it would be stopped until he left it. He would be treated like a misbehaving child and told: "This is England."

But when thousands of such continentals, who were mostly Jews, came over at the beginning of the war, this system of informal policing broke down for a while, and some resentment was caused among the native English. Hostility to the war, hostility to the government, and hostility to the Jews were strongly associated.

### Orwell's Support for the War

Before war was declared in September 1939, Orwell had switched from being an opponent of the coming war to being one of its strongest supporters. It was common at this time for intellectuals who began with a general expectation that any war would be an indefensible "imperialist" conflict like that of 1914-18 to painfully come round to the view that this war was different and would have to be supported.

We would not find Orwell's change of view unusual or puzzling except for his later recollection that he had changed his mind because of a dream. Orwell recalled that he had awakened from a dream on the morning when the Nazi-Soviet alliance was announced, determined to help defend his country if war came. He inferred from this dream-prompted change of heart that it must have been the result of his early indoctrination with patriotism.

My guess is that Orwell's switch was not as sudden or as linear as Orwell's reminiscent account makes it appear. I conjecture that there was a long period in which Orwell was wrestling with doubts about his antiwar position, while hearing the news of Germany's alarming territorial gains, and reading the growing literature on "totalitarianism," which depicted National Socialism as a revolutionary new anticapitalist ideology akin to Russian Communism.

Once he had definitively made the transition, Orwell looked back on his own complicated inner struggle and saw the dream as a turning point. Perhaps it was, but if so, it must have been the precipitating factor in resolving a dilemma which had been troubling him intermittently for years.

Martin Tyrrell mentions one feature of Orwell's antiwar arguments: the claim that "fascism" was simply a form of cap-

italism. This was the characteristic stance of the antiwar leftist. Antiwar leftists typically denied that the Hitler regime was very different from the British and American regimes, and insofar as they acknowledged some difference, predicted that the British and American governments would soon become just as bad. By contrast, pro-war leftists held that National Socialism was radically different from, and much worse than, the democracies.

After he had become pro-war, Orwell vehemently maintained that the National Socialist regime was anticapitalist, revolutionary, even "socialist."<sup>12</sup> He constantly flailed the "pacifists" (mostly antiwar leftists of exactly the type he had earlier been) for denying that Germany was a much more repressive regime than Britain. It's likely that the accumulating information on Nazi Germany which Orwell read before the war helped make up his mind to support the war. Space doesn't permit extensive discussion here but in *Homage to Catalonia* (1938), for instance, Orwell contended that the triumph of "fascism" (by which term he most often meant mainly National Socialism) might lead to "centuries of semi-slavery,"<sup>13</sup> a view which sits uneasily with his antiwar argument of that period that Naziism was "just capitalism." There were other factors as well, notably Orwell's new awareness that he didn't have to choose between patriotism and revolutionary socialism.

### Orwell's Anti-Imperialism

Like nearly all leftists at the time, Orwell held 1. that socialism would raise British living standards; and 2. that giving up the colonies would lower British living standards. (He did not argue that socialism

would tend to lower living standards for any reason other than that it would be accompanied by decolonization.) For some years, he adhered to both these positions without raising the question of what the net outcome would be if both socialist revolution and decolonization occurred simultaneously in the near future.

Eventually, Orwell did try to assess the combined effect of the interaction of these two factors; he decided that there would be reduced living standards for some years, "At best . . . a long and uncomfortable reconstruction period," before socialism could raise output sufficiently to compensate for the loss of colonies. The British worker "may ultimately decide that it is better to remain an imperial power . . ."<sup>14</sup> This outlook was based on the left's wildly incorrect economic analysis, but Orwell was unusually thoughtful and consistent in developing that analysis — just the opposite of the sloppy thinker described by Tyrrell.

Tyrrell calls Orwell a "grudging" rather than a "committed" supporter of Indian independence. His first novel, *Burmese Days*, is fiercely anti-imperialist<sup>15</sup>, and he maintained this stance for the rest of his life. He was always raising the issue of imperialism in a militant manner. For example, his main criticism of Gandhi was that Gandhi's non-violent tactics were ineffective and played into the hands of the British.



Tyrrell may believe that Britain should have made peace with the Axis, rather than continue to fight the war. But given that Orwell did support Britain's waging of war (which involved capturing some territory Britain obviously had no intention of holding onto after the war), it made no military sense for the British to just pull out of India and, in effect, give this strategic plum to Japan (although in the event of Britain's doing anything so nutty, the U.S. would doubtless have seized India to prevent the Japanese from walking in). As soon as the war was over, people in London who thought like Orwell on this issue set in train the process by which India got its full and effective independence within a couple of years. (About a million people died in Hindu-Muslim violence, in part because of the clumsy haste with which the Labour government terminated British rule of India.)

The only episode which may be considered a lapse from extremely militant anti-imperialism was Orwell's proposal that the countries of the British empire form a federated political entity.<sup>16</sup> This was written at the time when Orwell was most under the influence of the mistaken notion, disseminated by James Burnham, that small or industrially weak nation-states could no longer survive as independent entities. Even here, Orwell makes clear that under his proposal, the colonies would be offered their independence and asked to voluntarily join such a federation, with "the unconditional right to secede."

### Other Issues

Tyrrell is right that Trotsky's influence on Orwell is much over-rated by Newsinger (in his book, *Orwell's Politics*), while Hayek's influence is neglected in the Orwell literature. However, the latter is slight. Orwell was impressed by *The Road to Serfdom*, but not a single element in *Nineteen Eighty-Four* can definitely be attributed to Hayek's influence, whereas many elements can confidently be attributed to other

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*Orwell once wrote in a letter that "by my own experience it is almost impossible to mention Jews in print, either favorably or unfavorably, without getting into trouble."*

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writers (and, of course, Orwell outlined the story before he read Hayek). *The Road to Serfdom* and *Nineteen Eighty-Four* have a lot in common because they reflect the same influences: the writings on totalitarianism which began to appear in the mid-1930s.

Tyrrell may have misunderstood my point about Orwell and the "totalitarian economy." Sad to say, Orwell never did "move away" from support for a centralized economy, but he would not have praised this as "totalitarian." Orwell maintained that it was possible and desirable to achieve a centrally planned economy without totalitarianism, though he considered totalitarianism a likely "perversion" of a centralized economy. The main, but not the only, reason he took this view was that he believed a centralized economy, totalitarian or not, was inescapable.

I don't know whether Orwell would have come up with "an interesting new political position," but he rarely did so (as opposed to giving interesting new arguments for existing

political positions). I don't think this means he was a spent force politically. But if Tyrrell is thinking of actual policy formulations, I think that is a very minor aspect of Orwell's importance. Tyrrell mentions that Orwell left "no substantial work in progress." That was because he was so desperately ill in the final months of his life; the hospital even took away his typewriter as part of its discouragement of his writing.

Tyrrell talks about tough Cold War choices, but Orwell did maintain a firm line on the necessity for Britain to side with the U.S. against the Soviet Union in the Cold War.<sup>17</sup> Again, Tyrrell may not like Orwell's decision here, but it was clear, it was "tough," and it was the solid position of the Labour Party.

True, Orwell is "claimed by many different political positions as someone who would, in the longer term, have joined them," but (contrary to Tyrrell) he doesn't owe his reputation

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*Orwell decided that there would be reduced living standards for some years, before socialism could raise output sufficiently to compensate for the loss of colonies.*

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to this phenomenon. Rather, the phenomenon exists because of Orwell's reputation, which derives from the unparalleled power of his writings.

The Communist Parties, who ruled about a third of the world for 40 years after Orwell's death, were an exception: they never claimed Orwell as anything but an enemy. Probably, as it turned out, he was their most effective single enemy. If *Animal Farm* and *Nineteen Eighty-Four* had not achieved such extraordinary success, the Soviet Union might still be with us today, and if we ever came across the name "George Orwell," it would signify only an obscure, pathologically morbid anti-Communist pamphleteer. □

### Notes:

1. CEJL III, p. 105. (References are to the four-volume *Collected Essays, Journalism, and Letters of George Orwell*.)
2. CEJL III, pp. 85, 199.
3. Bernard Crick, *George Orwell: A Life* (Boston: Little, Brown, 1980), pp. 408-09.
4. For example, anent Ezra Pound: "Antisemitism . . . is simply not the doctrine of a grown-up person" (CEJL III, p. 85).
5. There are other aspects of Orwell and anti-Semitism which I will not pursue here, since Tyrrell doesn't raise them, notably Orwell's argument, offered in defense of T.S. Eliot, that some statements about Jews might be regarded as unexceptionable if made before 1934 even though anti-Semitic if made later (CEJL IV, p. 450).
6. For example his visit to see the smashed windows of Italian-owned shops (CEJL II, p. 347).
7. See for instance CEJL II, pp. 178, 290.
8. Orwell's observation that continental Jewish refugees tended to agree with Hitler on policy issues other than the ethnic question was later to be voiced by Hayek in *The Road to Serfdom* (Chicago: University of Chicago Press), p. 184.
9. CEJL II, pp. 377-78.
10. A remark by Orwell's acquaintance, "D" (CEJL II, p. 377) confirms that the Jews under discussion are assumed to be non-English-speakers.
11. In the laconic British dialect of English, "queuing" means waiting in line.
12. CEJL II, pp. 25-26.
13. *Homage to Catalonia* (San Diego: Harvest/HBJ), p. 178.
14. CEJL IV, pp. 373-74.
15. So is the essay "Shooting an Elephant." I'm mystified that Tyrrell can read it differently.
16. CEJL II, pp. 91, 99-100.
17. CEJL IV, p. 398, and see p. 323. Orwell would have preferred Britain to become part of a democratic socialist federation of Western Europe, but he accepted that the appearance of such a federation was very unlikely, and that in any case Britain would not join it without U.S. approval.

# Orwell: Warts and All

by Martin Tyrrell

George Orwell was a great writer, but the evidence still demonstrates that he was an anti-Semitic, imperialist homophobe.

In my review I was careful to say only that Orwell was *capable* of the crassest anti-Semitism. The charge has not narrowed. It was narrow enough to begin with.

The context in which I raised the comment from the wartime diary was a review of a book — John Newsinger's *Orwell's Politics* — which goes to some lengths to present Orwell as a far leftist and which, to that end, largely overlooks instances of his various small prejudices where these are at odds with current far left tastes. However, Newsinger does discuss Orwell's views on women and feminism, albeit only briefly, probably because this was the subject of a substantial book — Daphne Patai's *The Orwell Mystique*.

I notice, incidentally, that Patai shares my interpretation of the diary entry and Bernard Crick seems to as well. These are the only opinions I have seen on that text (aside from David Ramsay Steele's) and both are in line with my own interpretation (Patai much more obviously so than Crick). Of course, that in itself does not make that interpretation correct. But Crick and Patai are responding to what is actually in that text. David Ramsay Steele's interpretation is more reliant on assumptions.

Steele alleges that when Orwell wrote "What is bad about Jews is that they are not only conspicuous but go out of their way to make themselves so" he was generalizing about just one group of Jews, the recently arrived refugees from Central Europe. He suggests that Orwell has not fully conveyed his own meaning. Steele infers Orwell's meaning to have been approximately that "These newly arrived Jewish refugees are very visible and very identifiable and they compound this by flouting English social customs. All this annoys a lot of English people and feeds their anti-Semitism. This is bad."

But if that is what Orwell meant, why did he not write it? One possibility is that a diary, like a letter, cannot be judged in the same way as a published work like a novel or an essay. Published works tend to be polished and edited

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whereas letters and diaries are more likely to have been written in haste. I do not think, however, that that argument can be offered with regard to this particular diary. The version of the diary that has survived and is reprinted in the *Collected Essays, Journalism and Letters* is taken from a typescript based on Orwell's earlier handwritten notes. The typescript exists because Orwell wanted to try and interest a publisher in the diary. (The original notes are lost.) Though the extant version retains the diary style, the fact that it has been prepared for possible publication would indicate that there has been some editing and reworking. The diary style of the piece has been worked for; it is a literary device. During the drafting stage, Orwell would surely have made any changes he felt were necessary to enhance lucidity.

In any event, I think that it is unfair to imply, as David Ramsay Steele does (e.g. the title of his reply), that I am making too much of private material. For a time at least, Orwell was sufficiently content with what he had written that he sought to present it to a wider public.

Orwell's diary entry of October 25, 1940, generalizes variously about Jews, continental European Jews, central Europeans, foreigners and continental Europeans and these are quite distinct generalizations. He implies that some of the characteristics of the continental Jewish refugees are "typically" Jewish (he finds them conspicuous and also deliberately conspicuous) and some, "typically" Central European (an alleged taste for authoritarian government, an alleged contempt for democracy). Orwell's acquaintance "D" is cited as having claimed that "the Jews in business circles" (by which is almost certainly meant English Jews rather than

Jewish refugees) are turning pro-Hitler. Orwell not surprisingly finds this "incredible." It is only then that he proceeds to distinguish what he sees as a specifically continental Jewish desire for authoritarian government. It is at this point only that he narrows his subject and clearly qualifies his terms ("any Jew, i.e. any European Jew"). The text seems to shift from generalizing about Jews as a whole, to generalizing about one particular group of Jews. Moreover, the particular group in question is quite a large one (a significant proportion of the entire Jewish population of the world at that time) and the generalization Orwell makes is sweeping (and unsupported).

Orwell's earlier and wider "conspicuous" generalization suggests that Jews in general are a visible minority, that they somehow compound their visibility (possibly, given the remark about the "Jewess," through rude, aggressive, behavior) and that this is in some sense a bad thing. The "bad" is ambiguous.

Either the alleged Jewish visibility is bad because, to varying degrees, most people (Orwell included) find it so; or it is bad because other people, though not Orwell himself, find

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*Orwell's generalizations are based on little or no evidence: "You can see it in their eyes even when they don't say it outright."*

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it so. Either way, it seems to me a thoroughly unbalanced apportionment of blame. It is certainly at odds with Orwell's later, more considered writings on anti-Semitism. All in all, I doubt that too many of his Jewish friends and colleagues would have enjoyed reading it.

Orwell's generalizations in the diary entry are in my opinion based on little or no evidence ("You can see it in their eyes even when they don't say it outright" is preposterous). I do not agree that he was, on this occasion, the kind of careful or reflective observer Steele claims. Rather, Orwell, in response to the rumor that the people sheltering in the underground stations are predominantly Jewish, decides on the basis of one night's visit to just three stations, and going by sight and stereotype alone, that there is probably something in it. He writes that there is, he thinks, "a higher proportion of Jews than one would normally see in a crowd this size." Thus, Orwell's conclusion, as presented in the diary, does not on balance refute the rumor. It somewhat ("a bit") tentatively supports it. So Orwell tentatively supports a rumor which is at best insensitive, at worst dangerous, and supports it in a work he tried to have published. That strikes me as an error of judgment.

Steele's comments about the different queuing cultures found in much of Continental Europe and England can only be anecdotal. It seems unlikely that people made their way to the bus or Métro quite as rowdily as Steele proposes.

Or that the English were quite so polite. My experience of southern Europe is that, at cinemas and the like, a kind of a queue tends to be formed but that people are usually much less inhibited about sidling ahead of someone if they see the

opportunity. It's infuriating, but it's hardly a free-for-all. As for northern Europe — and many of the refugees were Germans — I don't think that people queuing there would tolerate an interloper any more than would an Englishman. At any rate, neither of us can say for sure how foreign refugees, Jewish or otherwise, behaved in London in 1940. Orwell himself provides only one example of conspicuously bad behavior by someone whom he assumes to be Jewish. Controversial claims demand appropriate evidence. Orwell offers none.

## Orwell and the War

Orwell made at least one other reference to his change of position on the war in which he seems to attribute it to his legacy of schoolboy patriotism (there is even an allusion to Henry Newbolt's *Vitai Lampada*). In a review of a book by Malcolm Muggeridge he notes that, with the coming of war, Muggeridge has joined the army, throwing in a well-paid job in order to do so. Orwell writes:

... I know very well what underlies these closing chapters.

It is 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. It is all very well to be "advanced" and "enlightened"; to snigger at Colonel Blimp and proclaim your emancipation from all traditional loyalties, but a time comes when the sand of the desert is sodden red and what have I done for thee, England my England? As I was brought up in this tradition myself I can recognize it under strange disguises, and also sympathize with it, for even at its stupidest and most sentimental it is a comelier thing than the shallow self-righteousness of the left-wing intelligentsia.

It is true that Orwell sometimes had difficulty maintaining the dogmatic "fascism = capitalist democracy" position. (He cannot quite stay indifferent, for example, to the prospective demise of the democratic Spanish Republic and its probable replacement by a fascist state.) However, I would say that this kind of inconsistency is more likely to be due to the empirical weakness of that position Orwell was trying to defend and not necessarily evidence of some growing change of heart. The fictional George Bowling's reaction to the Left Book Club lecturer in the anti-war *Coming Up for Air* suggests that, around late 1938 or early 1939, Orwell still saw anti-fascism as overstated and propagandist. Overall, moreover, his pre-war writings offer relatively little opinion on the totalitarian aspects of states like Nazi Germany. If he was reflecting on these, it is surprising that this does not come out more in his writings, particularly his private correspondence. What does appear is a concern that England is in danger and must be defended, revolutionary socialist scruples notwithstanding — "My Country Right or Left."

## Orwell and India

If *Burmese Days* is unflattering in its portrayal of British imperialism, it is equally unflattering in its depiction of the Burmese and Indians. The later and much better "Shooting an Elephant" has the same ambivalence. There is a kind of abstract support for independence but no real sympathy for the colonized people.

Both of these works are, on balance, more sympathetic to the people caught up in the imperial administration. In *Burmese Days*, for example, there is a strong suggestion that the experience of imperial administration has corrupted the imperialists. In contrast, the Burmese are simply corrupt.

And in "Shooting an Elephant," there are passages where almost every critical comment on the imperial administration is counterbalanced by an aside at the Burmese. That's what I mean by grudging support.

It did not necessarily follow that an independent ex-colony would automatically become neutral or a conquest or ally of the enemy. Of the former British territories which were independent in 1939, only Ireland did not ally to Britain within days, if not hours of the declaration of war. One of Orwell's arguments was that India could not have defended its independence. Yet there were thousands of Indian soldiers in the British Army. Throughout the war, India was largely defended by Indians. It was mainly these Indian troops who saw off the pro-Axis Indian National Army. And Indian soldiers also fought in France and North Africa.

### Other Issues

Orwell, when he died, had clearly cooled towards the politics he had espoused in the early 1940s. The political pamphlets "The Lion and the Unicorn" and "The English People" were among the works he wanted to go quietly out of print. *Animal Farm* and *Nineteen Eighty-Four* focus on the

totalitarian potential in that earlier position. He seems to me to have turned his back on one position. I think that it is significant how little he has to say about the Labour Party in power, the first ever majority Labour government in British electoral history, and the various measures it introduced. David Ramsay Steele previously suggested that Orwell showed no sign of running out of ideas. Perhaps. But all that Orwell left by way of work in progress are some very rough notes for a semi-autobiographical novel. At his death, his political position was sufficiently ambiguous to suit all manner of rival claims. He left something for everyone. Had he lived a decade more, there would, I think, have been less for some.

Whether or not Orwell, like Solzhenitsyn, significantly affected the USSR is debatable. Certainly, I think he helped ensure that Britain's small Communist Party only ever got smaller. But British Trotskyism owes him a favor. Until a few years ago, the various, mutually antagonistic sects of British Trotskyism could be sure of an annual blip of new undergraduate members. It was in *Animal Farm* that I suspect most of these erstwhile student Trotskyists first met Trotsky. ┘

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### Wolfram, "The Truth about Hillsdale," continued from page 45

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clauses in to protect their property. To the extent that such clauses make it less likely that an apartment will be rented, the landlord might exclude such a clause. The dorm rooms are owned by the college and leased to the student. To argue that the college reserving the right to search its property unannounced makes it a police state again reflects a fundamental misunderstanding of the difference between government and private property. If the government searched the dorm room, it would be a violation of the Fourth Amendment. The dorm room is the private property of Hillsdale College, and the College may search it with impunity. If room searches were frequent and unwanted then Hillsdale College would have trouble attracting students, which is clearly not the case.

Anonymous disparages home-schooled students. Any reader of *Liberty* should realize that home schooling is the ultimate answer to government ownership of the educational system. People who homeschool their children are not likely to be those who instill in them subservience to authority. With absolutely no evidence, Anonymous asserts that home-schooled students "live intellectually cloistered lives, being taught comfortable traditions rather than challenging ideas." In my seventeen years of teaching at colleges and universities, I have not found this to be the case. One can search studies of home-schooled children and find no evidence that this is the case. Common sense would tell you that this is not the case. And even if it were the case, home-schooled students only make up a small minority of students at Hillsdale and they do not dominate the atmosphere of the student body.

### You Could Look It Up

Let us do something that Anonymous does not do: look at the facts. Hillsdale College is nationally ranked by several sources, including *U.S. News & World Report*, the *Templeton Foundation Honor Roll*, *Peterson's Guide for Competitive Colleges*, *National Review's College Guide*, *Barrons Best Buys*, and ISI

*Guide: Choosing the Right College, The Whole Truth About America's 100 Top Schools*. Are we to believe that all of these organizations have overlooked the "police state" that supposedly exists at Hillsdale? Hillsdale College received 1008 applications for its 300 freshman openings last year. Are we to believe that these students all have done so little research that they cannot recognize a place which has an atmosphere of fear? Hillsdale College retains nearly 85 percent of its freshmen students from the first year to the second year, and has a graduation rate in excess of sixty-five percent, far higher than the national average. Is this consistent with the assertion that "half the students are afraid of the school," and that "many have left?"

The 16 member science department is made up entirely of Ph.D.s. The physics faculty holds Ph.D.s from institutions such as Johns Hopkins and Stanford; the chemistry department faculty holds Ph.D.s from the University of Michigan, Wayne State University and Case Western University; and the biology faculty holds Ph.D.s from the University of Michigan and Purdue. From the class of 1998, 80 percent of the graduates in physics and chemistry were accepted to graduate school, the rest were employed in their field, except for one who was staying home with her child. Of the 20 biology graduates, 13 were employed in their field, 3 were in graduate school, 2 were employed in another field, 3 were staying at home with children, and one was unemployed. Is this consistent with Anonymous's offhand remark about Hillsdale that "its science education is weak?"

Anonymous is correct that Hillsdale has an outstanding faculty. But the George Roche "scandal" has not put a "blemish on their resumés from which they may never recover," any more than Roger Pilon will have a blemish on his resumé from having his article published alongside Anonymous's article. ┘

Bangs poked out in a ruffled fringe from beneath the edge of the girl's stocking cap, once pink, now a dingy salmon. Her hand stroked my arm.

"Sorry. No money." I ducked from her grasp.

As I walked rapidly towards the concrete stumps ringing the edge of the Piata Mihai Viteazul, the girl nipped along at my side, murmuring in Romanian.

Behind us stood a box-like blue wagon adorned with red swirls. Its shafts stood empty but expectant, as though the horse had recently wandered off to find a locale more amenable than the paved streets of Cluj. I had passed the wagon after leaving the street market, taking note of the battered decoration and drawn gauze curtains as I purchased a bottle of soda from a street kiosk, but I had not associated the gypsy-like transport with the child in pink pants and a baggy jacket who darted around the plaza. Not until she found me.

"I'm sorry," I protested again. "No money."

After a day and a half in Cluj, I could accurately greet museum employees with "buna ziua" and express my gratitude to the hotel staff with a simple "multumesc."

I had no way to articulate the concept of "I donate to charities as much as possible but I cannot in all conscience give you money when I know it will go straight to the local breweries via your family members, and even if the money does help you somehow, encouraging a nine-year-old girl to beg from strangers is not the way life is supposed to work, it's certainly not how I want the world to be, so I simply cannot give you money, no matter how little these 50 and 100 lei coins mean in the Western world, where the metal alone would be worth more than the face value."

Halfway across the street, with her small footsteps still echoing my own, I doubled back and recrossed the plaza across its narrow end. She wouldn't leave her territory. The parents who sent her out to beg from tourists wouldn't force her to follow her marks out of the immediate area —

She jumped up on the curb before me, chattering in Romanian, smiling up at me with dark beseeching eyes.

I ducked past a squat red Dacia parked halfway up the sidewalk and continued over a bridge, its paint rippling in scales off the gray metal, and down another street, its façades stretching away flat except for the wooden trim arching like eyebrows over window panes. The girl clung to me, her faint pleading voice rising over the rumble of the street traffic and my own horrid thoughts: she will lose me, or give up the chase when another mark cuts through our path, a more obvious tourist with a video camera and a wad of travelers' checks instead of a student in denim jacket and gym shoes who eats from street kiosks instead of restaurants; her eyes will remind someone of other eyes, and they will give her money; but that will not be the point. . . why can't I give her a few coins when it doesn't matter in the end, when nothing

I do or fail to do can make any real difference in her life, and even if it does there are thousands more like her — there's nothing I can do to help her. . .

I stopped.

Her hand had long since moved from my arm. Grimy fingers, dirt rimming their nails, clutched the top of my soda bottle.

"This is what you want?" I asked slowly, half-releasing the bottle from the crook of my elbow and holding it up.

She nodded, her eyes glowing.

"But . . . I've already drunk out of it." My feeble statement made no dent in her pleading grin.

"Of course. Here."

I held the bottle to her. She pulled it smoothly away.

"Multumesc," she whispered, patting my hand one final time, and then she was gone.

# Street Urchin

by Tracey Rosenberg

In my hotel room that night, after rearranging dirty clothes in favor of clean, I flipped through the British Airways in-flight magazine and found myself reading an article in which rock star Sting spoke about his pilgrimages to India. In some areas, terrible poverty drives people to mutilate their children in

order to make them successful beggars. Giving the children money would only encourage the deliberate mutilations.

Therefore, on at least one occasion, Sting and his wife gathered as many children as they could find and treated them all to candy at the nearest sweet shop. The event made no difference to the fundamental nature of begging in India, but as Sting pointed out, it was a way to do something special for the children themselves, which could not be taken away or used against them.

The next day I returned to the street market and bought a set of pink hair clips, metal slides with abstract decorations painted on the ends. I walked through the plaza several times during the remainder of my stay in Cluj. Once I saw a boy haranguing passers-by and knocking on the windows of cars stopped at the streetlight. A wagon stood at the edge of the plaza, but I could not tell if it were the same one. Groups of people gathered on the benches or straddled the concrete stumps. No flashes of pink cut through my landscape.

A week later, in England, while seeing an old friend and his family, I unbuttoned the pocket of my jean jacket while searching unsuccessfully for a tissue.

"Does your daughter like barrettes?" I pulled out the package and handed them to my friend, "I bought these in Romania."

The four-year-old girl grasped them lovingly, pulled them from the plastic and began stabbing them into her hair. I gently took them back, slid them correctly into place, and watched as she jumped up and down, fingering the new adornments, laughing in glee. □



# Reviews

*A Vast Conspiracy: The Real Story of the Sex Scandal That Nearly Brought Down a President*, by Jeffrey Toobin. Random House, 1999, 422 pages.

## The President and His Enemies

Gene Healy

Early on in *A Vast Conspiracy*, Jeffrey Toobin takes us to a May 5, 1994 conference call between Paula Jones's attorney, Gil Davis, and President Clinton's lawyer, Bob Bennett:

"I've talked to the president about this for hours and hours," Bennett said, "and this just didn't happen. You have no case." The two men sparred inconclusively for a few minutes, and then Bennett raised the stakes. "Did you know there are naked photos of your client?" . . . Davis said he didn't know about any naked photos, but he would be interested to see them if they existed. . . . Then it was Davis's turn to spring a surprise. "My client says your guy has a unique mark on his penis, and she can identify it." What followed was a considerable silence.

In this irresistible passage and several others throughout *A Vast Conspiracy*, Toobin perfectly captures the mixture of high drama and low farce that made the Clinton impeachment imbroglio such a guilty pleasure. Think *Inherit the Wind* meets *Benny Hill*. Toobin, the *New Yorker* reporter who chronicled the O.J. Simpson trial in the tightly paced bestseller *The Run of His Life*, seeks to repeat his success with this account of the Lewinsky Scandal.

Unfortunately, Toobin's considera-

ble skills as a narrator are undermined by his heavy ideological investment in defending Clinton. *Time* magazine reporter Nina Burleigh famously remarked in the *New York Observer*, "I would be happy to give [Clinton] a blow job just to thank him for keeping abortion legal . . . American women should be lining up with their presidential kneepads on to show their gratitude for keeping the theocracy off our backs." Toobin, too, has packed his kneepads along with his reporter's notebook, and the results are embarrassing.

Toobin sets the stage in the book's prologue, when he declares that "Clinton was, by comparison [with his enemies], the good guy in this struggle." At every turn, Toobin casts Clinton's behavior in the most flattering light imaginable. Discussing Clinton's videotaped grand jury testimony, Toobin bumbles that "In a peculiar way, one could see that Clinton cared for Monica Lewinsky . . . there was, if not gallantry, a kind of affection as well." Of the president's August 17, 1998 televised non-apology, the failure of which nearly drove Clinton from office, Toobin declares, "Clinton displayed on this evening the skills that made him the most extraordinary politician of his generation." Remember the

White House prayer breakfast that took place shortly thereafter? At that event, Clinton, family Bible in hand, intoned: "As you might imagine, I have been on quite a journey these last few weeks to get to the end of this, to the rock-bottom truth of where I am and where we all are." Toobin weighs in on this as well: "Clinton's remarks — at once passionate, earnest, and humble — demonstrated a kind of eloquence rarely seen in American life." To the less star-struck among us, what they demonstrated is a kind of arrogance and self-absorption that borders on the pathological. Who the hell cared "where" the phony bastard was, and what could that possibly have to do with "where" the rest of us were?

But it gets worse. Toobin mangles the facts and the law in an attempt to clear his man of serious wrongdoing. Of Clinton's attempt to get Monica Lewinsky to file a false affidavit in the Paula Jones case, Toobin says that it was "not even close" to obstruction of justice. He explains that Clinton could have been urging her to file "a truthful, if limited, affidavit that might have gotten her out of testifying in the Jones case." For instance, writes Toobin, "she could say that she had no evidence relating to sexual harassment." Yes, and that would surely stop the Jones lawyers from seeking to depose her. Does Toobin really believe this nonsense? Clearly, nothing short of a false affidavit — one denying sexual contact altogether — could avoid piquing the Jones lawyers' interest and spurring a subpoena for Lewinsky. Just as clearly, that was the kind of affidavit Clinton encouraged her to file, and which she did file.

By the time Toobin gets to his discussion of the constitutional standard for impeachment, the screeching of Eleanor Clift rings in your ears. The president's adversaries, Toobin writes, "were willing to trample all standards of fairness — not to mention the Constitution — in their effort to drive

him from office." Toobin, of course, argues that Congress's impeachment power can properly be invoked only where there is an abuse of official power. But historical practice in England and America never drew such a line. Nor could it. Those left-wing academics who, in an uncharacteristic attempt to divorce the personal and the political, tried to argue that impeachment was limited to grave abuses of political power, soon found themselves tripping over their own logic. My personal favorite was University of Chicago law professor Cass Sunstein, who suggested in the *University of Pennsylvania Law Review* that murder may not be an impeachable offense. No kidding: "a hard case" if committed for nonpolitical reasons. (Let's hope that Our Bill hasn't figured out that the Sunstein standard immunizes him from impeachment for rape as well.)

What is it about Clinton, and what was it about the impeachment period, that inspired such acts of journalistic and academic self-debasement? Reporters like Toobin and professors like Sunstein peddled their credibility

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*During the impeachment "crisis," President Clinton waged war and murdered powerless foreigners in order to serve his private political advantage. But to Jeffrey Toobin, the real scandal is that Henry Hyde and Tom DeLay are hypocritical, moralistic prigs.*

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as cheaply as Monica's virtue in an attempt to cover for a man who little deserves it. Why?

Well, for one thing, Clinton's left-wing defenders perceived the entire episode as a politically driven attempt to "get" the President. Moreover, they associated that attempt with what they saw as moral Babbittry and conservative sexual repressiveness. Though their view was greatly exaggerated, as Toobin shows. In particular, Paula

Jones's second set of lawyers — conservative Christian activists connected with the Rutherford Institute — used the lawsuit as an excuse to troll through Clinton's sexual past and expose him as an adulterous lecher. If Nina Burleigh's would-be theocrats were anywhere to be found in the scandal, it was here. Interestingly, Toobin writes that "the Clinton team began to refer to their new adversaries . . . as the Branch Davidians." Maybe

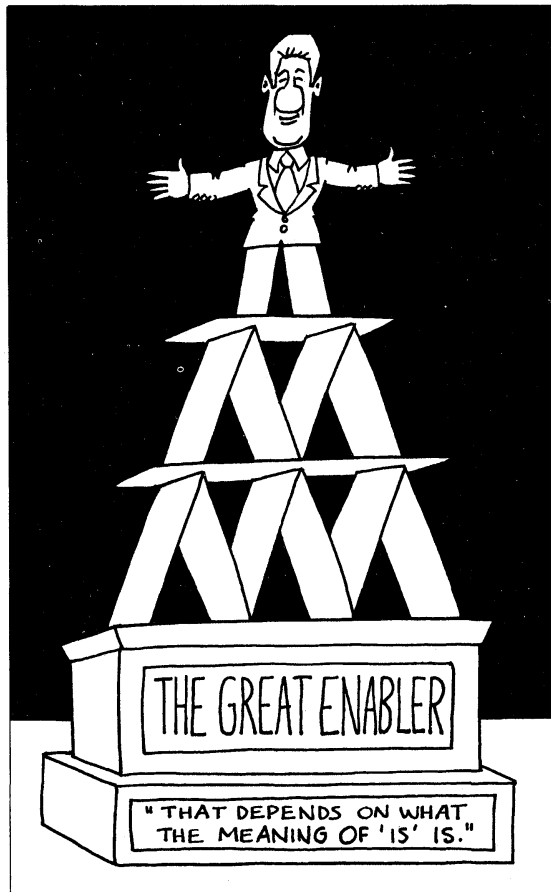
Jones's lawyers are lucky they weren't gassed and barbecued.

When, a year later, a significant part of the perjury article of impeachment revolved around where Clinton kept his hands during Monica's ministrations, the president's defenders were able to construct a narrative of right-wing prudery and inquisitorial moralism. Of course, believing in that narrative required a good deal of cognitive dissonance. For instance, the so-called "theocracy" wouldn't have gotten far without legal "reforms" that the Clintonites backed: amorphous sexual harassment law and changes to the Federal Rules of Evidence pushed by feminists and signed by Clinton himself.

But no matter. The obvious personal venom with which many of Clinton's enemies pursued him allowed the president's defenders to feel like they were acting in the service of principle. They insisted that the cause was larger than the man (in this

case, almost any cause is) and declared that they were fighting to preserve the separation of powers, to protect our Constitution from being trampled by a GOP lynch mob.

But it's hard to treat the posturing of Clinton's defenders with anything other than contempt. If they really gave a toss about the Constitution or "destructive partisanship," they'd have switched sides when Clinton twice decided that foreign lives might justifiably be sacrificed to save his political viability. Clinton's eve-of-impeachment decision to bomb Iraq came shortly after the president learned that



he did not have the votes to prevail. In that, it was of a piece with August 1998's "anti-terror" attacks on Sudan and Afghanistan, which came three days after the president's grand jury testimony and in the midst of a media firestorm over his televised non-apology. If Toobin, Sunstein, et al. couldn't find anything suspicious about that chronology, then I've got a bridge to the 21st century I'd like to sell them.

Toobin can muster only a couple of oblique references to the biggest story of the impeachment crisis. He briefly mentions "controversy" over the president's decision to bomb Iraq, clears his throat nervously, and then quickly resumes his narrative of a tragically flawed but good man hounded by moral zealots.

Toobin is not alone in focusing on the sex-and-celebrity related aspects of the impeachment scandal to the exclusion of Clinton's gravest crimes against the moral law and the Constitution.

The media as a whole has shown criminal disinterest in Clinton's application of Clausewitz's dictum that war is politics by other means. Since the end of impeachment, Monica's contract with Weight Watchers and Linda Tripp's facelift have consumed far more column-inches in major newspapers than the steadily accumulating evidence that the bombing of the El-Shifa pharmaceutical plant in Sudan was utterly without justification.

The *Washington Post*, the paper that made its mark with Watergate, did run a comprehensive, well-researched piece on the bombing of the El-Shifa factory. The article, which ran on July 25, 1999, made a sober and compelling case that the administration's stated rationales for the missile attack could not withstand serious scrutiny. The plant did not, despite what Clinton claimed, manufacture nerve gas; it made painkillers and repackaged imported pharmaceuticals for resale in Sudan. Westerners intimately familiar with the plant, including a British engineer who served as technical manager during the plant's construction, emphatically denied that it was used for the manufacture of chemical weapons. Independent tests conducted by the chair of the chemistry department

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*Sex and scandal on the front pages, presidential war crimes next to the funnies and the horoscopes. That's "adversary" journalism in the Clinton era.*

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at Boston University confirmed that no nerve-gas precursors were present in the soil around the factory. The CIA refused to release the sample it claims to have relied on. Nor did the plant's owner, Salah Idris, have any connection whatever with Osama Bin Laden. Idris's property had been destroyed — and his assets seized — on that pretext; however, when Idris filed suit, the U.S. government summarily issued an order unfreezing his assets, rather than have to come forward with its evidence in open court. The *Post* article closes with a quote from Milt Bearden,

former CIA station chief in Sudan: "There's something wrong here. This won't go away."

All in all, the article was a fine piece of journalism. But it didn't quite make the front page, or even the "A" section. Instead, it was relegated to the *Post*'s "Style" section. Sex and scandal on the front pages, presidential war crimes next to the funnies and the horoscopes. That's "adversary" journalism in the Clinton era.

So, to recap: during the impeachment "crisis," President Clinton waged war and murdered powerless foreigners in order to serve his private political advantage. But to Jeffrey Toobin and his ideological compatriots in the academy and the establishment press, the real scandal is that Henry Hyde and Tom DeLay are hypocritical, moralistic prigs.

This president attracts the kind of defenders he deserves. □

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***The Structure of Liberty: Justice and the Rule of Law*, by Randy E. Barnett. Clarendon Press, 1998, 347 pages.**

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# Justice: Libertarian Style

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Richard B. Sanders

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Liberty has a structure, argues Randy Barnett. From natural rights at the foundation to the utopian view from the observation deck, he constructs a model of a free society, a society structured by institutions, both public and private, that are designed to meet its purpose. His analysis is not easy reading, nor is it intended to be. All too many people lack the example set for the author in his early years by his father's "overriding concern for principle, right and liberty." But those who follow his argument will be challenged and rewarded.

In *The Structure of Liberty*, Barnett defines justice as respect for individual rights and sketches a system of laws and institutions that can protect the private domain of each citizen from interference by others. But there is something more fundamental: human nature itself. From the human's natural instinct to survive and prosper necessarily come the rudiments of the social and legal structure that is most likely to

serve those ends. Thus, Barnett begins with a natural law analysis that proceeds from human nature and the physical facts of the world to a system that can best accommodate human aspirations. His reliance is on the law of nature, discernible by reason.

The structure of liberty must then be designed, and designed with sufficient skill to enable it to withstand the gravitational forces which seek to bring it down. It must also be made free of any contradictions that might weaken it from within.

One of those contradictions is exposed by Barnett's challenging thesis that the more types of rights we recognize, the more violence we legitimate. To put this in another way, every legal right of one person is a legal obligation of another, because every right, by its nature, is subject to enforcement through the coercive power of the state. We do not have legal rights so that we may do things; we have rights only so that others shall do, or must not do, something. Legal rights are therefore a necessary evil because they compel or constrain what we would otherwise not

do by choice.

First among those rights is the recognition that individuals and associations have control over physical resources within their domain, and, concomitantly, over the right to transfer those resources through contract. Implicit in the recognition of these rights is the legal obligation of others to refrain from nonconsensual physical interference. This is only just, as justice is respect for the rights of individuals and associations. Accordingly, violating these rights by force or fraud is unjust.

It is justice, in this sense, which our government and legal system were designed to protect. The Declaration of Independence says as much: "... governments are instituted among Men" to secure the "unalienable Rights" of "Life, Liberty and the Pursuit of Happiness." The idea is reiterated in various state constitutions. The Washington State Constitution, for example, begins by stating governments "are established to protect and maintain individual rights" (Wash. Const. art. I, 1).

I have no doubt that natural law, and the natural rights which follow from it, profoundly influenced the

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*The more types of rights we recognize, the more violence we legitimate. To put this in another way, every legal right of one person is a legal obligation of another.*

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Founding Fathers; although, as Barnett says, the results of the Founders' method are far from self-evident from a 21st century perspective. Barnett points out, however, that laws which are not consistent with natural rights are laws only by force, not laws of conscience that are self-equipped with their own reason for observance.

It is not clear that modern protections, and often extensions, of rights are more effective than the old common-law protections. The common law was uniquely suited to protect individual rights by deciding each case, and

no more, so as to define the boundaries between one man's rights and another's acts. It was certainly no place for social revolution or radical innovation. Legislation was originally designed to correct the occasional errors of the common law and occupied a relatively small role on the legal landscape. However all that has changed as the modern day legislature sees its role not as correcting the common law but as supplanting it. According to Barnett, "Where the legal system has moved away from a conception of justice based on several property and freedom of contract it has been largely a result of legislation inspired by academic, self-styled reformers" (125).

### Handling the Baddest of the Bad

If we are to construct a classically liberal conception of justice focused on the protection of individual rights, and sparingly define them at that, we must still consider what to do about those who violate the rights that we may carefully and sparingly, but necessarily, define. Here Barnett opts for a system which emphasizes self-defense and restitution in lieu of punishment.

Of course, incarceration is the ultimate form of societal self-defense, although incarceration beyond what is necessary for self-defense would not serve that end, and could not be justified on that ground. (I tried to make this point in my lone dissent to Washington's three strikes law, arguing it was unconstitutionally cruel punishment in *State v. Rivers*, 921 P.2d 495, [1996].) But there are other forms of self-defense as well, e.g., security guards, limited access facilities, etc. Privately owned facilities are more defensible than public ones as there is more incentive to defend one's own private property than someone else's. Defense of private property is also easier than defense of public property because of the "dilemma of vulnerability" which prevents government from restricting access to public property in the interest of liberty; a dilemma not faced by private owners.

Then there is the more traditional self-defense whereby individuals use coercive force in a self-help fashion to defend themselves and their property

against attack. The burglar predictably fears an armed homeowner much more than possible police apprehension. Unfortunately, self-defense against unlawful arrest or state-sanctioned rights-violating conduct in general is not discussed by Barnett, though it is well recognized in the common law, if not consistently so by the court on which I sit. (See my dissent in *State v. Valentine*, 935 P.2d 1294 [1997].)

Restitution from criminal defendants also has much to recommend it. This is perhaps the only way for the

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*The structure of liberty must then be designed to enable it to withstand the gravitational forces which seek to bring it down. It must also be made free of any contradictions that might weaken it from within.*

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true victim of the crime to have any hope of being made whole again. Under the current system, restitution is underutilized and hard even to recognize in theory. This is true because the offense is considered to be against the state, not the individual. In my state, for example, talk of "victim's rights" usually translates into the right of the victim merely to be informed of the course of the criminal prosecution and have some input at sentencing. (Compare Wash. Const. art. I, 35.) Under Barnett's proposal, however, the offender would be "confined to an employment facility" until the restitution was paid as a condition to release. Although this would do something for the victim (assuming that he isn't dead), the nature of the underskilled deadbeats who make up the lion's share of our criminal population may present some practical challenges, which Barnett also, perhaps optimistically, thinks can be overcome.

Of course, there are still those who will slip through our public and private defenses, and neither be deterred nor be willing to make restitution.

What of them? These are the "out-laws." Barnett suggests that, in lieu of incarceration, they be deemed outside the protection of the laws themselves or perhaps be banished to secure areas to fend for themselves, with their own kind. Perhaps over time such communities (like Australia) would be once again fit for social intercourse; however until then, good riddance.

Although this proposal seems pretty utopian, Barnett strives to be practical. He notices that punitive sanctions are difficult to administer because of the high burden of proof that is necessary to avoid the error of subjecting innocent people to punishment. Moreover, while the degree of deterrence is more a function of the expectation of being caught and sanctioned than it is of the severity of the sanction, a nonpunitive sanction could operate on a mere preponderance of the evidence rather than the principle of "beyond a reasonable doubt."

There remains the problem of who guards the guardians. The "single power" principle which places all force in government hands inevitably leads to the abuse predicted by Lord Acton: "Power tends to corrupt and absolute power corrupts absolutely." Barnett's answer to this is decentralization and competition among private, competing court systems and enforcement agencies. We already have seen more than the beginnings of this. Many litigants currently prefer to take their disputes to private arbitration services which insure quicker and perhaps more consistent results than the government court system. And private security agencies now employ more security guards than the government provides police. Government courts and police agencies are only accountable in a political way, whereas private adjudicators and security agencies are accountable to the market's standards of performance.

Clearly, Barnett's book is full of ideas to examine, matters to look into. The view from the observation deck on the top floor tells us the ground is a good many stories below; however, the structure of liberty is more visible now than it was before this book was written, even if it is still a bit in the clouds. □

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*Earth Report*, Ronald Bailey, editor. McGraw Hill, 2000, 362 pages.

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# Apocalypse Reconsidered

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J. Bishop Grewell

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In 1995, Ronald Bailey offered up *The True State of the Planet* as an antidote to the poisonous scare-mongering of Lester Brown and the Worldwatch Institute's annual reports on planet Earth's health. This year, Worldwatch frightens again with its *State of the World 2000* and Bailey has once more answered the challenge, with a new collection of essays.

*Earth Report 2000* gives Mother Earth her regular checkup. Following in the footsteps of *The True State of the Planet*, *Earth Report 2000* provides charts and numbers on the planet's health with relatively easy-to-read analysis of what the cat scans show.

Dedicated to Julian Simon, who died in 1998, *Earth Report* begins with an eloquent chapter by Bailey on escaping the Malthusian world view, showing that continued economic growth and prosperity will not outstrip the planet's ability to provide the necessary resources, resulting in environmental catastrophe. The discussion of Malthus provides the necessary preface to New Growth Theory.

Developed by Paul Romer of Stanford University and other economists, New Growth Theory treats resources merely as inputs for a specific output, with man not caring what the inputs are so long as he gets the desired output. New Growth theorists trust the human mind and the advance of technology to find new ways to change inputs or use them more efficiently in order to continue producing more and more of the desired outputs. Bailey contrasts Malthusians and New Growth theorists in the following way:

Contemporary Malthusians often

liken modern human society to a car going 100 miles per hour on a foggy road. They ask if it wouldn't be better if we slowed down, so that we don't crash into a wall hidden in the fog. New Growth Theory suggests that a better analogy might be that human society is in an airplane going 600 miles per hour. If the plane slows down too much, it will lose airspeed and crash before arriving safely at its destination.

After the opening chapter establishes the book's perspective, *Earth Report* gets down to details, exploring alleged problems like global warming, overpopulation, depletion of fish stocks, energy shortages, declining bio-

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*Which is more desirable? Preventing 500 million new cases of malaria by enabling poorer countries to prosper so they can improve their public health? Or preventing a million cases that might occur if the global warming menace actually happens as the result of our failing to stifle economic growth?*

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diversity, and endocrine disruption. In each case, the numbers find Mother Earth healthier than many green groups lead us to believe.

*Earth Report* provides cogent arguments for the view that economic growth and environmental quality are not incompatible. And it then backs those arguments with hard data. Its appendix provides more than thirty

charts that clearly illustrate the trend toward environmental improvement and more abundant resources. It also provides the numbers that support the charts' visuals.

*Earth Report's* structure could be improved. After discussing Malthus and New Growth Theory, the book steps away from the link between the theories and the practical world with a chapter by NASA scientist Roy Spencer questioning whether global warming is a serious problem that man should address.

Somewhat technical, Spencer's chapter may frighten the casual reader away from the rest of the book. Spencer's chapter is interesting and informative, but it is the next chapter by Lynn Scarlett that provides the logical lead-in for the rest of the book. Scarlett discusses man's inclination to use less material to get the same products. For instance, she notes that compact discs are replacing phone books at telephone companies offering information services: "A single disc carries 90 million phone numbers that would once have been displayed in 5 tons of phone books." It's a succinct example of what the theorists are talking about.

In a particularly enlightening chapter on why growth is the answer rather than the problem, Indur Goklany looks at climate change. He argues that it is wiser to foster prosperity, which creates wealth that can be used to deal with problems that might arise under global warming, than to hamper growth in hopes of preventing a crisis that may not even occur. For example, an additional 25 to 40 million cases of malaria might occur because of global warming during the next sixty years. But with or without global warming, 500 million cases will develop thanks to poor standards of public health in impoverished countries. Which is more desirable? Preventing 500 million new cases of malaria by enabling poorer countries to prosper so they can improve their public health? Or preventing a million cases that might occur if the global warming menace actually happens as the result of our failing to stifle economic growth?

*Earth Report's* final chapter explores biological diversity. Heavy on discussion of definitions and theories within the biological community, the chapter lost my interest several times. For exam-

ple, a section on equilibrium theories introduces the concepts of equilibrium resilience and ecosystem resilience, "... the former being the manner in which a system returns to an equilibrium state after minor perturbations, and the latter reflecting conditions far from any equilibrium where systems may even change state." Much of the chapter reads like an academic paper. Clearly the author knows his stuff, but it was work to decipher it.

*Earth Report* skips some very big issues, like urban sprawl, biotechnology, and the environmental impact of trade. These are hot button issues, and it's too bad they weren't examined. It is

also unfortunate that it did not occur to Ron Bailey that an anthology like *Earth Report* needs a final chapter or epilogue to unify the different threads of its argument and to focus on the big picture. When I finished the book, I reread the first chapter for this purpose, and I recommend readers do the same.

Nevertheless, this volume is a valuable resource. Along with the *Index of Leading Environmental Indicators* and *The True State of the Planet*, *Earth Report* provides plenty of data to show that Mother Earth is indeed in robust health, and makes a strong case that should she get sick, technology and economic growth are likely to provide a cure. ┘

## Booknotes

**The incumbent racket** — Halfway through *Monopoly Politics* (Hoover Institution Press, 1999, 152 pages), former Reagan budget director and academic James C. Miller III describes one of the games played by Washington's career politicians. Making the rounds of U.S. Senate offices prior to his confirmation, Miller recounts how he was "often taken into a senator's private quarters and told about the importance of such-and-such a program to him or to his constituents." Sometimes, Miller explains, "it was alleged that the [Reagan] administration had previously assured" the senator "of support on his special interest and that he expected the same from me. Often, after confirmation, I would testify before some congressional committee and be berated for not being sufficiently tough on overall spending or some specific aspect (such as defense)." Miller, upon returning to his office, would find a call waiting for him "from the offending member," who wanted "to remind me that while she was a budget hawk, the programs in her district or state had clear and convincing priority."

I observed similar behavior during six years as a Michigan state representative (1993-1998) before term limits ended my tenure. One example should suffice: As a freshman legislator, a senior colleague told a group of us, newly-elected, to "Eat Yes, Vote No." The "Eat Yes" referred to dining privately with lobbyists at their expense. A loophole in

Michigan law permits special interests to spend up to \$35 per month on each legislator without disclosing the activity. In contrast, lobbyists in neighboring Wisconsin are proscribed by law from purchasing even a cup of coffee for lawmakers. "Vote No" meant publicly casting votes against the pet projects these same lobbyists demanded in our appropriation bills. More than one political career has been built around such behavior.

Public choice economics has contributed a great body of knowledge about the political process by analyzing the behavior of career politicians. Public Choice theory holds that politicians act in their own economic self-interest, as well as the perceived self-interest of their constituents. Pork-barrel projects exemplify the latter; the former is manifested by political pay raises, self-created pensions and laws that restrict political competition and keep minor parties and independents off the ballots.

Miller argues that the political marketplace is so rigged to protect incumbents that it amounts to a monopoly. "When observing poor performance in commercial markets, most people will suspect anticompetitive behavior — price fixing, limits on entry, discrimination, and the like," Miller writes. "Yet, voters seldom suspect that limits on competition explain much of the poor performance that characterizes political markets."

The solution "is not to drive money



out of the system," Miller contends, "but to reform the political marketplace to make it more competitive and more responsive to voters." Among his suggested reforms:

- Limit the abuse of incumbent office perks, including "occupant"-addressed mass mailings at taxpayer expense, excessive congressional staff, and "pork-barrel" spending;
- Prohibit use of the Internal Revenue Code to distribute favors;
- Revise federal election laws to lift limits on spending, require full disclosure of campaign contributions, and tighten laws against intimidation by incumbents; and
- Reform Congress through term limits and other measures.

Miller's final proposed reform is especially important. One significant fact has been obscured in recent media coverage about Congress ignoring self-imposed spending caps. A small group of term-limited members of Congress continues to fight for fiscal restraint in the appropriations process. The National Taxpayers Legal Foundation concluded recently "that when politicians plan to make a career in Washington, they will change their behavior" and exhibit less fiscal restraint. The group reached its conclusion by comparing the costs of term-limited members' legislative agendas with those who oppose term limits.

*Monopoly Politics* is a quick but valuable read for citizens who wish to reform the U.S. political process.

— Greg Kaza

**Ride the Wave** — Robert Prechter is perhaps the world's leading proponent of the "Elliott Wave Theory" — a hypothesis that financial markets move in a definable eight-phase pattern, consisting of a five-part "upwave" followed by a three-part "downwave." This theory was first presented by Ralph Nelson Elliott in 1938, and has enjoyed a certain grudging acceptance in financial circles ever since.

Many Elliott Wave devotees, including Prechter, believe there is a connection between this pattern and the Fibonacci series, a sequence of numbers obtained by adding any two integers, then taking their sum and adding it to the series and repeating the process — for example, 1, 2, 3, 5, 8, 13, 21, 34, 55, 89, 144, etc. Interestingly, no matter what two numbers you start with, the

ratio of the two final terms in the series always converges quite rapidly to 1.618. If you divide this number into 1, you get 0.618, the solution to the equation  $X$  plus  $X$ -squared = 1. This ratio, sometimes called "phi" or the "golden mean," occurs frequently in nature, often manifesting itself as a spiral growth pattern.

In his new book, *The Wave Principle of Human Social Behavior and the New Science of Socionomics* (New Classics Library, 2000, 463 pages), Prechter argues that the Elliott Wave pattern

applies to a range of human activities far broader than financial markets — that, in fact, it is common to a wide range of social and cultural trends. He ascribes this to what he calls "herding behavior" — the behavior of people in large groups, which tends to be easily swayed by a desire to belong, or a fear of being left out.

Prechter emphasizes that while individuals acting alone often make decisions on a rational and informed basis, few can resist getting swept up in the larger mood of the moment when a

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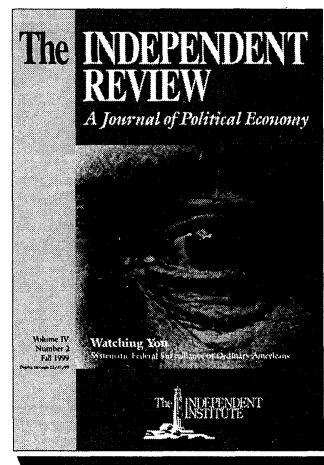
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"wave" is in full force — as in the final stages of a roaring bull market. (Prechter was dismissed as kooky when he predicted that the Dow Jones average would reach 3,800, back when it was still below 1,000. Now that it has soared well past 10,000, he has turned bearish.)

*Socionomics* is filled with a plethora

of information on all kinds of social and economic patterns, ranging from tastes in music to politics and fashions in clothing. It is packed with charts, diagrams and equations — some of them fascinating, others arcane. Prechter is careful to distinguish among facts, observations and speculations, but at

times one must wonder if he is reaching just a bit too far. In the book's final chapters, which are perhaps the most thought-provoking, he suggests that the entire universe is governed by Fibonacci-like patterns. This may be true, but some of the evidence he presents to make the case seems shaky and contrived — for example, his contention that the ratio of the planetary orbits in our solar system follows a Fibonacci series. It doesn't.

Overall, *Socionomics* is an ambitious and intriguing effort. It is not a book to be swallowed whole, but one that should intrigue anyone who delights in finding patterns, especially in the realm of human behavior. — David Nolan

**A Deepness in the Thought** — In the story "Between Shepherds and Kings" in the anthology of libertarian science fiction called *Free Space*, John Barnes asked a very cogent question about the space opera: Why is there space travel in novels? One of the explanations, trade, makes no sense. Any civilization with the energy to fling a starship to even the nearest star system could probably create any resource through some process of molecular manipulation. Going on a sub-light speed errand to Alpha Centauri for dilithium, for example, would be made irrelevant by the obsolescence of the dilithium consuming devices, or else a cheaper mode of producing the stuff at home in the time between your interstellar trader's departure and return. This poses a particular challenge for libertarian authors, since libertarian heroes ought to succeed at business when not thrashing authoritarian regimes. Mucking about with interstellar trade can muddle the credibility of even the best yarn. This could be a handicap for the libertarian storyteller.

Vernor Vinge is one of few freedom oriented novelists to impress the sci-fi community at large. Not only is his prose completely readable, he is a con-jurer of memorable characters both human and alien, and he creates a universe big enough, detailed enough, and realistic enough to fill a great novel.

*A Deepness in the Sky* (Tor, 1999, 608 pages) is a great novel. Pham Nuwen is a failed Caesar, a man who tried to unite the trading fleets of the wandering Qeng Ho into a real space-borne empire. Having been run out of the galaxy on a rail, he simmers in anonymity on a

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Qeng Ho starship bound for a variable star called OnOff, a star which blinks out and freezes its inhabited planet with regularity. The arachnoid residents build up a culture of technology in thirty year increments between hibernations. Thus the object of the Qeng Ho is to reach OnOff when its civilization is on the cusp of an Information Age, creating the most opportunity for favorable trade. Without trade with an advanced culture, such expeditions are one-way trips for ships with exhausted stores, hundreds of light-years from their starting points.

The central conflict comes when the Qeng Ho must share OnOff with the Emergents, a degraded human society. Rather predictably, the feudal Emergents treat the traders with contempt, but it is contempt hidden behind dissembling on an almost Clintonian scale. Things get rolling when the Emergents turn out to have some nasty tricks up their tunic sleeves.

But what of the economics of interstellar trade? Is Vernor Vinge just churning out space operas with flawed premises now? No. Vinge writes over such vast swaths of time that a very different economy reigns. Thousands of years from now, only space-faring species survive. Even humane, technological societies can survive only until their technology is capable of, in Vinge's phrase, ubiquitous law enforcement and surveillance. Spacefarers simply disperse if their loose-knit society shows signs of ossifying. Thus, the Qeng Ho view societies bound to one planet or star system as mere blossoms, destined to wilt for all their beauty. In the meantime, they make good customers for the Qeng Ho's travelling software franchise. I will not write more about the plot of *A Deepness in the Sky*, which is replete with twists, duplicity, lively dialogue and ambivalent villains. But Vinge's Wagnerian view of planet-bound species is more provocative. I feel an awful foreboding to see humanity on the edge of a new cold war between America and Russia and China, with increasingly picayune regulations enforced by alarming technological invasions of our privacy. At the same time, our sallies into space are limited to pop-gun powered excursions to orbit Earth and Mars, conceived and funded by the institution least suitable for such adventures. By

Vinge's criteria, I guess humanity will eventually join the ranks of the wilted

blossoms in the galactic garden.

— Brien Bartels

### *Letters, Continued from p. 6*

forgivable error of claiming that Creationism's inherent inability to subject itself to the test of falsifiability disqualifies it as a scientific theory. Actually, as an increasing number of philosophers of science have pointed out in recent years, *no* "scientific" theory is falsifiable since one can always argue for, or suppose, a collective of certain circumstances or factors to save the theory. For example, what would it take for the law of gravity to be falsified? For me to float away into space as I sit here at my keyboard typing? What's more likely: that the law of gravity is actually false, or that an alien spaceship is hovering overhead sucking me up with a transport beam (or that x, or that y, etc.)? The same is true of atheism: what would it take for atheism to be falsified?

Perhaps, say, God talking to me (or a group of people) out of a lightning bolt. But what's more likely: that God has suddenly decided to reveal himself through a lightning bolt after an eternity of seclusion (to me, no less), or that I'm actually insane?

Yes, it is true: Creationism, atheism and all empirical theories should not be subjected to the test of falsifiability to determine their worthiness, for falsifiability is an empty notion. The criterion which *should* be applied is simply the degree to which the evidence (which includes the empirical data and the sum total of all our other well-established, integrated world-views) supports the theory. By that criterion, Creationism does indeed fail miserably.

Joseph Siprut  
Chicago, Ill.

## Notes on Contributors

*Baloo* is a *nom de plume* of Rex F. May.

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James A. Wood is a writer living in Arlington, Texas.

# Terra Incognita

## USA

Compassionate conservative approach to quotas, reported in the *National Post* (Toronto):

"What I'm against is quotas. I am against quotas," said Republican front-runner George W. Bush. "Quotas, they basically delineate based upon whatever. However they delineate, quotas, I think, vulcanize society. So I don't know how that fits into what everybody else is saying, their relative position, but that's my position."

## Libby Creek, Wash.

The good old days, recalled in the *Seattle Times*:

There was a time, on Libby Creek Road, when it didn't matter so much that no one had a phone.

This was before answering machines, before the Internet, before children moved away and couldn't call home, before diabetes and cancer and aging parents, when bones were young, time abundant and standing at an outdoor pay phone wasn't much of a problem.

## Washington, D.C.

Black Entertainment Television is victimized by unequal distribution of funds for anti-drug propaganda, from *Cableworld*:

Bad news for the federal Drug Czar's office. The brouhaha over paying networks to run anti-drug ads isn't over yet.

Last week Black Entertainment Television complained that it received only \$890,000 in federally-dispersed anti-drug funds. Small potatoes, says BET, compared to MTV and USA receiving \$3.4 million each.

## Colombia

The Colombian Army's Christmas greetings to that country's rebels, from Reuters:

"Feliz Navidad, Prospero año, guerrillero!" (Merry Christmas and Prosperous New Year, guerrilla!) reads the greeting in 100,000 cards the army sent out to their archenemies. "Make your family happy and share the season's joys with them. Desert your (rebel) unit and enjoy your freedom . . . Long live freedom! Long live Christmas!" continues the message, signed simply "The National Army."

## Canada

Ethnic sensitivity comes to professional hockey, according to the *Seattle Post-Intelligencer*:

Ottawa Senators center Vaclav Prospal escaped suspension for his ethnic slur against Montreal Canadiens defenseman Patrice Brisebois, but must attend a diversity-training session.

Prospal called Brisebois a "Frog" in a Dec. 27 game. He was ordered to come to New York to meet with NHL-appointed diversity trainer Zach Minor for education and discussion regarding diversity-related issues.

## Texas

Tennessee Titans' owner Bud Adams on signing players in the old days of the American Football League, from *The New York Times*:

"We'd get them cattle, girls, whatever it took," Adams said today. "Back then, you didn't need a contract."

The U.S. Department of Housing and Urban Development had admirable motives when it ordered pamphlets written in Creole to inform Haitian-Americans about their rights and responsibilities as residents of federally subsidized housing.

## USA

How the federal government helps the family farmer, from *The New York Times*:

Federal Funds purchased \$2.5 million of unwanted bison meat in 1998, and \$6 million in 1999. Our government paid \$3.45 a pound, which is more than twice the price of beef. The biggest recipient is Ted Turner.

## Ghana

Monarchy survives into the new millennium, reports the *Washington Times*:

While visiting the hometown of his Ghanaian-born wife Mamaa Awo Mepeyo Kpui in 1995, Henk Otte was identified as the reincarnation of the late chief, his wife's grandfather. He has been coronated tens of thousands of Ewes.

Korsi Ferdinand Gakpetor II is revered by tens of thousands of Ewes, who revere him as Togbe, or king. In the Netherlands, the middle-aged, paunchy, unemployed white man is an unemployed construction worker, who lives in an Amsterdam housing project with his wife and two children.

## USA

Interesting new Bar Mitzvah ritual, reported in *The Wall Street Journal*:

The Village People squeeze a few private social events a year into their schedule of festival and casino appearances, performed at a recent bar mitzvah. The fee: about \$40,000.

## Miami

The Department of Housing and Urban Development goes the extra mile to communicate with Haitian tenants, reports the *Milwaukee Journal Sentinel*:

Unfortunately, the nearly 5,000 pamphlets approved, published and distributed actually were written in an imitation Jamaican dialect. The document, titled "Rezedents Rights and Risponsibilities," was signed by HUD's top executive, "Seckretary Andrew M. Cuomo fella."

"Yuh as a rezedent," said the publication, "ave di rights ahn di rispansabilities to elp mek yuh HUD-asisted owzing ah betha owme fi yuh ahn yuh fambily."

(Readers are invited to forward news clippings or other items for publication in *Terra Incognita*, or email to [terraincognita@libertysoft.com](mailto:terraincognita@libertysoft.com).)



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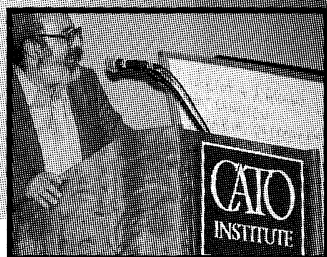
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Roger E. Bissell challenges Rand's interpretation of the nature of musical perception, and develops a strong case for the underlying unity of the arts.

Larry J. Sechrest revisits the debate over "minarchy" and "anarchy," arguing that the various Objectivist proposals for limited government fail to offer a convincing rebuttal to the case for anarchy.

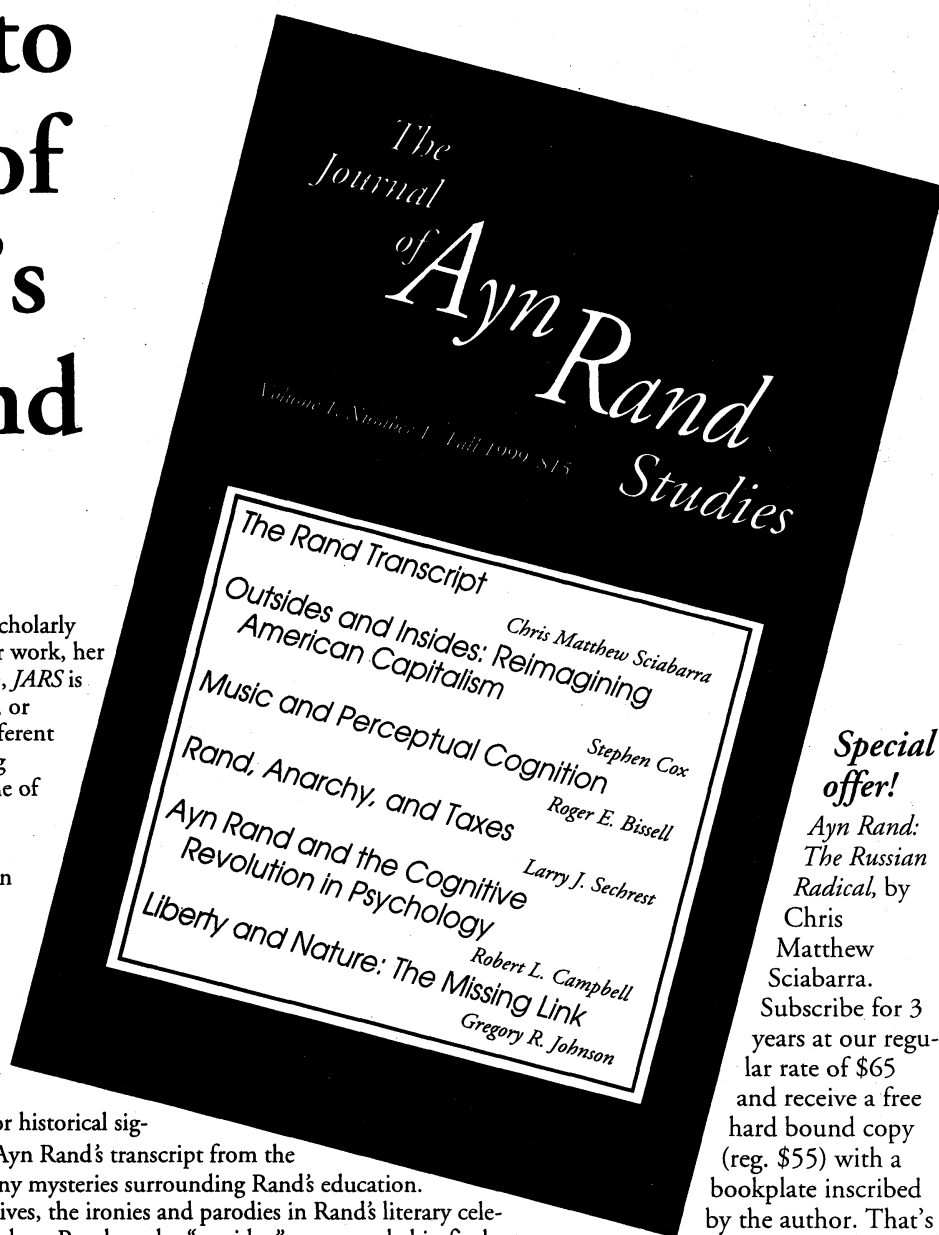
Robert L. Campbell shows how Rand's theory of knowledge drew explicitly on the ideas and findings of the Cognitive Revolution, the mid-century change in American psychology that overthrew behaviorism.

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