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April 2001

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by Imad-ad-Dean Ahmad

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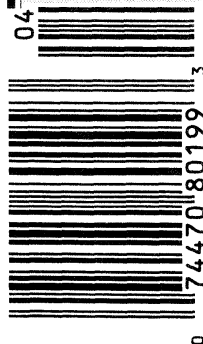
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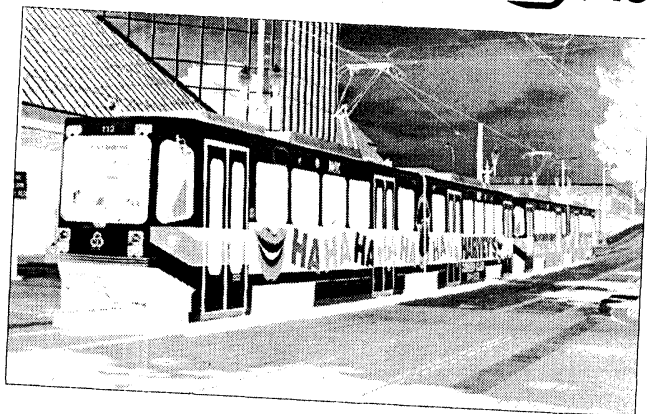
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Letters

Lusting for Substance

I was mystified at the relevance of the article "How to Succeed with Women" (February). This may have belonged in a men's magazine, but I do not understand its relevance to a journal of libertarian thought. This follows your publishing of a piece about a whorehouse in Idaho, against which another reader wrote objecting.

Moreover, I was dismayed at the repeated use of bad language, including blasphemy, in the latest piece. Believe it or not, such language does offend some people, even in the third millennium. That a writer must resort to such language displays a lack of clear thinking or a rather narrow vocabulary.

Being against government censorship does not mean an editor must publish whatever is submitted. Being a libertarian does not mean we cannot edit objectionable items. Publishing such material is not neutral. It actually lowers the overall tone of your journal and diminishes its relevance and esteem in the minds of, at least, some readers.

Adrian Day
Annapolis, Md.

Formainian Folly

Bob Formaini ("The Unacknowledged Premise," February) thinks anarchists argue unfairly. Not acknowledging their anarchism, they argue against specific government actions, implying they prefer alternative government acts, or less extensive government; yet what they really want is no government.

As Formaini puts it, "It is frustrating and useless to spend an hour or so debating what the First Amendment really means only to find out that one's opponent is an anarchist for whom the U.S. Constitution is a non-binding document . . ."

Formaini's position is logically

incorrect and historically flawed. Consider a well-known anarchist, Lysander Spooner. One of Spooner's great works is *The Constitution of No Authority* #6, which argues the U.S. Constitution is not binding on anyone who did not sign it. Yet, another of Spooner's great works (and a much more extensive one) is *The Unconstitutionality of Slavery*. This is a massive legal analysis that subtly and substantively argues the U.S. Constitution does not sanction slavery, despite several clauses that certainly seem to accept that peculiar institution. Does Formaini think Spooner disingenuous? Should Spooner, instead of arguing the Constitution did not allow slavery, simply have published an admittedly much thinner text titled *The Irrelevance of the Constitutionality of Slavery*? Does Formaini really think Spooner's extensive discussion of proper methodology in constitutional interpretation, tracking principles of legal analysis from the Magna Carta forward, is of no value simply because Spooner also believed the Constitution is not binding?

There is nothing here not explained by Spooner's concluding passage to *No Treason*: "The writer thinks it proper to say that . . . the government has been made in practice a very widely, and almost wholly, different thing from what the Constitution itself purports to authorize. He has heretofore written much, and could write much more, to prove that such is the truth. But whether the Constitution really be one thing, or another, this much is certain — that it has either authorized such a government as we have had, or has been powerless to prevent it. In either case, it is unfit to exist." Formaini seems to think that the fact that Spooner believes the Constitution unfit to exist means it is disingenuous of him to talk about what the Constitution does and does not authorize.

Logically, there is nothing at all

inconsistent with arguing, for example, that the First Amendment protects business-related speech, not just political speech, and simultaneously believing that one's right to freedom of speech is not grounded in the existence of that amendment . . . that such a natural right is independent of governmental recognition.

Would Formaini argue that atheists are unable to write illuminating ecumenical exegesis, that pointing out the detailed flaws in Aquinas's Five Ways is only for those who believe there's a sixth? Such a position flies in the face of many works of profound scholarship. So, too, profound work in politics would be lost if Formaini were successful in restricting critiques on government only to those who believe in government.

Ross Levatter
De Pere, Wisc.

Formaini replies: I see almost nothing of my article's principal theme in Ross Levatter's letter. I would deny no one the right to argue anything, and nothing in my article states otherwise. All I asked for was a basic honesty from those with whom I am conversing or debating, either directly, or in print. Is the point of Levatter's letter to inform me that I ask too much, or that I had no right to ask in the first place? And finally, I confess that I do not see his detailed textual analysis of Spooner's view of the U.S. Constitution as having anything whatsoever to do with the main point I tried to raise. But then, perhaps I am deficiently postmodern?

A Questionable Trinity

I take issue to Timothy Sandefur's claim ("Why Conservatives Oppose Progress," March) that the "Party of Nah" manifests itself among conservatives "in hostility to evolution education, fetal-tissue research, and cloning." Such hostility, or at least aversion, is quite consistent with libertarian thinking.

Evolution's adherents are among the most dogmatic and gnostic people on the planet. Even though the theory has many gaps, anyone courageous enough to question any part of it is answered with ad hominem attack and derision rather than a genuine answer. Even agnostics and atheists are accused of "creationism," and Nobel-Prize win-

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

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

Subscriptions are \$29.50 for twelve issues. Foreign subscriptions are \$34.50 for twelve issues. Manuscripts are welcome, but will be returned only if accompanied by a self-addressed, stamped envelope. A writer's guide is available by sending self-addressed, stamped envelope, or e-mailing a request to editor@libertysoft.com

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ning scientists are accused of superstition, should they doubt any part of the blessed version of evolution. Teaching "evolution" as it is currently done is almost the opposite of teaching true science.

Fetal-tissue research encourages abortion. Doing life-saving research is one thing, killing humans on purpose to do it is another.

Cloning might be acceptable if all the bugs were worked out. But have any cloned mammals led anywhere near normal lives? Research on animals is one thing. But cloning a human, knowing with virtual certainty that he would lead a short and miserable life, is another. This kind of thinking justified Nazi medical experiments.

Randall Hoven
Alton, Ill.

Thinking on Theology

I was quite intrigued by Robert H. Nelson's February article, "Electoral Theology." During the presidential campaign, virtually every single reporter, interviewer, commentator, analyst, pundit, etc. used the word "believe." "I believe that Al Gore . . ." "We believe that George Bush . . ." No one ever said, "I think." It would appear that the bacterium, religionitis, has seriously infected the mental paradigm of this culture.

But let's peek at a few words that this culture of sleepwalkers wallows in. Take "theology," for example. Theology, i.e., rational thinking about that which is ineffable — is a contradiction in terms. As for "religion," from the Latin "religio, religionis," that's defined in *Cassell's English/Latin Dictionary* as "belief, superstition." And "superstition" is defined by *Webster's Dictionary* as "any blindly held beliefs." And "religio" is derived from the verb, "religare," which means "to tie up, to bind." Therefore, anyone in a religion (political or otherwise) is tied up in mental blindness — theo-la-la-land.

Max Wheeler
Falmouth, Mass.

Some of Our Best Friends Are Portuguese

As the founder, president, and sole member of The Portuguese Defense League, I'd like to complain about the depictions of Portuguese in your magazine. First, you print a story about a

drunk pussy-hound who has to pay for sex ("The Best Little Whorehouse in Kooskia, Idaho," November). Now you've printed a story about another Portuguese, with the same last name, no less, who's a bully's functionary ("Killahaole Day," March). If an apology is not forthcoming in your next issue, you'll be hearing from my lawyer. As soon as I get one anyway, which should come about the time John Galt gives his speech.

Who is Kirby Wright, anyway? He seems to have won some awards, but has he actually written anything else? I tend to abhor violence, but since I've been on Maui I've run into so many haoles that could use two cracks upside the head that I sometimes wonder about my belief about the non-initiation of force that I've held dear for many years.

When I first returned to Maui, I thought about writing an article titled, "Why haoles are so f**king irritating." Two months later, I think a book may be in order.

Michael Freitas
Hana, Hawaii

The editors respond: We apologize.

Pity the Poor Nominee

Did I miss something? Linda Chavez breaks one of the myriad questionable laws of the United States and all that happens to her is she doesn't get to be labor secretary? I don't understand Sarah J. McCarthy and Bruce Ramsey's complaints (*Reflections*, March).

I have worked in a prison law library for over nine years. I get to see a lot of paperwork dealing with the "crimes" of many prisoners. I can think of two fellow prisoners whose paperwork I went over within the last two years. They spent months in federal prison for doing far less than what Chavez admittedly did.

One man sheltered a half-dozen cold, hungry Mexican "illegals" one night along the U.S.-Mexico border near Douglas, Ariz. The other man, staying in a motel in Nogales, Ariz., was asked if he would give a ride to four other men who were also staying at that motel. He didn't care that they were Mexicans — he has a Mexican wife — and he didn't ask if they were legally in the country. He found out at the highway checkpoint between Nogales and

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Tucson.

Neither of those men employed the illegal aliens they helped, nor did they give them money. One knew he was sheltering "illegals," but the night can get below freezing along the border country in the winter. The other didn't bother to ask, as the men he gave a ride to were already in the country.

David A. Nichols
Tucson, Ariz.

McCarthy Just Doesn't Get It

Sarah J. McCarthy ("Walking the GOP's Abortion Plank," November) dwells on abortion and how Al Gore would protect women's rights and George W. Bush's anti-abortion beliefs would protect an unborn child at the risk of the life of a woman. As I see it, in cases of rape or incest, if a woman does not want to bear a child, than it is her right to see the pregnancy terminated. But when a woman aborts an unborn baby because it would interfere with her career or for other selfish reasons, is a very poor excuse for terminating a pregnancy.

Throughout her article, McCarthy speaks of "women's rights." What about a baby's rights? Her description of life as one-hour-old cell clumps reeks of terminology near and dear to radical feminists. She also described unborn life as embryos and fetuses, which are commonly accepted medical terms.

Let me be very clear here. I believe, along with millions of other American women, that life begins at conception. Life is a sacred gift from God and should be protected, not terminated. And a pregnancy is a very private issue between a husband and wife, not special interest groups that have seized upon an emotional issue and claimed it for their own personal gain.

No matter what its reason, abortion is a barbaric act for both the mother and the unborn child. It is an abomination that is being committed in front of Almighty God. Abortion is murder.

Cynthia Haase
Elburn, Ill.

Thank You, Charles S. Rebert!

Thank you for printing the article "Abortion and Hypocrisy." It's about time the libertarian community woke up to the reality that every life is the most special life — simply because it

is.

Christopher Anderson
Santa Rosa, Calif.

Are Not the Helpless and Innocent Worth Defending?

I have never read a more concise, clear, and convincing argument about abortion than Charles S. Rebert's "Abortion and Hypocrisy" (March). He does not get angry over this issue, as I do. He presents his facts and conclusions very logically, and in less than two pages shows that the life of the unborn really should be one of the foundations of the libertarian view. If we can't or won't defend the totally innocent just because it may inconvenience us, is anybody safe?

I am a traditional Roman Catholic and my religious beliefs tell me that abortion is inhuman and wrong. But leaving religion aside for the moment, I think all would agree that it is wrong to kill someone who is innocent and is not able to defend himself. Yes, I know that it comes down to "When does life begin?" If you do not agree that life starts at conception, then when does it start? And if you are not sure, should not logic tell us to err on the side of caution?

Robert J. Considine
Fulton, Ill.

Slavery, Dehumanization, and Abortion

I read Charles S. Rebert's article, as I have read many on the abortion issue, wondering what I was missing. Then it dawned on me. The problem is that cell clusters are not considered human by those who wish to get rid of them. It is the same as the view of slaves, throughout most of history, and of women in the United States until the early 1900s. They aren't really people.

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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 letters are preferred. *Please include your address and phone number so that we can verify your identity.*

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Reflections

But who finances Tom and Jerry? — A paper calling itself — without apparent sarcasm — *Libertarian Socialist News* reports that the late *South Park* movie was secretly funded by the Central Intelligence Agency. Evidently Saddam Hussein fell victim to a homosexual gang rape when he was a little boy, and the CIA saw the flick as a unique opportunity to exploit the dictator's psychological weaknesses. The *Libertarian Socialist News* quoted a British diplomat named Stanley Rothchild as saying that the "plot of gay sex in the *South Park* movie [might have been] somehow influenced or used by the powers that be as a psychological weapon to punish Saddam." The CIA has also refused to confirm or deny rumors that the agency secretly funded *Rocky & Bullwinkle's* Boris Badinov.

— Timothy Sandefur

Auditing the White House — A disgruntled IRS agent jumped the fence of the White House and opened fire. Maybe he was protesting George W. Bush's proposed tax cuts. Secret Service agents were surprised it wasn't Al Gore. The question the media will, of course, focus on will be, "How did he get the gun?" A more sensible question would be, "How did he get the job?" How many more lunatics are still working for the IRS, sifting through our personal records, ready to snap at a moment's notice?

— Tim Slagle

The road to Moscow — The dictionary says that the original definition of "smart" is "sharp, stinging pain." I suspect urban planners had that meaning in mind when they coined the term "smart growth," their theory of making streets and highways so congested that people ride transit and making housing so expensive that people live in apartments.

There is one place where smart growth has been successfully demonstrated: Russia. When Nikita Khrushchev came to the United States in 1959, he told President Eisenhower that he was shocked by all our automobiles and suburban homes. A total waste of time, money, and effort, he said. In Russia, there was little need for freeways because the Soviet people lived close together, did not care for automobiles, and seldom moved. He added that the apartments that Soviets

lived in cost much less than American homes.

Of course, today, Moscow is building a ring freeway and more and more Russians are buying automobiles and enjoying their country homes. The lesson is clear: for smart growth to work, governments must keep their people too poor to drive and too poor to live in single-family homes.

— Randal O'Toole

Riddle me this — Massachusetts Sen. Negligent Homicide (I'm giving him the benefit of the doubt here) grilled Attorney General-designate John Ashcroft on whether he'd uphold the law of the land. I mean, really, how did anyone in the room keep a straight face?

— Sheldon Richman

The pen is mightier than the law — On Feb. 11, Fox News' Brit Hume said that the *Washington Post* reported that the Clintons had removed furniture from the White House prior to the well-publicized removal just before

he left office in January. More than a year ago, a White House employee objected when the first family removed a coffee table, a TV armoire, a custom wood gaming table, and a wicker center table from the White House. His objections came to naught when he was told that the furniture they had removed was their own personal property which they brought with them when they took possession of the White House.

When a controversy arose over the furniture

removed in January, someone checked and discovered that the furniture, like much of the furniture removed from the White House this year, had been donated to the White House, not to the president personally. The former president and his wife agreed to return the furniture — not because they had done anything wrong, but because they were sensitive to criticism and wanted to be "overcautious."

Hmm, I thought. This wasn't like the other furniture the Clintons had stolen from the White House. Removing that furniture was really just a mistake, they'd said. They thought that the furniture had been given to them personally, not to the White House. With all the people's business they were busy with over the past eight years, it's understandable how they could forget a detail like that.

But this was different. One might forget whether a gift



was intended for himself or for his employer, I suppose. But to claim that they had brought several large pieces of furniture into the White House when they had not . . . well, that just strains credulity.

Of course, once they were caught, they were willing to return their booty, and will probably go unpunished. I wonder what would happen if a mere mortal tried this. A young man is caught carrying a television set out of Wal-Mart. "Oh," he explains. "Is this your television? I thought I brought it into the store. But I want to be overcautious, so here, you take it back." I'm sure Wal-Mart would accept this explanation.

Finally, I thought, the Clintons had slipped up. This time they'd concocted a story that didn't wash. This time, if anyone would bother, they could be prosecuted and convicted for simple theft.

Just to make sure Hume had the story right, I checked out the story in the *Post*. It turns out that Hume had one detail slightly wrong: it was not the Clintons who told the White House staffer that the TV armoire, coffee table, custom gaming table, and wicker center table had been their property prior to moving into the White House; it was the "counsel's office" at the White House.

How marvelously characteristic of the Clintons! Rather than making the false claim themselves and risk being caught, they had their "counsel's office" make the claim. They could hardly be held responsible for an error made by the "counsel's office," could they?

The episode reminded me of something I read 20 years ago in Ryszard Kapuscinski's masterful account of the fall from power of Ethiopian emperor Haile Selassie. A member of Selassie's court explained why the potentate never wrote or signed any of his proclamations, leaving these duties to the "Minister of the Pen":

The Minister of the Pen was the Emperor's closest confidant and enjoyed enormous power. From the secret cabala of the monarch's words he could construct any decision that he wished. If a move by the emperor dazzled everyone with its accuracy and wisdom, it was one more proof that God's Chosen One was infallible. On the other hand, if from some corner the breeze carried rumors of discontent to the monarch's ear, he could blame it on the minister's stupidity.

The Clintons, of course, had many Ministers of the Pen. And they used them well.
— R.W. Bradford

The rise of the spineless weenie — I'm not terribly optimistic things are going to get better anytime soon, simply because most Americans have become so spineless. A good example is what happened to a friend a while back when he took a commuter plane back to the United States from the British Virgin Islands. When it landed on the Tarmac, the plane was greeted by a Hummer carrying a half-dozen paramilitary types in black jumpsuits, several sporting automatic weapons. One stuck his head in the plane and told the passengers to disembark, on further command, in groups of four, so they could stand by their baggage while it was inspected by drug dogs. Everybody not only did as ordered, but apparently approved of being herded like sheep; my friend's wife grumbled about the procedure to another passenger, who said she was pleased that the government was on the job. In fact, all 20 passengers (with the exception of my friends) were not only docile but ingratiating while being subjected to interrogation, inspection, and indignities. I'd like to think that, in a more noble bygone era, proper Americans would have disarmed their captors and thrashed them half to death before delivering them to the local sheriff. What a bunch of whipped dogs.
— Doug Casey

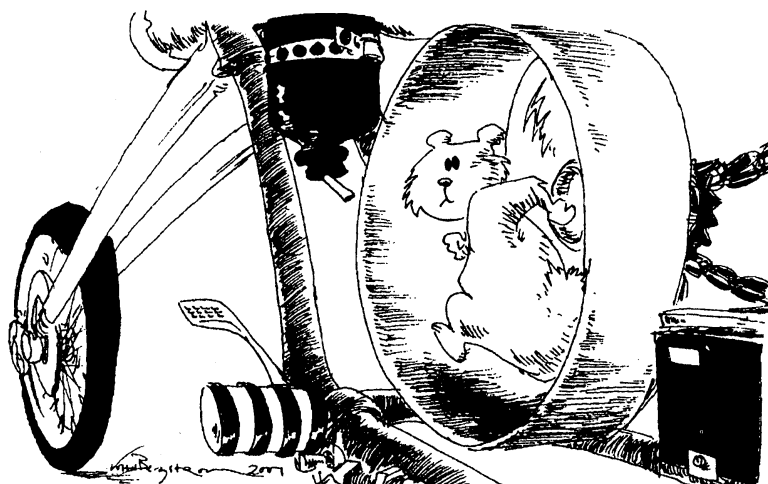
The political menagerie — The Democratic Party is like a cat. Cunning, aloof, mysterious, sometimes vicious. It can look cute as a kitten. It can also be as vicious as a 14-pound feral tom out on the prowl. Like cats fornicating, it can make a lot of scary-sounding screeches and howls. Like cats, it appeals more to women than to men.

The Republican Party is like a dog. Big, goofy, running back to lick your hand right after you kick it in the head. It's clueless and kind of a doofus, but wants so hard to be liked, you have to give in now and then. It will bark and howl at imaginary strangers until you have to throw a shoe at it. Like dogs, it appeals to more men than women.

Like pets in general, both parties exist only because they provide a perceived benefit while, for the most part, doing absolutely nothing but looking cute. Oh sure, the Democrats will keep the mouse population down, and the Republicans will bark at intruders, but they both cost far more to maintain than these services cost elsewhere. You have to provide their food, housing, medical care, and entertainment. Of course, you can send them off to fancy kennels like Yale and Harvard so they breed within their pedigree, but all you end up with is more stunningly aloof, useless creatures with even higher maintenance costs.

I guess the best thing would be a giant spay-and-neuter clinic to help reduce the population of both parties to a few ragged samples kept safely in a museum.

The next time you're watching television, turn down the sound. When Al Sharpton or Jesse Jackson is on screen, start screeching loudly like a cat in heat. When Dianne Feinstein or Barbara Boxer is on screen, start purring out a crafty, repetitious meowing like a spoiled Persian. When Teddy Kennedy appears, don't do anything. Just sit on the couch and look bloated and annoyed, like a stray mongrel that has stolen a rare



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Liberty

H I T S

The Liberty Group — Join R.W. Bradford, Tim Slagle, Fred Smith, Durk Pearson and Alan Bock as they presciently analyze the current political madhouse and slaughter sacred cows with abandon. This is a fast-paced journey of libertarian commentary that explores the issues of the day and predicts outcomes for the elections of tomorrow. (audio: A401; no video available)

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)

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)

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)

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)

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)

Why the Great Depression Lasted So Long — Robert Higgs explains how government, not free markets, caused the Great Depression; how the New Deal prolonged it, instead of curing it; and why World War II didn't bring the Depression to an end. (audio: A216; video: V216)

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Whether you're fed up with encroachments on your liberty, or just interested in opportunities ranging from Nicaragua (!) to Hong Kong to Zambia, this is the tape for you. Hear Doug Casey, *Investment Biker* author Jim Rogers, international journalist Bruce Ramsey and travelers Scott Reid and Ron Lipp — the men who've been there. Includes a special discussion of the problems of escaping the IRS. (audio: A103; video: V103)

Anarchy Via Encryption — New encryption technologies are going to revolutionize the world by making absolute privacy possible for the very first time. David Friedman explores the encrypted world of the near future. (audio: A116; video: V116)

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breed's pedigree papers. Likewise, when G.W. hits the screen, start barking "woof woof woof" like a big, lovable, stupid Great Dane. For Steve Forbes, start a high-pitched, repetitive "arf arf arf" like a terrier. For Rush Limbaugh, start whining like a big, brown-eyed, beagle that needs love and a sausage treat.

Oh, and Stephanopoulos? Well, for him, keep yelping like a meth-addled Chihuahua, the animal that proves dogs and cats interbred and produced the worst traits of both species. If this routine does not make C-SPAN a lot more fun, you need to change your psych. meds.

Of course, there are pets for the minor parties too. The Greens are tropical fish — smooth, graceful, beautiful, and absolutely useless. (Ralph Nader and his lawyer pals are piranhas.) The Reform Party is a big, noisy parrot, croaking out the same old squawks over and over: "No more immigrants! Aawwk! Buy American! Aawwk!" Put a big cardboard beak and some phony wings on Pat Buchanan, and you can just picture him perched up on a post, preening and crapping all over a newspaper.

And what about Libertarians? We are turtles, slow, plodding, arrogantly jutting our heads out in defiance until we come across the slightest threat or setback, which causes us to immediately pull back into our shell so we can brush up on appropriate passages from *Atlas Shrugged*. — Paul Rako

What are they smoking? — In the murky recesses of the distant past, I recall the moment it dawned on me that the Libertarian Party was a waste of my time and money. It happened when I received the issue of the *Libertarian Party News* published after the 1992 Marrou debacle. An article on the first page proclaimed glorious victory for the party in that year's election. I concluded that the powers that be in the party were so self-deluded as to be doomed to permanent failure. Nothing in the last eight years has changed my mind.

Now along comes the LP's national director, Steve Dasbach, who in the February *Liberty* deigned to compare the LP's role in the recent and heartening move towards more liberal drug laws to the National Rifle Association's role in safeguarding gun rights. Shockingly, he thinks that the comparison favors the LP.

Dasbach's case for the importance of the LP's role in enacting medical marijuana laws is weak. He states that, "we've run thousands of Libertarian candidates who have consistently called for an end to the government's War on

Drugs," and then states: "today, initiatives to legalize medical marijuana are passing by 2-to-1 margins in states around the country . . ." as if the latter flows from the former. This is highly dubious. The medical marijuana initiatives were heavily supported by billionaire-statist George Soros and other non-libertarians. The most prominent advocate of drug law liberalization in the 2000 presidential campaign was Ralph Nader. LP members have played an activist role and should be given some credit. But it was a pinko-hippy who asked me to sign a petition for medical marijuana, not a Libertarian.

Dasbach also argues that the NRA missed an opportunity by failing to endorse Libertarians: "for years the NRA has refused to acknowledge the existence of Libertarian candidates. They have endorsed Republicans, whose opposition to gun control was lukewarm at best, over Libertarians who were committed to the right to keep and bear arms." He claims that "they have tried to defend the Second Amendment by talking about hunting and target shooting," and that the "NRA has failed to stop the erosion of the Second Amendment."

I don't know what he is talking about. A few years ago, the NRA suffered two serious defeats — the Brady "waiting period" law and the "assault weapons" ban. But the NRA effectively punished the Democratic Congress that passed those laws in 1994. And it was also instrumental in passing liberalized concealed-carry statutes in several states in the last decade or so, which have almost certainly contributed to the decline in violent crime. In 1999, in the wake of Columbine, it appeared as if the time for more stringent gun regulation had arrived. *The New York Times* called it a "gun-control moment." The regulations that the Clinton

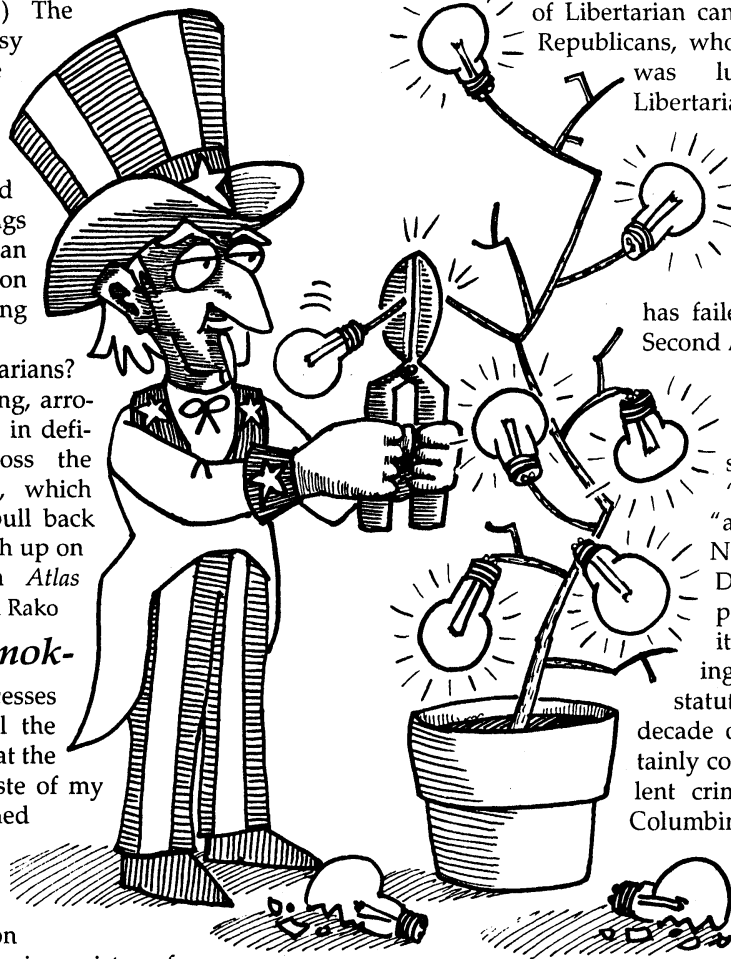
administration advocated failed in the Republican House of Representatives.

There is a lot to dislike about the NRA. Its leaders are more cozy with the likes of Bob Barr and Trent Lott than decent people ought to be. Charlton Heston is a buffoon. But it is effective. It takes a powerful organization to counter the unrelenting anti-gun propaganda that rains down on Americans on a daily basis.

Thank God that we don't have to rely on the Libertarian Party.

— Clark Stooksbury

Hypocrite General — I have followed the nomination of John Ashcroft for the post of attorney general with some interest. I was indifferent to the outcome, but what fas-



cinated me was the insistence of his supporters that, despite his "convictions" on abortion, he would uphold the law of the land. To put it another way, the man apparently thinks abortion is murder, but would never act in any way that might stop it. Would someone please tell me how failing to stick to one's principles qualifies one for high office?

— Laura W. Haywood

Constitution vs. Heritage — In its books of advice for the new administration, the Heritage Foundation urges the Bush team to create an "Office of Marriage Initiatives." The office's mission would be to "make all federal social programs more marriage-friendly" and to seek ways to decrease divorce, especially among welfare recipients. When the nation's most important conservative organization proposes that the federal government have an "Office of Marriage Initiatives," one can only mourn the death of our Constitution that once granted only limited powers to the federal government. What could the Heritage Foundation possibly think is off-limits to Washington if the Office of Marriage Initiatives is both constitutional and prudent? But trying to get into the spirit of the new compassionate conservatism in Washington, D.C. — which I guess replaces the old constitutional conservatism — I'll just raise a specific bureaucratic question: would the federal bureaucrats whose job it is to *prevent* the *wrong* people from getting married — such as same-sex couples — be under the Office of Marriage Initiatives, or should there be a separate Office of Anti-Marriage Initiatives?

It's very complicated to make rules for a whole country.

— David Boaz

Sauce for the gander — If one wants evidence of the degeneration of the American media, he should consider the kind of charges leveled against the Bush Cabinet nominees.

Bush's first labor nominee, Linda Chavez, had a problem involving contacts with foreigners: she took a battered Guatemalan woman into her home, sheltered her, and allegedly employed her for household chores in violation of the immigration laws.

Bush's second labor nominee, Elaine Chao, also has a problem with foreigners: her family is good friends with the Chinese leader Jiang Zemin. She serves on the board of a company that, in conjunction with the Chinese government, owns a subsidiary of the Lippo Group, the Indonesian conglomerate at the center of the Clinton administration's corrupt fund-raising and alliance with the Chinese military.

So which nominee is eaten alive by the media and promptly tossed overboard by the Bush team? And which nominee gets unanimous confirmation from the Senate, set up by a free ride from the major media, who had no interest in finding out more about the nominee's close ties with a dictatorship that funnels money to American politicians?

Ms. Chao apparently earned media approval for using her Chinese ancestry and husband's position as a senator to help Chinese boodle among the political class. In contrast, Ms. Chavez was destroyed for being, in the media's eyes, a race traitor. As a Hispanic woman, she supported equal treatment rather than quotas. She wanted immigrant children to be taught English in the government schools, rather

than be stuck in bilingual education ghettos where they would master neither Spanish nor English.

John Ashcroft, the new attorney general, had served as governor of Missouri. In that job, he participated in what a federal court called a conspiracy against the Missouri Constitution. Ashcroft, the Missouri state police, and the federal Drug Enforcement Agency conspired to violate the Missouri state constitution's requirement that all forfeiture revenues go to the public schools — not into the pockets of the agencies which run forfeiture operations as a form of legalized piracy.

But did you hear about Ashcroft's malfeasance? If you're not on the e-mail list of drug reform groups, you probably didn't, even though this was extremely powerful evidence on the main issue that Ashcroft's opponents were trying to raise: his willingness to enforce laws he disagrees with.

Instead of stories about forfeiture abuse, which were directly on point about Ashcroft's qualifications, the establishment pundits treated us to weeks and weeks of mean-spirited, bigoted complaining about Ashcroft's religious views. The Constitution specifies that "no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States." Apparently this 1789 rule doesn't apply to members of the Assembly of God, a Pentecostal group founded in 1914. To the chattering classes, the fact that Ashcroft doesn't dance is apparently a much more serious crime than the fact that he violated his oath to God to obey his state's constitution and thereby deprived the public schools of many millions of dollars.

The good news is that as the Internet grows, more and more people are discovering alternatives to the establishment media, whose bigotry and narrow-mindedness become starker every day.

— Dave Kopel

Me and Barry McC — I met Barry McCaffrey several years ago at a small dinner party put on by the Brazilian Embassy in Washington, D.C. He walked up and introduced himself simply by name, something which stands out favorably in a town where every Junior Deputy Assistant Under Secretary likes to make you aware of his title. He was a fit-looking, outgoing fellow of about 60. After exchanging pleasantries, I cut to the chase:

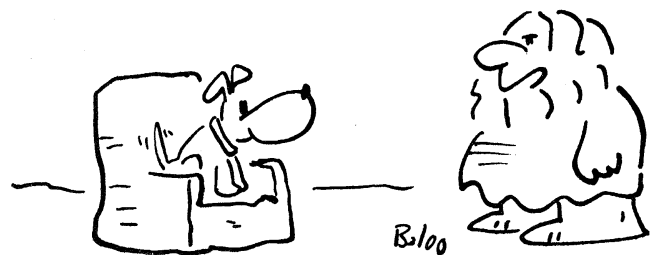
"Say, aren't you the current drug czar?"

"Yes."

"And weren't you previously a lieutenant general?"

"Four star." Score one for Barry. I hate to lack command of the facts.

"Wow. Aren't you concerned that if the military gets involved in the War on Drugs they'll become as corrupt as the DEA?"



"Hey! — I just *invented* that!"

"No, not really." It seemed a sincere answer, delivered in a way that was at once affable and straightforward.

"You know, you seem like a decent guy. How'd you ever get into the drug czar business?"

Barry took no umbrage. "Well, I was somewhat at loose ends, and they really pressed me into it." A far different answer than the arrogant and authoritarian bluenose William Bennett would have had to give.

I was starting to get a better feel for the man. Friends know one of my hobbies is creating ugly scenes with public figures like William Bennett, Dick Cheney, James Carville,

His face flushed. My remark elicited an emotional response completely out of character with his earlier persona. "I'll see you in jail tonight."

and Robert "Bud" McFarlane, among others. It's one reason I'm not invited out in polite company very often.

But I didn't get a bad feeling from McCaffrey; it wasn't a rhetorical device on my part when I remarked he seemed like a decent guy. And, unlike many others, he appeared to be a man worthy of respect. So, rather than trying to humiliate and embarrass him (which, for better or worse, tends to be my default mode when dealing with a suspected sociopath), I found myself trying to get a grip on exactly where he was coming from:

"Listen, you know the drug war isn't going to be any more successful than Prohibition was in the '20s. But it's creating a whole new class of criminals and destroying the freedoms that actually made this country different from any other. And, entirely apart from that, there really isn't any more of a drug problem than there is an alcohol or tobacco or sugar or fat problem. It's become a mass hysteria." By this time a group had gathered about us, its curiosity piqued by the fact that someone at a society event was talking about something other than the weather, the state of the roads, or the tenor of Placido Domingo's voice.

McCaffrey started to answer, but then some guy, a lobbyist-lawyer, put in his two cents worth in defense of the War on Drugs. The good general used that as an excuse to bow out and join another small group, something I also did as quickly as possible. I hate lobbyists.

Later in the evening, as everyone was departing, I again saw Barry at the door: "Well, it was certainly nice having chatted with you earlier, however briefly. It's probably a good thing I don't have a controlled substance on my person, otherwise it might not have been so mellow."

To my surprise, the comment caused his face to flush, and elicited an emotional response completely out of character with his earlier persona. "If you did, I'd see you in jail tonight." Maybe Barry took my words as a personal challenge, or maybe he just took his job seriously. I'm not sure.

"Well, that's the problem. Me, and tens of millions of others. But rest assured, I'm not carrying. I don't personally use drugs, and generally eschew the company of those who do. This is an ethical and philosophical issue, not one that can be addressed by putting people in jail. Notwithstanding our dif-

ferences, it was nice to meet you."

"Likewise. Best of luck."

So ended our meeting. I would have enjoyed spending some private time with McCaffrey, and maybe the opportunity will present itself in the future. McCaffrey is a soldier, and although I'm automatically suspicious of flag officers, he's also earned two Silver Stars, two Distinguished Service Crosses, and three Purple Hearts, so he's more than just a ticket-punching bureaucrat on the make. — Doug Casey

Patrick & Leona & Nathan & Ayn — *The Wall Street Journal* reports that an aide to Leona Helmsley resigned following claims of romantic advances. Apparently, Patrick Ward, 45, left the firm after he disappointed Mrs. Helmsley, 80, concerning his romantic intentions. She had previously sold him 60 cooperative apartments in a building on Manhattan's east side for a fraction of their value. Mrs. Helmsley still owns, among other assets, a large stake in the Empire State Building.

In the words of the immortal Yogi Berra, it's *deja vu* all over again. Forty years ago in the same building, a rift between two luminaries of the Objectivist movement, Ayn Rand and Nathaniel Branden, occurred for the same reason. Let us hope that this one will be settled with less rancor.

— Victor Niederhoffer

We don't need no stinkin' president! —

Unlike most contributors to these pages, I'm pissed at Al Gore for conceding too easily. The election in Florida was obviously corrupted, the recount obviously insufficient, a majority of the Electoral College obviously stolen from him. Gore could have tied up the results of the election in lawsuit after lawsuit, and Bush could have collaborated with countersuits for weeks, months, perhaps years. By conceding so easily, Gore deserved to lose. It's not that I wanted Gore to win — scarcely so, as I voted for Harry Browne — but that I would have liked to see America be the first large Western country to go about its business without a president, without an executive branch, for as long as possible; demonstrating, perhaps conclusively, that we can get along without a secretary of defense, without an attorney general, et al. To me this is the only truly libertarian position.

What Gore finally lacked was sufficient courage to discredit the Supreme Court, which had certainly given him a golden opportunity to do so with such a partisan decision. Loss was the price he paid for the illusion of mainstream respectability.

I once conjectured that both visible parties suffer from a lack of libertarian intelligence. Republicans get hooked in by those wanting the state to make abortion illegal, rather than acknowledging personal responsibility, which is a Republican theme in other areas. Democrats lose votes by favoring tight state control of guns, in the face of the truth that greater availability benefits the underclasses. Gore becomes another victim of a lack of libertarian smarts.

— Richard Kostelanetz

Morality goes down the toilet — There's threat to quality of life in America, enabling traffickers grow rich while the nation's morals are undermined: toilet.

Regulations mandating low-flow toilets have led to a few

form of international trade. Canadians are doing a brisk business in selling high-flow toilets to Americans in search of something more than the 1.5-gallon flush limit.

Everyone agrees that we need to focus more on prevention and education than on punishment. Simply throwing toilet traffickers in jail will do nothing to stop the demand. We will have to show these poor people that their drive for high-flow toilets isn't really healthy, but is simply a crutch for dealing with the everyday difficulties of plumbing. We must also expose the true colors of toilet traffickers who exploit the weaknesses of their fellow human beings and renew our efforts in the War on Flushing with TARE, bumper stickers — "One flush is never enough" — and pamphlets on plunger skills. I, for one, am confident that one day those who would practice such immoral home-plumbing will thank us for reinforcing their moral fiber.

— Eric Raetz

Calling all lexicographers — When "progressives" describe libertarians or other supporters of the market, they often use religious terms as negative modifiers. We are "evangelists"; our theory is the "free-market gospel"; our theoreticians are "gurus." Sometimes they accuse us of "market fundamentalism" and "worship of the market." Well, it is true that we have beliefs — but so do they, and of course they never label their own beliefs with these terms. Those of us who are religious will note their attitude toward religion. Those of us who are not religious will be tempted to throw their words back at them, as when H.L. Mencken wrote Upton Sinclair that his "government worship" was unmanly.

Speaking of labels, have you noticed that they have banned the word "communist," except for when referring to historical figures and members of foreign communist parties? Communists are now Marxists.

And how about "liberal"? The soft leftists, who took that word around World War I, have pretty much given it up. This is either because they have been beaten about the head with it for so many years or because their slide toward illiberalism — their jihads (another religious term!) against Confederates, cigarettes, and cars — has become obvious even to them. Now they want to be called "progressives." Historically it fits — it was the progressives who created the income tax, shut down the bordellos, and brought us prohibition — but should we grant their modern descendants an association with progress?

What else can we call them? "Statist" is hard to pronounce clearly, and it's a word used only by us. There is "left" and its derivations: "hard left," "soft left," and "left-wing." I use these a lot, though some may oppose them because they perpetuate the left-right spectrum. (But don't use "lefty," a sticker put on hard leftists to give them an air of unseriousness.)

The problem with "left" is that it is clinical. The ideal word would be both accurate and pejorative. Something like "progressive" turned inside out.

Any ideas?

— Bruce Ramsey

Another triumph for safety — The Consumer Product Safety Commission has concluded that most trigger locks — which President Clinton distributed to the nation to protect Americans from their own guns — are unsafe.

Thirty-one of the 32 locks the commission tested could be opened without a key — some merely by being struck with a blunt object — like, say, a regulator's head.

— Timothy Sandefur

And at the \$120 level you'll get this fantastic coffee mug! — I think all extra-constitutional government should be run like PBS. Keep withholding, but get rid of the IRS. That way, each American can decide for himself exactly how much he wants to pay. On April 15, you can send your return in with a description of how you want your money apportioned. A socialist might want all his taxes going for housing and health care. A Republican might want his to go to the boys overseas. Me, I want it all back. And if a government program goes underfunded, bureaucrats will have to go on the air and beg.

— Tim Slagle

Living while black — Racial profiling was a hot topic during the presidential debates, and deservedly so. The dangers of "driving while colored" stretch far beyond those of driving an automobile. What about the Latino cooks, dishwashers, busboys, and barbacks getting off work at 2 a.m.? What about those riding their bicycles to work to begin a 5 a.m. shift? Think they're immune to harassment by police?

From personal experience, I can testify that they are not. In my years spent working in restaurants, I heard so many horror stories from my black and Latino coworkers that I could scarcely count them.

I witnessed one such occurrence when I visited Washington, D.C. last fall. I was sitting on the steps of a closed public building, eating Chinese food around 9 o'clock in the evening. Sitting next to me were two men and a woman — all black. I don't know whether they were homeless, but they definitely were not part of the "9 to 5" business crowd. We talked until two white police officers sauntered up, one holding his baton in his hand. He ignored me and began questioning the others. What are you guys doing here? You're not causing any problems, are you? You wouldn't be carrying anything illegal, would you?

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I couldn't believe it. I was watching firsthand the unabashed abuse of power by a police officer. And, the group responded with deference — saying “no sir” and “yes sir” to the stream of questions. As if sitting on concrete steps in a public area, talking and laughing — not doing drugs, not drinking, or doing anything else remotely illegal — was in some way a crime or a threat. The questioning continued until I spoke up and asked the officer if there was a problem. The officers turned and walked away. Apparently my being white was all it took to get the officers to back down. The group laughed it off after the officers walked away and said it happened all the time — just part of the game between them and “cracker” police officers.

Police harassment is a part of daily life for minorities. I live in a liberal society, where the police are polite and pleasant. Minorities live in a police state. — Shannon Seibert

What's in a prune? — The FDA recently gave the Prune Association permission to call their product “dried plums,” which is what they are. I don't quite understand. Did someone repeal the First Amendment when I wasn't looking? Now we need permission to call things by their rightful name? I hate to tell the FDA, but my grandmother calls whiskey “breakfast.”

The FDA said prune juice will have to retain its name, though, as it thinks “dried plum juice” sounds like a contradiction. Great, now we have a Department of Oxymorons. Next thing you know, we won't be able to say “government assistance.” — Tim Slagle

The spirit of '89 — On Feb. 6, federal District Judge Frank Damrell issued an order prohibiting power suppliers from refusing to sell electricity to California power companies. The suppliers had been ordered by the Clinton administration to continue selling, but the Bush administration did not re-issue that order. Judge Damrell held that without the order, the public would face “obvious, irreparable harm.” Could there be a better illustration of Mises' warning, published 80 years ago in *Liberalism*, that price controls bring shortages, and shortages bring the naked exercise of govern-

“If this be the spirit in which Los Angeles proposes to deal with the railroad upon which the town's very vitality must depend,” he cried, “I will make grass to grow in the streets of your city!”

ment power? “If the government will not set things right again,” Mises wrote, “by rescinding its price controls, it must follow up the first step with others. To the prohibition against asking any price higher than the prescribed one, it must add not only measures to compel the sale of all stocks on hand under a system of enforced rationing, but price ceilings on goods of higher order, wage controls, and ultimately, compulsory labor for entrepreneurs and workers.” Come to think of it, the next time I go to a restaurant, I'll just refuse to pay and then have a judge command the manager to con-

tinue serving me.

There's an old story about Charles Crocker, one of the directors of California's Central Pacific railroad. In the 1880s, Californians had decided that railroads were the devil's spawn, and at a meeting in Los Angeles, a group of “concerned citizens” explained their intent to set price controls on trains. When Crocker explained that this would bilk C.P. shareholders of their investments, the assembly jeered and laughed. Crocker got mad. “If this be the spirit in which Los Angeles proposes to deal with the railroad upon which the town's very vitality must depend,” he cried, “*I will make grass to grow in the streets of your city!*” But we haven't had that spirit here since 1889.

— Timothy Sandefur

Another amusing week in Washington, D.C. — It was a long time coming, but after eight years

of holding their collective tongue in check, the editorial writers at the *Washington Post* finally let loose with a frank portrayal of the Clintons: “They have no capacity for embarrassment. Words like shabby and tawdry come to mind. But they don't begin to do them justice.”

That was two days after the *Post* reported that Bill and his charming missus had piled the van full of furniture that was donated to the White House, not donated to them personally. Hey, when you're dealing with two lifelong sponges, it takes a village to furnish the new digs!

The *Post* listed the items with which the Clintons absconded, along with the names of the donors: “\$19,900, an easy chair, two sofas, and an ottoman from Steve Mittman, New York; \$3,650, kitchen table and four chairs from Lee Ficks, Cincinnati; \$2,843 sofa from Brad Noe, High Point, N.C.; \$1,170 lamps from Stuart Schiller, Hialeah, Fla.; \$1,000 needlepoint rug from David Martinous, Little Rock.” No word yet on the toilet tissue and light bulbs.

Steve Mittman set the record straight about the ottoman, two sofas, and easy chair, items he donated from his family-owned furniture business: “When we've been asked to donate, it was always hyphenated with the words, ‘White House.’ To us, it was not a donation to a particular person.”

Widow Joy Ficks, whose late husband, Lee, headed Ficks Reed Company, said she thought the “custom-finished rattan chairs and breakfast table” would remain at the White House: “We gave it to the White House. I wondered what happened to it.” The same thing that happened to our nuclear secrets, Kathleen Willey's cat, the billing records, Vince Foster's files, and everything that wasn't nailed down on the Boeing 747 as it carried Bill and his sycophants to New York after Bush's inauguration.

Elsewhere on Capitol Hill, prune-face Maxine Waters went nuts after a white man was put in charge of the Democratic Party (“I have in my hands a list of white people . . .”) and poor Tom Daschle started howling about Republicans getting free luxury cars while America's *les misérables* Democrats are stuck trying to patch up their old clunkers.

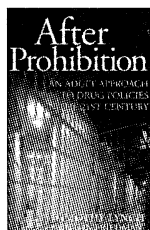
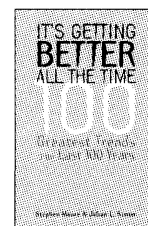
“You know,” said Senate Minority Leader Daschle, “if you make over \$300,000 a year, this tax cut means you get to buy a new Lexus. If you make \$50,000 a year, you get to buy a muffler on your used car.”

What Daschle didn't say is that the guy buying the Lexus

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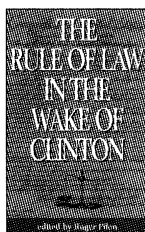
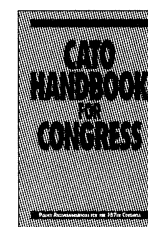


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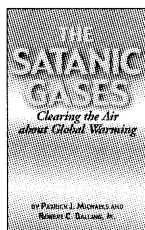
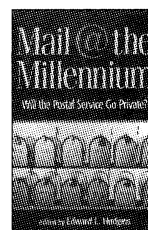


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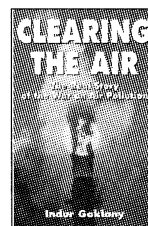


The Satanic Gases: Clearing the Air about Global Warming by Patrick J. Michaels and Robert C. Balling Jr.

Two of America's foremost climatologists argue that almost everything we "know" about global warming isn't true. They lay out the scientific facts about the hype and hysteria and expose the wild exaggerations and even outright lies of many global warming extremists. The authors also examine how government scientists and academics often get corrupted by government money. • 2000/224 pages/\$10.95 paper ISBN 1-882577-92-29

Clearing the Air: The Real Story of the War on Air Pollution by Indur Goklany

This book demonstrates that Washington's 30-year regulatory war against air pollution has done little to improve air quality. The improvement is, instead, the result of gains in per capita income, rapidly improving technology, and the shift from a manufacturing- to a service-based economy. The author also contends that the Clean Air Act of 1970 imposed steeper than necessary regulatory costs that actually slowed improvement. Goklany also presents the most comprehensive database ever assembled on air quality trends. • 1999/188 pages/\$10.95 paper ISBN 1-882577-83-3/\$19.95 cloth ISBN 1-882577-82-5



is spending his own money, not a federal handout. Additionally, Sen. Daschle didn't bother to mention that "the rich" will continue to pick up a highly disproportionate share of the tab each year to keep the federal leviathan on track, with or without the Bush tax cut.

The top-earning 1% of families (annual incomes of \$297,000 and more), for example, earn 15% of total national income and pay 34% of all federal income taxes. Similarly, the top 5% (incomes of \$145,000 and more) earn 32% of the income and pay 52% of the taxes. In the same way, the top 10 and 25% pay, respectively, 63 and 82% of all income taxes. All told, the top half pay 96% of all federal income taxes while the bottom half picks up 4% of the tab.

The rich, clearly, are not getting a free ride, contrary to the red-meat rhetoric that's tossed into the ring by class warriors like Daschle. The game Mr. Daschle plays is one of exciting envy, pointing to shiny new LX-470s and crappy old mufflers, seeking to divert attention away from the fact that we all pay too much in taxes, that taxes have grown faster than incomes for the past eight years, that the federal budget has exploded to over 17 times its 1960 size, after adjusting for inflation, and that non-defense discretionary federal spending this year, in an economy with near-zero growth, is set to jump another 13%.

Simply put, we're at the point where our tax burden averaged out to \$10,298 per person last year — \$7,026 in federal taxes and \$3,272 in state and local taxes. Add the price of regulations and government-sponsored litigation and we're half-socialized. Altogether, it's a tab for government; as Doug Bandow, a senior

fellow at the Cato Institute, puts it, that "dwarfs everything else in people's budgets: shelter (\$5,833); health care (\$3,829); food (\$2,693); transportation (\$2,568); recreation (\$1,922); and clothing (\$1,404)."

Bush's solution? Double the child tax credit from \$500 to \$1,000, phase out the "death tax," reduce the "marriage penalty tax," and cut income-tax rates across the board: drop the two top tax brackets of 36 and 39.6% to 33%, cut the 28 and 31% brackets to 25%, and drop the bottom rate of 15% to 10%.

Daschle's answer? Pick the pocket of anyone who can afford to buy a Lexus with his own money. — Ralph Reiland

Church, state, and hysteria — The question of church and state is simple in theory, but not always in practice. There was the case, if I remember right, of a public park that raised money by selling paving bricks. You could say what you wanted on the brick you paid for. And somebody paid for a brick to say "Protect the Unborn" and another to say "Jesus Loves You." Then it was charged that these bricks were religious and were therefore not allowed.

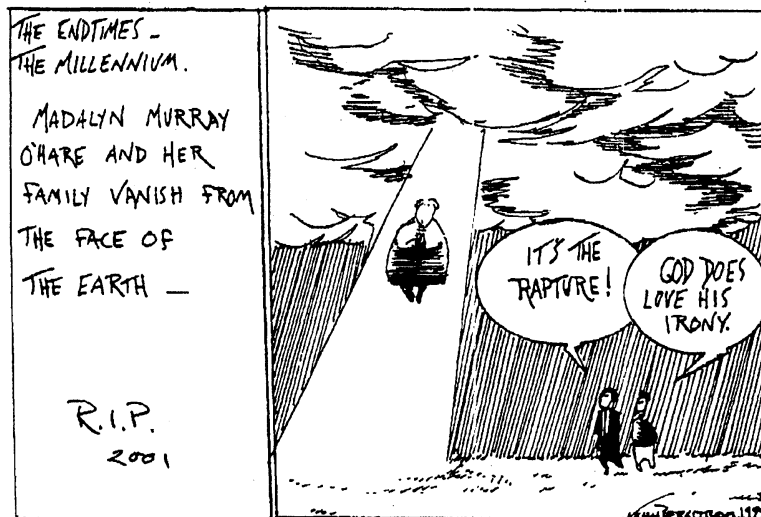
There was another case of a public school saying that students could start their own clubs — chess club, model airplanes club, etc. — to meet in the school building after classes. But a Christian club was not allowed.

In my son's public school, they have a winter concert. They sing holiday songs: some Christmas songs and some Hanukkah songs. But the Hanukkah songs are Jewish in a cultural way only, and the Christmas songs tend more toward "Jingle Bell Rock." Songs like "O Come All Ye Faithful" are essentially forbidden.

A libertarian might argue that none of these cases come up in his ideal world, and that's swell if that's the world his listener wants to hear about. But, in this world, I think the religious have to be defended to a point. The First Amendment is not a measure to suppress religion from public spaces, or to forbid the recipient of state aid to spend it on a religious product. It says only that the exercise of religion shall be free and that the state shall not establish a religion. I think that means vouchers would pass muster, but that official prayers in public schools would not; that a Christian club would be okay (as would a Muslim club) but that "under God" in the Pledge of Allegiance should come out.

That also means that church groups should be free to become dispensaries of government welfare, as Bush favors, as long as non-church groups have the same opportunity. Whether the church groups should do so is up to them. I would think twice if I were them, just as, if I had a private school, I might think twice before accepting a government voucher.

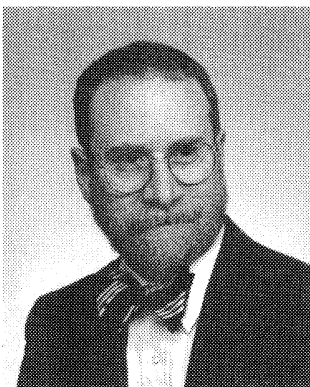
— Bruce Ramsey



Box selling is too important to leave to the free market — In Tennessee, you can't sell a coffin without a funeral director's license. To get a license, you must take special classes in things like embalming — classes which can cost as much as \$16,000 — or serve two years as an apprentice to a mortician. Why? All you want to do is sell a box.

The reason is not far to find: licensing schemes keep out competition and allow small groups of licensed practitioners to raise prices, since consumers have no other option. In other words, these laws create monopolies.

These statutory monopolies have been illegal for more than 500 years. In 1615, the great English judge, Edward Coke, wrote that "at the common law, no man could be prohibited from working in any lawful trade, for the law abhors idleness, the mother of all evil and therefore the common law abhors all monopolies, which prohibit any from working in any lawful trade." "The monopolizer," he said, "engrosseth to himself what should be free to every man." That is, everyone should have the right to earn a living.



No One Runs the Country by Sheldon Richman

Memo to pundits and politicians: you didn't need to say that we had to finalize the presidential election because it's important to know who's going to run the country beginning January 20.

The president doesn't run the country. This country comprises 265 million people who make billions of decisions every day. Among those decisions are the most important ones that get made: what to produce, what to buy, what jobs to create, what job to take, what investments to make, what house to buy or apartment to rent, what associations to join, how to raise the children, and on and on. The president doesn't make those critical decisions for us ... yet, thank goodness.

It's true that the president runs one branch of the federal government, which does much more than the Constitution authorizes. But let's not confuse the executive branch

with the whole country. Presidential conceit may infect the chief executive, but let's immunize ourselves against such folly.

At least since World War II, the American people have been sold a bill of goods (apparently to make us forget the Bill of Rights). They have been told repeatedly by the Eric Severeids and David Broders of the world, along with the various television court historians, that the federal government, especially the president and the chairman of the Federal Reserve, are the stewards of the economy. They can keep on dreaming. The "economy" is so hair-raisingly complex that no one could possibly steward it. Anyone who thinks he can do so is delusional. How does that expression go? It would be like herding cats — only worse, because no one possesses the information that constitutes the "economy," much less the knowledge of what will happen in the future.

While the marketplace has no steward, and needs none, those who fail to understand this are capable of causing much mischief. For example, President Clinton and many members of Congress believe that the legal minimum wage should be raised. "The people making the minimum wage

have not had a raise in many years," they are fond of saying. That is patent nonsense, of course. No one who was making the minimum wage many years ago is still making it today. That is entry-level pay for the least-skilled workers. Only someone who refuses to accumulate skills and experience would be stuck at the minimum wage. Moreover, in these days of labor shortages, many entry-level jobs pay more than the legislated minimum.

None of this means that a minimum-wage law is irrelevant. It is potentially devastating to its supposed beneficiaries. Wages are not set by employers arbitrarily. When hiring someone, an employer is bound by at least two considerations based on his estimate of the worker's productivity: if he pays the employee less than he is worth a competitor might hire the worker away; if he pays more than the employee is worth, the business will lose money and its existence (and the job) will be threatened.

It is not the boss who pays the wages. It's the consumers. They buy a product only if they believe it is worth more than anything else they can spend their money on. If an employer pays his workers more than is justified by their

value to consumers and tries to recoup the money by charging high prices, consumers have the power to veto his policy by buying elsewhere. The workers would then have to take a pay cut or lose their jobs.

If the law sets the minimum wage higher than what the market would have set, it will have the same effect as just described. Workers will lose jobs, and new jobs that might have been created won't be. Intended beneficiaries become victims.

The minimum wage is just one of myriad ways that presidents attempt to steward the economy. The results are always similar: the effects are contrary to the stated goals, and the most vulnerable members of society suffer.

The free-market economy is an example of something that may seem impossible at first glance: undesigned order. It achieves incomparable cooperation and consumer welfare precisely because it has no steward. To the extent the president tries to run it, we are in for a heap of trouble.

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The authors of the Constitution agreed. "That is not a just government," wrote James Madison, "where arbitrary restrictions, exemptions, and monopolies deny to part of its citizens [the] free use of their faculties, and free choice of their occupations." So they wrote a clause in the Constitution to protect the "privileges and immunities" of all Americans. As Justice Bushrod Washington (George's nephew) explained, the privileges and immunities of Americans include "the right to acquire and possess property of every kind, and to pursue and obtain happiness and safety."

After the Civil War, government monopolies became a major problem. Many states used them to keep former slaves from earning a living. Historian Lawrence Friedman writes that "the real motivation [of these licensing schemes] was economic. Trade groups were anxious to control competition." So the Fourteenth Amendment was written to protect, among other things, the right to earn a living. Rep. John Bingham, one of the authors of the privileges and immunities clause, said that the clause included "the liberty to work in an honest calling and contribute by your own toil in some sort to the support of yourself, to the support of your fellow men, and to be secure in the enjoyment of the fruits of your toil."

Until 1937, courts protected this right. For instance, in *Truax v. Raich* (1915), the Supreme Court held that "the right to work for a living in the common occupations of the community is of the very essence of the personal freedom and opportunity that it was the purpose of the [Fourteenth] Amendment to secure." But of course, after *U.S. v. Carolene Products* (1937), the Court held that government interference in the economy would be presumed to be constitutional in almost every instance. This is called "rational relationship scrutiny," and it remains the law today. It means that the government can take away your right to earn a living on almost any pretext — and that the funeral directors of Tennessee have been able to keep monopolistic control over the sale of caskets and urns. As Lord Coke said, "monopolies [are] ever without law, but never without friends."

Last year, some of those entrepreneurs, represented by the Institute for Justice, sued, arguing that the Tennessee law violated their rights — and they won. Federal District Judge R. Allen Edgar used the "rational relationship" test, but still found the law unconstitutional, saying "the purpose of promoting public health and safety is not served by requiring two years of training to sell a box."

The state has appealed to the Sixth Circuit.

— Timothy Sandefur

Me and Bill — The first presidential election I can remember was in 1980. As a 6-year-old, I wanted Carter to win, because I could spell "Carter" but not "Reagan." In the twelve years of Republican presidencies that followed that election, I learned enough about politics that spelling was no longer an issue that mattered by 1992.

But politics took a backseat for the eight years of Clinton's presidency. I graduated from high school and went to college, first as a physics major, then a math major, finally an English major. I graduated, started a career as a computer consultant, ended a career as a computer consultant, and started a career as a writer. During the Clinton administration, I visited nine states and a Canadian province for the

first time and saw the Rocky Mountains and Pacific Ocean for the first time. I read all of Rand's and several of Heinlein's novels. I read a dozen or so of Ibsen's plays and discovered Victor Hugo and Ovid. I read the work of such diverse authors as Rose Wilder Lane, Claire Wolfe, and Camille Paglia. In 1993, I'd never heard of *Liberty*; in 2001, I worked there. I've completely changed my mind on a couple of political issues and refined my thinking on still others. I went from being a Christian to an atheist, and then halfway back, to being an agnostic. I've worried about the health of my parents and mourned when I lost a close friend in a car accident. With all that going on, one might ask "who could notice one lone presidency?"

Still, I didn't live in a hole. Eight years is a long time, and I found time to watch the evening news here and read a newspaper there. We didn't have the depression I predicted after the 1994 tax hike. I was sure that Somalia was the next Vietnam, and I was as sure that Kosovo was the next Vietnam — neither turned that ugly. I saw Reno's scandalous actions at Waco get whitewashed. I lost what hope I had for the Republicans when they gained control of Congress in 1994 and, in six years, did nothing meaningful with it. I also lost my last hope for the Democrats when, during Clinton's impeachment, the Democratic senators were more predictable and weaker than pawns on a chessboard.

The Clinton administration confirmed everything I'd suspected of politics: Clinton was slick and smarmy, corrupt and decadent, covetous of power, and surrounded by sycophants. Without shame, he'd parade his cat, dog, and daughter before the camera to look normal and respectable. As president, Clinton seemed to prove everything libertarians have ever said about the evils of politics. Never trust politicians. Never give them respect. Don't expect any good from them, just hope they'll be too busy stabbing each other in the back to do you much harm. Above all, don't give them undeserved attention: life does not emanate from inside the beltway.

Clinton will never know of this part of his legacy: he solidified my belief in the need for human liberty.

— John Haywood

Next time it might be a fish stick — A school in Jonesboro, Ark. suspended a student in February for pointing a breaded chicken strip at a teacher and saying the words "bang bang". This is yet another example of the insane severity that school regulations have reached in the post-Columbine era. Students have had their lockers searched or taken away entirely; they have been suspended for posting websites of adolescent humor and forbidden to wear trench coats or carry backpacks; one kid in Virginia was suspended for dyeing his hair blue, even though it had been blue for four months before Columbine. No matter, said the school, blue hair is a sure sign of imminent mass murder.

Of course, it comes as no surprise that the state, claiming to desire nothing more than the safety and welfare of its subjects, would end up robbing them of liberty and even dignity. But it adds even more irony to the bureaucrats' claims: every year, we're told that the schools need more and more money. Why? Because schools are necessary for good citizenship — they instill national traditions and love of country.

Is it any wonder that kids don't believe in America any-

more? The system is producing kids who have experienced firsthand the hypocrisy of teachers speaking of "rights," while simultaneously robbing them of those rights; worse, it produces kids who don't object to such policies: docile before palpable violations of their liberty, these students emerge thinking the state is right to "protect" them. Good citizens, indeed.

— Timothy Sandefur

A perfect score — On Feb. 8, John Ashcroft, our new attorney general, gave an interview to Larry King in which he listed his three most important aims: "to stop gun violence, to reinvigorate the War on Drugs, to end discrimination wherever I find it." Ashcroft, our chief official expert on the laws and constitution, made a perfect score: none of his three aims is constitutional. And if he means to end discrimination wherever he finds it, he's made a good start. He's already destroyed any mental discrimination that might have been associated with his office.

— Stephen Cox

Amendments vs. Commandments — The Alabama legislature is considering a bill to allow public buildings to display the Ten Commandments. Alabama — which Justice John Paul Stevens once rebuked for its "remarkable conclusion that the federal Constitution imposes no obstacle to Alabama's establishment of a state religion" — recently elected a new chief justice to their state's Supreme Court: Justice Roy Moore, who won in a landslide after refusing to remove the Ten Commandments from the courtroom where he presided as a trial judge. Illinois, South Dakota, and other states have passed similar measures.

Of course, none of these state laws will have any effect on the federal Supreme Court, which still goes by Justice Stevens' ridiculous "psychological coercion" standard. Certainly, if people in Allegheny County, Penna. cannot put a creche in their courthouse, they cannot put up the Ten Commandments. Meanwhile, in the marble bas-reliefs surrounding the main chamber of the United States Supreme Court — where the justices hear arguments every week — is a majestic figure of Moses carrying his two tablets.

— Timothy Sandefur

Dicking around on the net — One of the chief proponents of Internet censorship is about to experience it himself. House Majority Leader Richard Armey has repeatedly encouraged the use of filtering software to keep the Internet as seedy as an episode of *Mister Roger's Neighborhood*. But because of the keywords that such software uses in searching for objectionable content, Mr. Armey's own little piece of cyberspace is in danger of being blocked because the word "Dick" appears on his homepage. If this isn't an argument for filtering software, I don't know what is.

— Eric Raetz

Terror and empathy — April will bring the anniversaries of two tragic events back to the TV screen, Columbine High and the Oklahoma City bombing. When I learned that Dylan and Eric targeted the jocks during the Columbine massacre, the incident became painfully clear to me. Anybody who doesn't understand it obviously spent high school on the opposite side of the dodge-ball court from me. It is the same shameful response I feel every time I see

the Oklahoma bombing recalled. Although I could never support the killing of innocent men, women, and children as a way to avenge the lives taken at Waco, I do share some of Timothy McVeigh's anger every time I see Mount Carmel burning on television and hear arrogant federal agents doing commentary. I just wish McVeigh had been a little more brave. He should have been sitting in the front seat of that Ryder truck like a jihad terrorist; or confessed to the crime, explained why he did it, then calmly walked to the death he so much deserved.

— Tim Slagle

Not investment grade — Early in February, several customers of Morgan Stanley Dean Witter & Co. called to complain when that company paid former junk president Bill Clinton \$100,000 to speak at its annual conference on junk bonds. Protesters in Boca Raton, Fla., carried signs saying, "Everything Still for Sale." A participant at the conference told Fox News that Clinton had advocated spending \$1.6 billion on foreign disease control and global health. Not his \$1.6 billion, though. Several times he said, "Don't you think that would be money well spent?" A better question would have been whether his hosts' \$100,000 had been well spent.

A few days after Clinton spoke, Philip J. Purcell, chairman of Morgan Stanley, e-mailed his complaining clients that the firm "clearly made a mistake" by inviting Clinton to the junk bond confab, considering "Mr. Clinton's personal behavior as president." The market value of Bill Clinton thus begins to crumble.

— Bruce Ramsey

California dreamin' — California is about to run out of electricity, and I think it's hilarious. There are more goofy renewable energy schemes in California than anywhere else on earth. They have more geothermal, windmills, solar cells, hydroelectric, tide power, and any other ridiculous thing they can think of to generate a tax subsidy than anywhere else on earth. And look what happened.

People in government get the notion that if something is legislated, it will just appear. When CAFE restrictions were put onto automakers, Congress never worried about whether it was possible to create a 100 mpg car, they just assumed that if it was law, someone would invent it. Meanwhile, over 50% of Americans are driving trucks to avoid those beer cans the auto industry calls passenger cars.

I'll bet this will shut the environmentalists up for a while



"I didn't say it wasn't good — I just said I prefer the stuff you did when you were four."

though. Things like Al Gore's \$2-a-gallon gas tax sound great until people start having to live with them. I bet this whole power thing puts the kibosh on electric cars for a while. I'm so glad there's California. It's kind of like a big petri dish for the rest of the nation. Every time someone has a stupid idea, California tries it out, mercifully sparing the rest of us.

— Tim Slagle

Lies, damned lies, and Al Gore lies — "Like Most Americans, I Voted for Al Gore." So read the signs held by people lining the route of George Bush's inaugural parade and protesting the legitimacy of his election.

Television cameras lingered lovingly on the sight, but no

one in the media cared to comment on the obvious absurdities. "Most" Americans didn't vote, and of those who did, most voted for other candidates than Gore. Nor was there any comment on the fact that these advertisements of moral superiority had been mass produced — presumably by someone who knew they were lies.

— Stephen Cox

In like a lion, out like a weasel — Bill and Hillary are getting the business for the way they behaved upon leaving the White House. Turns out they took about \$190,000 worth of furniture and various housewares from the White House, and cleaned everything off of Air Force One, right down to the toothpaste. I don't know why this

Inaugural Report

Friday — Back in 1941, the Legion of Decency went wild when Hollywood bombshell Jane Russell showed a bit too much cleavage in the movie *The Outlaw*, directed by Howard Hughes. It was charged that with one shot, the inventive Hughes had "cantilevered" America right into smutville. Well, Hughes is gone now, but it was Russell, now 79, who made the largest splash at the black-tie Christian Pre-Inaugural Gala at the classy Willard Hotel. "These days," she said, "I'd be PG."

For \$200 a ticket, celebrants got unlimited soda, zero booze, a "Christian comedian" and "Christian hula dancers." How do Christian hula dancers, asked the *Washington Post*, differ from regular hula dancers? "They wear a lot more clothes," explained gala organizer Jim Lafferty, "and dance only to hymns."

More spirited was the Texas State Society's Black Tie & Boots Ball at the Marriott Wardman with: 17,000 cases of beer, six live longhorn steers, Wayne Newton, 3,000 pounds of barbecued beef, 550 bartenders and waiters, Tanya Tucker, 35,000 jumbo shrimp, a fighter jet, 3,000 pounds of smoked ham, the Beachboys, 1,100 cases of liquor, and an oil derrick erupting silver tinsel in the lobby.

Saturday — At 10:30 a.m. on inaugural morning, city crews arrived at Dupont Circle, a block from our hotel, to cut an effigy of George W. from a tree. "Let them have the tree," NOW president Patricia Ireland told the 1,000-plus crowd of protesters, "We have the whole country."

Others weren't so optimistic. The fat cats had pulled a fast one, declared protesters from Boston carrying a banner that said "Billionaires for Bush: Because Inequality Is Not Growing Fast Enough." Gore or Bush, they proclaimed, it's still capitalism on top and the shaft for everyone else. "Buying a president is a huge investment for us. We backed both Bush and Gore and, sure enough, our man won! We'll start by abolishing the estate tax, to keep our families outrageously rich for generations to come."

Gore or Bush, it's still the "White House." A gang from the New Black Panther Party distributed leaflets with a quote saying that America's problem is bigger than any pimpled or dimpled chads: "As long as you think you are white, there is no hope for you."

The quotation is straight out of the 1960s, from James

Baldwin. Race consciousness, he was saying, prevents integration, prevents the unity that's required for liberation from a repressive culture. For anything to start, he wrote, everything had to go: "In order to get rid of Shell, Texaco, Coca-Cola, and the Sixth Fleet and the friendly American soldier whose mission it is to protect these investments, one finally throws Balzac and Shakespeare and Faulkner and Camus out with them."

People Against Racist Terror painted the same picture of a gluttonous empire propped up by narrow-minded Euros: "Bush not only won the dollar election of corporate contributions but also an overwhelming majority of white male voters, and even a bare majority of white women voters. This is a measure of the continuing grip of white supremacy and allegiance to empire on masses of Euro-Americans. More than guns or the media monopoly, this is the main strength of the system of capitalist exploitation and oppression."

In the trenches at Dupont Circle, in short, it was a far different rally than the one portrayed on CNN. Yes, it was anti-Bush, but it was hardly pro-Gore or pro-Clinton. There was, to be sure, high rage about the "five reactionaries and racists on the U.S. Supreme Court" and the "naked coup" by the new boss and his "incoming crowd of corporate America's hitmen," but not much nostalgia for what was called Bill Clinton's "Republican-Lite" politics.

"From NAFTA to welfare reform," explained a Socialist Worker flyer, "Bill Clinton presided over measures that Ronald Reagan or Papa Bush never could have gotten away with."

It was, for the most part, a throwback to the '60s, more about the "decriminalization of consensual sex and the use of intoxicants" than Social Security privatization, more about "dismantling the empire" than replacing old voting machines, and, as always, more about class envy than anything else.

The entire show, the whole grand opera that it had become, was epitomized by the piercing yell of a scruffy young demonstrator who spotted a well-coiffured woman exiting the Willard in a perfectly white, full-length ermine: "Hey, lady, take your f**kin' fur coat and go back to Texas!"

— Ralph Reiland

surprises anyone. They both have been government workers their entire lives, and government workers have a well-deserved reputation for being the kind of people who never tip and always snag the towels out of the hotel rooms.

— Tim Slagle

Pigeons and property — Ken Livingstone, mayor of London, wanted to “transform Trafalgar Square into a cultural space for Londoners and visitors to enjoy,” so he decided to rid it of pigeons. He closed down the little stall where Bernald Rayner’s family has been selling birdseed for 50 years. Rayner sued, but ended up settling out of court. It seems Mayor Livingstone doesn’t know his *Mary Poppins*.

But in all, this isn’t terribly surprising; the British practically invented the abuse of eminent domain — which is one reason we told them to go away and leave us alone. What’s so sad is that we Americans now abuse that power terribly. A neighborhood in New Rochelle, N.Y. (you know, where Rob and Laura Petrie used to live) was scheduled for bulldozing to make way for an Ikea parking lot. Fortunately, community outcry and John Stossel’s reporting persuaded Ikea to back out of that idea. Other neighborhoods across America are being threatened every day. How far we’ve come.

— Timothy Sandefur

Abortive funding

— I’m a Libertarian, but I can’t help but think the right choice was made between Bush and Gore. Bush celebrated *Roe v. Wade* Day by banning United States’ funding of foreign abortions. What a wonderfully arrogant

move. Just signal right up front, “By the way, I’m not going to pander to all you lefties.” I don’t care how you feel about abortion, you’ve got to be opposed to an American Catholic being taxed so someone in another country can get an abortion. And if you’re not, take the money you save on taxes after Bush’s tax cut gets through and send it directly to Planned Parenthood of Sudan.

— Tim Slagle

At last, a liberal president — The election is over, and at last America has a fighting liberal president.

Not George W. Bush — Bill Clinton.

In the final days of his presidency, Clinton took the positions that his friends and enemies always thought he supported. But why did it take him eight years to do it?

Much of Clinton’s frenetic activity of late seemed motivated by the desperate desire to shape some sort of legacy other than “Minor, Scandal-Ridden Administration in the Era of Bill Gates and Tiger Woods.” Thus the mad dash to make friends with Vietnam, make peace in Israel, lock up

Western lands, and issue a flurry of executive orders.

Meanwhile, Clinton made statements to burnish his credentials as a liberal or a civil libertarian. Consider, since the Nov. 7 election:

- In an interview with *Rolling Stone*, Clinton said that small amounts of marijuana should be decriminalized and that mandatory minimum sentences for drugs should be re-examined.

- Also in that interview, he disavowed his “don’t ask, don’t tell” policy restricting gays in the military and said: “the Boy Scouts are wrong” to ban gays.

- He put the District of Columbia’s new “Taxation Without Representation” license plates on the presidential limousine, declaring his support for D.C. statehood.

- He hosted a White House screening of a new pro-gay documentary, *That’s a Family!*

- He pardoned two women who were serving long prison sentences for minor drug crimes.

He seemed to be making an effort to appeal to the liberal wing of the Democratic Party — drug reformers, gay rights activists, and civil libertarians.

Some of these ideas are better than others. The Founders denied statehood to the federal district for good reason: they didn’t think the government itself should have votes in Congress. But Clinton is in tune with the voters in saying that putting people in jail for marijuana use is absurd.

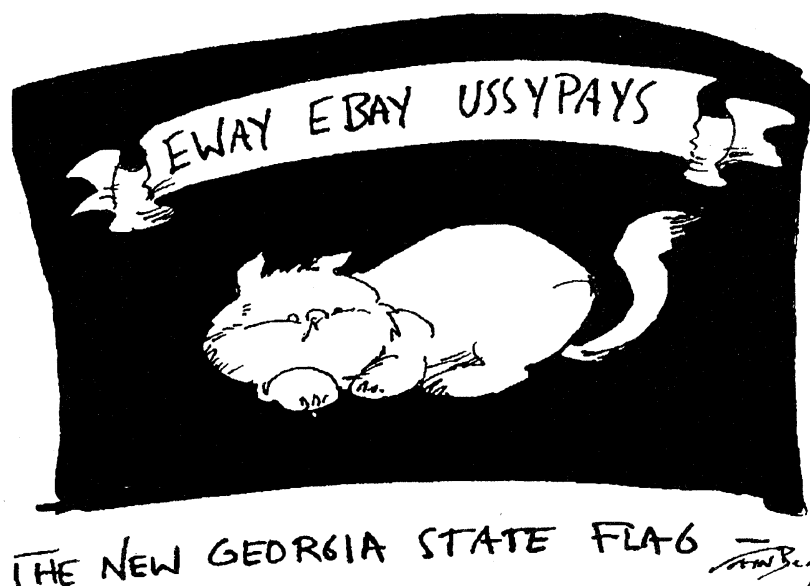
Again, though, the real question is: where has he been? Clinton has spent eight years in the White House,

giving us “don’t ask, don’t tell,” the anti-gay Defense of Marriage Act, and a doubling of marijuana arrests.

Civil libertarians who hoped a former constitutional law professor and child of the 1960s would defend individual rights were disappointed after Clinton’s election. American Civil Liberties Union president Nadine Strossen wrote recently in the book *The Rule of Law in the Wake of Clinton* that “a single essay cannot do justice to the injustices that the Clinton administration has perpetrated through its far-ranging assaults on free speech and privacy.”

Anthony Lewis of *The New York Times* said, “Bill Clinton has the worst civil liberties record of any president in at least 60 years” — that is, worse than Lewis’ old enemy Richard Nixon. Nat Hentoff of the *Village Voice* went further, saying that no other American president “has done so much damage to constitutional liberties as Bill Clinton.”

It should be noted that the president has reversed none of the policies that exercise his critics. Gays are still being discharged from the armed services at a record rate. Marijuana



users are still being arrested at a record rate. The administration has not stopped trying to censor the Internet and wire-tap our e-mail. Federal databases contain and exchange more information about us every year. So his recent civil liberties rhetoric is just that — rhetoric.

And so it ends as it began: a presidency driven by politics and the belief that poll-tested language can solve any problem. “No previous president,” according to the *Washington Post*, “read public opinion surveys with the same hypnotic intensity. And no predecessor has integrated his pollster so

And so it ends as it began: a presidency driven by politics and the belief that poll-tested language can solve any problem.

thoroughly into the policymaking operation of his White House.”

Free at last, free at last: Bill Clinton can finally say what he thinks. A fat lot of good it does the thousands of gays discharged from the armed services, the millions of people arrested for drug crimes, or those of us who want our privacy protected on the Internet.

— David Boaz

Net progress — In the last few days of the Clinton administration, the ABC program *Nightline* ran several programs to ponder the long-run significance of the past eight years. The programs were based in part on interviews with various leading players in the Clinton administration: Dick Morris, Robert Rubin, Robert Reich, Dee Dee Myers, and a number of others. ABC then did something which may prove to be extremely important — much more important than this particular exercise in television journalism — it placed the complete transcripts of the interviews on its *Nightline* website.

Though they contained few real surprises, these readings are interesting and occasionally fascinating. Bill Clinton comes across as enormously gifted and talented — said by several to be the best natural politician of his generation, something that they could recognize from virtually the first moment of meeting him — and yet lacking in discipline and seriousness of purpose to the point of virtual contempt for the public he was supposed to be serving. Clinton chronically allowed fundamental decisions of state to linger until the last possible moment — applying to the direction of government his apparent penchant in law school for the last-minute cram. As related by George Stephanopoulos, among others, his staff was shocked as early as the 1992 campaign by his easy willingness to lie whenever it served his needs.

The other striking feature of the interviews was the tremendous influence of Hillary Clinton. Early on, when Bill Clinton said he was offering two for the price of one, it was truer than many people realized. Hillary's influence proved to be devastating to the future of the Democratic Party. Her health plan went a long way toward electing a Republican

House and Senate in 1994, control they've maintained ever since. Some of Clinton's closest advisors blame her for the appointment of a special prosecutor to investigate Whitewater, leading to the selection of Kenneth Starr, public exposure of the Paula Jones affair, and all the rest of the Clinton sleaze that did so much to defeat Al Gore in 2000. Perhaps the Republican Party should award an honorary plaque to Hillary Clinton.

As interesting as the interviews' content may be, it is the very fact of their placement on the web that may prove to be historically significant if viewers demand that other broadcast news programs follow this precedent. Take the infamous *60 Minutes*, long a staple of CBS News programming. Numerous people interviewed for *60 Minutes* have complained that their remarks were taken out of context or otherwise distorted — either to enhance their entertainment value, or as an act of deliberate propagandizing to reflect the ideological views of the show's producers. If it follows *Nightline's* practice of posting complete transcripts of its interviews, it will be simple to check on charges like these.

The effect on TV journalism could be revolutionary. Knowing that anyone can compare snippets of interviews shown on air to complete transcripts of those interviews, the producers of *60 Minutes* will be under strong pressure to practice journalistic accuracy and responsibility. Serious distortions will quickly be visible to anyone who takes the trouble to visit the website. Even if the average viewer is not likely to do this, the critics of *60 Minutes* and many others, including other journalists, will surely do so. If every interview excerpted on *60 Minutes* were routinely posted, along with those of other national news programs and every on-the-record interview by *The New York Times* or *Washington Post* — other news outlets will follow.

Some journalists are going to resist this. It will take away much of their capacity for selective interpretation — and, in the worst cases, their “freedom” to distort. It might reduce them to the formulators and transcribers of questions, leaving the most interested members of the audience to form their own judgments. Listeners and readers, however, will be empowered to form their own individual judgments, undermining the role of many intermediary institutions, as happened 500 years ago when Martin Luther translated the Bible into ordinary German, undermining the clergy's monopoly on interpretive power.

Our current journalistic “clergy” may not like the web any more than the pope liked Luther. But journalists are going to have a hard time explaining why they have a right to keep their readers and viewers in the dark, when full and complete web disclosure is routine and virtually costless. It will be interesting to hear *60 Minutes* explain why they cannot afford — or are simply not willing — to put their complete interview transcripts on the web. If ABC and *Nightline* can do it, why not CBS and *60 Minutes*?

The web promises to transform many areas of business and other parts of American life. Cleaning up TV and print journalism could be one of the earliest of these transformative web effects — an unexpected windfall for many millions of viewers and readers who will now be empowered to form their own individual judgments. All it is going to take is a little public pressure. What are we waiting for?

— Robert H. Nelson

In the next *Liberty*:

“The Activism Project, Part III: The Readers Strike Back”
“Drugs, Violence, and Economics,” by David Friedman

The Unimportance of Being President

by R. W. Bradford

Bill Clinton was a liar, thief and sociopath. And he left America a better place.

"The Long National Nightmare Is Over," blared the cover of the conservative *Weekly Standard* when Bill Clinton left office. During Clinton's entire presidency, those on the right had denounced his perfidy as a threat to Western civilization. The fate of the Republic, apparently, was at stake.

Clinton's conservative critics couldn't have been more wrong. Yes, they were right about some things: Clinton is a scoundrel, an absolutely amoral sociopath, interested only in getting as much power as he can. He is a liar of astonishing skill and almost unprecedented brazenness. As president, he was a demagogue par excellence, as well as a thief, a sexual predator, and a vandal.

But America is an extraordinarily strong and healthy country, and once his (or, rather, his wife Hillary's) idiotic plan to have the government take over health care was defeated in 1994, he was practically incapable of doing serious harm. Oh sure, he made a massive land grab in the American West. And he got the United States involved in a series of ignoble military adventures, turning U.S. bombers against innocent civilians in several countries merely to divert attention from the investigations of his perjury and theft. Sure, he sneaked through a modest tax increase. Yeah, he undermined democracy with his "motor voter" law.

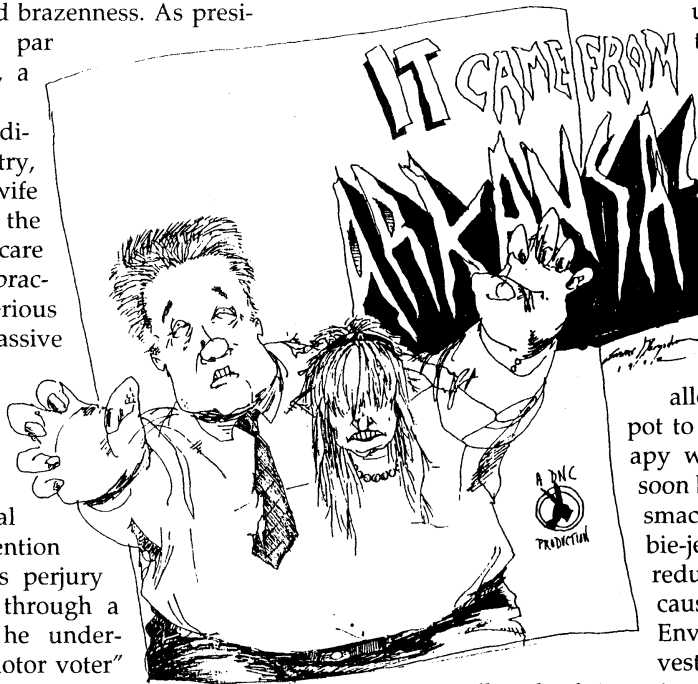
But most of these things can be undone by the Congress or President Bush, and several probably will. More importantly, these are but minor afflictions to the body politic. The strength of America does not lie in its political

leaders, its armed forces, or its central bankers. It lies in its people, who are hard-working, inventive, and innovative.

America's conservatives are not unique in losing their perspective and common sense when considering matters political. Hollywood liberals believe that the ascendancy of Geo. W. Bush onto the sacred throne of Jefferson, Roosevelt, and Fillmore will make America uninhabitable; some even made promises — sadly, unkept — to move to Europe. A good many parents believe that allowing Granny to smoke a little pot to relieve the pain of chemotherapy will mean their daughters will soon be turning tricks to buy enough smack to keep from getting the hee-bie-jeebies. Socialists believe that reducing the minimum wage will cause starvation in the streets. Environmentalists believe that harvesting a mature forest will freeze

us all to death in an ice age, or warm the planet until it cooks us all. Libertarians believe that every new regulation or tax is the death knell of freedom.

No one can understand American political culture without understanding mass hysteria. But rather than joining the



hysteria that invests the media, the academy, and the political class, let's look at Clinton's legacy.



Even before he took office, Clinton was planning that legacy. His first thought was, rather unimaginatively, to emulate Franklin Delano Roosevelt and leave his imprint in the form of a vast new government program. He didn't seem to care much what program he imposed on the country, only that it be vast and memorable. As it happened, the biggest political debt he owed was to Hillary, who had not only stayed with him during his more-or-less public philandering, but had also lied about his sexual escapades and even about his lies. And Hillary, likely suffering guilt over the vast looting of the public treasury she had overseen in Arkansas, wanted to do a favor for the peasantry by giving them the gift of government-controlled medicine.

So Bill Clinton put the full weight and authority of his office behind the scheme. It looked like an easy proposal to put into law: Clinton's party favored just about any scheme to increase the power of government in the name of welfare, and it enjoyed a substantial majority in each chamber of Congress. The Republicans, who hadn't controlled Congress in almost four decades, could be counted on to offer a few modest changes in the plan, but, in the end, they couldn't stop it, and many of them would ultimately vote for it, if only to keep their Democratic opponents from portraying them as anti-progress.

What could prevent Clinton from leaving us this wonderful legacy?

Well, as it turns out, what prevented him was the American people. At first, the Republicans offered only minor tinkering, as expected. But some conservative and libertarian critics didn't join the establishment Republicans in rolling over. Rush Limbaugh harangued his audience almost daily. Think tanks published detailed analyses of the

America is an extraordinarily strong and healthy country, and once his idiotic plan to have the government take over health care was defeated in 1994, he was practically incapable of doing serious harm.

scheme. Drug companies, fearing government takeover, purchased advertising on television. Gradually, it dawned on Americans that letting the government run health care would inevitably make a visit to their physician into something eerily resembling a visit to the driver's license bureau or the IRS.

Clinton reacted to the defeat by abandoning his left-liberal social agenda (or, more accurately, his wife's) and adopting a big chunk of the conservative agenda. But he still wanted to find something great to leave to the American people.

His next hope for such a legacy was almost accidental.

When America became more prosperous than ever before, he quickly claimed credit. He said that the boom was the product of his balancing the budget for the first time in nearly four decades. Of course, the power to tax and spend is vested in Congress, not the president, and it was a Republican Congress that had enacted the budgets which

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turned out to be balanced. But the budgets were balanced not because of any conscious plan or desire by either the president or Congress. It doesn't take a Ph.D. in economics to figure out that prosperity is the product of the hard work and innovations of America's entrepreneurs, scientists, and working people, and that the balanced budget is the result of higher tax collections produced by a growth in personal income that became so rapid that Clinton could not figure out how to waste it all.

Of course, prosperity isn't much of a legacy anyway, especially for a president who had always denounced greed and privilege (even while stealing everything he could lay his hands on and enjoying the privileges of office in a manner more outrageously and grandly than anyone since Caligula).

Clinton was still hunting for a legacy, but his final attempt was the most pathetic. After getting ensnared in the thicket of lies surrounding his sexual predations, and surviving impeachment, he had only one bullet left in his arsenal, and one elite interest group he could still please. So he lifted up his pen and signed proclamations banning Americans from millions of acres of their own land.

It wasn't the sort of megalomaniacal legacy he wanted, but it was all that was left to divert Americans' attention from his tawdriness, thievery, and mendacity.

What little favorable light this could shed on his presidency was quickly undone by his final acts in office: selling pardons to criminals and stealing everything from White House furniture to Air Force One toothpaste.

Of course, presidents don't control their legacies. While Clinton was unable to leave the nation a legacy of the sort he wanted, he did make several major bequests to education. He left a series of political lessons.

1. A politician can get away with lying, if he stands by the lie long enough.

In 1974, when incontrovertible evidence proved that Richard Nixon had lied when he denied trying to cover up the Watergate burglary, he resigned in disgrace. In 1987, Senator Joseph Biden, then a candidate for president, gave a speech in which he borrowed the words and even the life history of British politician Neil Kinnock. Biden was caught, both in his lie and in his plagiarism, and he left the race in

Bill Clinton: A Celebration

disgrace. A year later, when newspaper photographs proved that Sen. Gary Hart, another candidate for president, had lied when he told reporters that he was not an adulterer, he too withdrew in disgrace.

Prior to Clinton, withdrawal in disgrace was pretty much what happened to politicians caught telling bold-faced lies. But when Clinton was caught lying both to the American people and to the courts, he did not go quietly into that good night. Instead, he argued that (a) it is OK to lie if one wants to save one's injured family from further pain; that (b) perjury, though a felony, is an insufficient reason to remove a president from office; and that (c) since prosecuting a president for a crime committed while in office might distract him from doing his work, he ought to be exempt from prosecution.

These were novel arguments. And they worked.

In the future, we can expect that politicians caught lying will repeat Clinton's novel defense. Whether they will prove as skillful as Clinton remains to be seen, but there will always be the Clinton option.

A politician can get away with outright lies and even perjury. Clinton proved it.

2. The most effective way to succeed in politics is to run a permanent campaign.

There was a time when seeking public office and serving in public office were two very different aspects of political life. A person ran for office, and if his campaign was successful, he took office and turned his attention to doing the job he was elected to do. Campaigning was considered a somewhat unsavory prerequisite of office, something one had to go through as a means to an end.

In the early days of this Republic, campaigning was considered to be beneath the dignity of a candidate for an important office. George Washington never campaigned at all. As recently as 1920, Americans elected as president a man whose campaign consisted primarily of speaking to people on the front porch of his home in a small Ohio town.

But politicians who actively campaigned often proved more successful than those who did not. Franklin Roosevelt campaigned aggressively and was elected president more often than anyone else in history. His successor, Harry Truman, was elected after a famous whistle-stop campaign, even though he had been given up for dead by his own party. Joseph Kennedy arguably started his son's presidential campaign 20 years in advance of the election by buying up enough copies of a book that he had arranged to be ghost-written for his son to put the book on best-seller lists. He followed the son's disgraceful performance as a naval commander — he allowed a Japanese destroyer to sneak up and ram his boat — with a public relations campaign that passed him off as a hero.

Once in office, however, even egregious campaigners generally turned from the business of cadging votes to the business of governing, or misgoverning, the country. Kennedy, for example, turned his attention to an agenda of civil rights, tax cuts, increased military spending, and a more aggressive anti-communist foreign policy.

But politics has continued to evolve. After Jimmy Carter invested two years in his campaign for presidency, he put campaign activity pretty much behind him and concentrated on doing "the people's business" — only to be ignominiously knocked out of office.

Ronald Reagan didn't make the same mistake. Oh, he worked hard enough at pursuing his agenda. But the former film star, long accustomed to cooperating with Hollywood's public relations efforts, was always aware of how the public perceived him and was quite willing to stage events for maximum drama. He spent a lot of time at that.

But it was Clinton who made his campaign and term in office one and the same. What else could he do? Elected without any convictions or agenda, caring only for the aggrandizement of personal power and the tawdry trappings of power, he conducted virtually every action as part of a campaign for office.

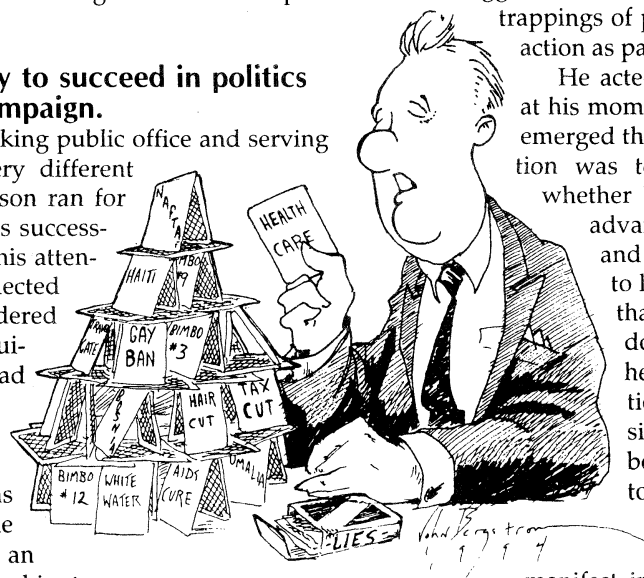
He acted as a campaigning candidate even at his moment of greatest crisis, when evidence emerged that he had perjured himself. His reaction was to conduct a national poll to see whether his political career would be better advanced by contritely admitting the lie and asking forgiveness or by continuing to lie. When physical evidence surfaced that proved beyond a shadow of a doubt that he had committed perjury, he continued to employ campaign tactics, even making foreign policy decisions part of his permanent campaign, bombing Syria, Afghanistan, and Iraq to manipulate public attention away from his own legal problems.

And it worked. Despite his manifest ineffectuality, thievery, and mendacity, he maintained his personal popularity.

3. The Clinton presidency undermined America's religion.

Conventional religion is being displaced by a New Civic Religion, a system of beliefs that attaches supernatural powers to government. It used to be that only a supreme being could perform miracles, but as other-worldly religiosity has declined, people have gradually come to believe that the state is the miracle worker. In the old religion, God could do what no man could; he could turn water into wine. In the New Civic Religion, the state can do what no man can; it can create money out of paper. The new religion and the old share a belief that there exists a single entity not bound by the Law of Identity or the Laws of Nature: for the old religion, that entity is God; for the new religion, it is the State.

One of the central tenets of the New Civic Religion is the belief that America's electoral system somehow selects "the



best man for the job," and that, once in office, this mortal takes on the characteristics of a god. He manages not only the government, but the entire economy, and, indeed, the entire nation. He "runs the country." When times are good,

Clinton even made foreign policy decisions part of his permanent campaign, bombing Syria, Afghanistan, and Iraq to manipulate public attention away from his own legal problems.

he deserves credit; when times are bad, voters should elect a new leader, one with superior powers.

Clinton tried to take advantage of the presidential mystique by giving himself full credit for the economic good times that happened to fall during his term. And he did take advantage of it. The mystique was enough to get him re-elected, and it kept him in good enough stead with the American people to ensure that enough Democratic senators would find the courage needed to refuse to do their duty and remove him from office.

But even in exploiting the New Civic Religion, Clinton undermined it. While enough voters gave him enough credit for the prosperity America enjoyed to keep him in office, it became increasingly apparent to a sizable minority of Americans that prosperity had exactly nothing to do with anything he had done. After all, during much of the prosperity, he had devoted all his working hours to covering up his perjury and then, once it was found out, to conducting an elaborate campaign to control public opinion and tamper with the jury that was soon to try him. Surely a man putting so much intellectual energy into such sordid activities could not also be running the entire economy — let alone running it better than anyone had ever run it before, could he?

Clinton compounded the problem by being so openly sleazy that no amount of public relations efforts could disguise his vileness. Oh, he had explanations — "spins" — for nearly all his despicable acts. The Whitewater and Madison Guaranty fraud was so complicated and had so many witnesses who died mysteriously that no one could prove for absolute certain that he had stolen anything, or at least very much. Reports of his various acts of sexual predation were all lies, and even when it was incontrovertibly proven that

they had happened . . . well, what's a little thing like rape when you're busy doing the country's business? Sure, he stole furniture from the White House, but that was just a mistake. And he doesn't know who took everything that wasn't nailed down on Air Force One.

What finally brought disrepute on the religion of the presidency wasn't simply the idea that "where there's smoke there's fire." It was the accumulated weight of all the charges, the continual legalistic hairsplitting (who will ever forget the classic "It all depends on what your definition of 'is' is."?), and the fact that Clinton continued his kleptocracy even after relinquishing office. So addicted was Clinton to his own maxims of power that he saw no reason to stop. He reduced both them and himself to the final absurdity.

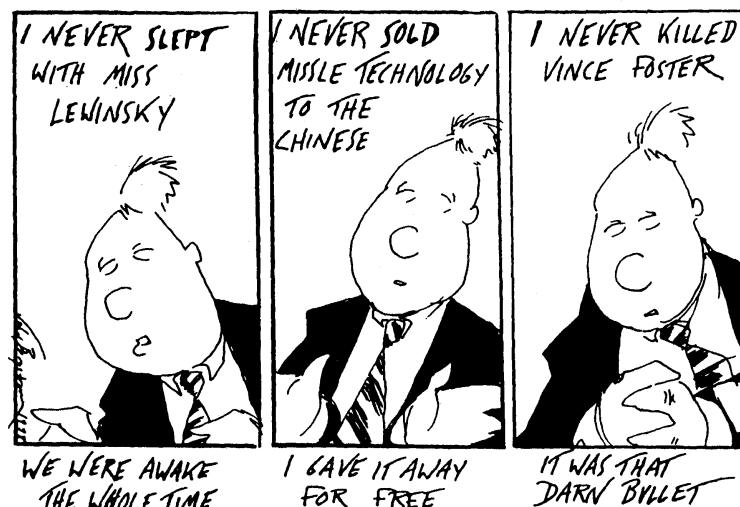
Clinton is now asking himself, as Ronald Reagan asked himself in a famous movie, "Where's the rest of me?" He will continue to ask that question until the end, but the answer is obvious. To borrow a line from an even more famous script, "nothing will come of nothing."

The Long National Comedy Is Over

The conservatives got it wrong. The Clinton presidency was not a national nightmare. It was a national comedy — a

gaudy and hilarious performance by a troupe of ridiculous buffoons. It did remarkably little harm and left its audience laughing, except for those conservatives who didn't get the joke.

On January 20th, a new administration took over. America is strong and healthy enough that this new administration too will likely do little harm; whether its players will give as magnificent a performance of the Theatre of the



Absurd remains to be seen. But one thing seems certain: those on the left will fail to appreciate the antics of the new

What little favorable light could be shed on Clinton's presidency was quickly undone by his final acts in office: selling pardons to criminals and stealing everything from White House furniture to Air Force One toothpaste.

president and his entourage. So, I suspect, will those on the right. Eight years from now, we'll likely hear conservative Republicans talk about how they'll leave the country if George W's handpicked successor is not elected to replace him on the American throne. □

Tribute to an Accidental Libertarian

by William E. Merritt

Without trying, Bill Clinton did more for freedom than any libertarian would have dared.

There are those who look back over the past eight years and find fault with the way Mr. Clinton has ordered his presidency. They accuse him of being more interested in young interns than in foreign policy. They assert that he has brought scorn and mockery upon the office. They accuse him of not sufficiently supporting our friends overseas and of not intervening decisively in the conflicts in the Middle East and in Ireland. They say he has lied under oath, violated his marriage vows, used his position to prey upon vulnerable women, and flouted the law in a mad scramble for the money to get re-elected. At bottom, they accuse him of not standing for anything other than his own accumulation of power — then of not using that power in any way that matters.

These people know these facts and more, yet they persist in finding fault. Their foolish, unthought-out longings for good results and decent government represent a more clear and present threat to our liberties than anything Mr. Clinton has perpetrated. They wish to admire politicians, but it's the politicians we admire, after all, who are the most dangerous — all those Lincolns and Roosevelts and Wilsons who have divined what is good for us and are aflame with the vigor and wit and purpose to get it done.

Something like that happened to Rome. The Republic could have lasted hundreds of years — it did last hundreds of years — until one extraordinary man crossed the Rubicon and they handed the government over to him. And, worse luck, he was followed by another world beater. High summer in Rome lasted through July and August. Then the worthy emperors became extinct and were succeeded in office by an unbroken freak show of inbred nimrods who couldn't get so much as 20 minutes named after themselves. If Rome had just had the good fortune to venture into empire with Caligula or Nero calling the shots, the concern would have been back in the hands of the senate before Christmas.

And we — well, we've had a run of genuinely great emperors in my lifetime. Roosevelt and Truman and Ike and Reagan. Tossing in a few Johnsons and Fords and Carters leveled things off a bit, but the operation was still starting to seem like something out of ninth-grade history class. And

then, the genius of our system threw up a man who spends half his days trying to keep his wife from figuring out what he's up to and the rest of the time scheming with that same wife to keep the rest of us from finding out — and we have the sort of emperor the country doesn't have to worry much about.

It is hard to think of any libertarian who, given the same opportunities, would have had the panache, the basic screw-you attitude, to undermine the sacred fog in which even libertarians hold things patriotic — as if the White House were consecrated space and its occupant somebody we were meant to respect. Surely we, among all people, should know better.

What is libertarianism, after all, but a half-plague on each of your established houses: a pox on the left's craving to take away our economic freedom and correct the content of our thoughts, and a double pox on the Right for trying to jail us for our pleasures? In this regard, who among us has been more of an affliction upon every house than Mr. Clinton?

Now, I'm pretty sure he didn't have much of this in mind when he started out. He was probably just looking forward to being above the law for a few years, giving everybody free doctors, and generally instructing us on how to become better people. Nevertheless, he achieved spectacular results in reducing the moral standing of our rulers. Sure, these weren't the results he set out to accomplish, but so what? Columbus wasn't looking to vacation in the Bahamas, either. When Mr. Clinton came to office, the Democrats owned the Senate, and had a lock on the House of Representatives that ran back, almost unbroken, to the Hoover administration. In half the states, they controlled both chambers of the legislature. They controlled one of the chambers in many others, and most of the governors' offices. And these weren't your present-day, namby-pamby Democrats, either. These were

Democrats with plans: plans for your money, plans for your social interactions, plans for who you can hire, and how you are allowed to organize your office furniture, and what you think, and . . .

And, within two years, he had them out and the Republicans in charge. And the few Democrats who were left . . . well, they scaled back their plans so far they don't care what you think anymore. Or how you spend your money. They just want to lay low and get re-elected. And, because of the sly way Mr. Clinton balled the whole fiasco up with socialized medicine, any hope of government-funded health care was pushed so far into the future that it was over the event-horizons of anybody alive at the time.

As for the Republicans, they set about in such a bold and unrelenting way with the ladies that the Grand Old Party cratered on its own sanctimoniousness — and now, the Republican busybodies are laying as low as the lowest of the Democrats. What libertarian could have dared so much?

In the personal sphere, Mr. Clinton opened up whole new fields for individual freedom. From indulging a taste for cheeseburgers and cigars, to becoming sexual predators, we men can now revel in pleasures that were denied us for decades — in some cases, since the codification of the criminal statutes. Similarly, he freed us from the postulate of goodness — the oppressive slander of doctrinaire feminism that women bring an understanding, a decency, a basic humanity to government that men don't possess — the idea that Janet Reno was equipped by nature to be a more caring and sensitive dispatcher of flame tanks to Waco than her power-mad masculine predecessor.

At the same time, he proved beyond doubt that women have worth far beyond their physical appearance. In fact, anybody who runs down the list of Hillarys and Janets, of Ruth Baders, Madeleines and Monicas that populated his administration, would have to concede that, not only aren't women better than men, they aren't necessarily even better

From indulging a taste for cheeseburgers and cigars, to becoming a sexual predator, we men can now revel in pleasures that were denied us for decades — in some cases, since the codification of the Criminal Statutes.

looking. In the end, he showed us that women — even idealistic young suck-ups in the Oval Office — are just like everybody else. When they think it's in their self-interest, they will swallow pretty much anything.

Almost unique among Democrats of the 20th century, he didn't get the country into a single major war. The pitiful handful of troops he sent to Kosovo was so small and so underequipped that their mission became defined in terms of "Force Protection" (Pentagon for stay inside the wire and try not to get hurt). This got us more attention in Europe than if he'd sent the 101st Airborne.

The truth is, the 101st is what they wanted over there —

lots of fresh Americans to die for their sins. And, when they didn't get them . . . well, for the first time in three generations it occurred to somebody on the wrong side of the Atlantic that, maybe, they should do something about their own security. Now they are busily cobbling together a Rapid Reaction Force of their very own. By any measure, this is a

It is hard to think of any libertarian who, given the same opportunities, would have had the panache, the basic screw-you attitude, to undermine the sacred fog in which even libertarians hold things patriotic.

libertarian foreign policy triumph of the first water.

And who besides Mr. Clinton would have started — and then lost track of — two separate peace processes? A generation of Catholics and Protestants, of Jews and Moslems, are going to pay for this with blood and hatred. But it's going to be their blood and their hatred. The bricks and firebombs and rubber-dipped, steel-jacketed bullets won't be aimed at Americans, and the blood won't be spilled by our sons and daughters, because there aren't going to be any Clinton peace settlements underwritten by American tax dollars and enforced by American soldiers even unto the third generation, like we bought ourselves in Korea. Not being Irish, Israeli, or Palestinian, but American, I say hurrah!

In the end, it's not so much domestic politics, or socially correct behavior, or even foreign entanglements that threaten our freedoms, but the longings of our own hearts. Mr. Clinton may have provided his greatest service in the way he hardened us to the sacred icons of our nation. It wasn't just the presidency that took its lickings under him. Every piece of the government he could get his hands on wound up diminished.

Even the ultimate glassy-crater option, the neutron bomb of American politics nobody dared walk too near for 135 years, turned out to be mostly smoke and mirrors. Watching the impeachment trial go down in the Senate, we all felt like medieval townspeople holding their breaths while the pope waved his censor and chanted incantations and excommunicated an entire community — only to wake up the next morning and find out not much had changed.

Free and fair elections — the most holy of all our democracy institutions — seem profane, now. Any election that's triangulated down to the last voter — as every single election is going to have to be from now on — is almost guaranteed to be a dead heat. And, with a dead heat, everybody gets a peek under the lid nobody wants. Pandora is going to slam that box shut just as quickly as she can, but the scaly things will be shrieking and biting and flying around the room for a long time.

Even the Supreme Court has come away shrunken. Or, at least, in the eyes of the blinkered Left who just discover what the rest of us have known since *Brown v. the Board of*

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The Embodiment of Entitlement

by Stephen Cox

It's not what you do, it's who you are.

William Jefferson Blythe Clinton will be remembered in many ways, but chiefly as a liar, crook, and fool — intrinsically as empty and insignificant a figure as anyone who ever occupied the office of President of the United States. As a symbol, however, Clinton is something far, far greater than that. He is the gross, sloppy, bulging embodiment of America's historic Impasse of Entitlement.

It was an impasse that had to come.

The trend began in the 1930s, when the New Deal established special rights for the people whom Al Gore calls "working families" but whom normal people call trade unionists. President Truman's Fair Deal established special rights for needy little foreign countries. President Kennedy's New Frontier established special rights for the Kennedy family. President Johnson's Great Society established special rights for liberal activists and other "inner city" "poor folk."

The Carter administration wasn't spiffy enough to have a self-serving nickname, but it was alert enough to extend its power base by affording special rights to "women," "environmentalists," and people who would rather wait for an hour in a gas line than pay five cents more a gallon. Then the first George Bush administration afforded special rights to mentally and physically "disabled" people. Meanwhile, goat farmers, beekeepers, poets-in-residence, performance artists, transvestites, whales, snail darters, "teachers," and "wetlands" were busy grabbing their own special rights.

All that the entitlement movement needed was a legitimizing test case, an episode providing conclusive proof that it doesn't matter what you do, only who you are.

And in strode Bill Clinton, who was full of episodes.

Suppose that someone had written a novel in, say, 1991, about a president who admitted that he smoked dope, but claimed that he didn't inhale; conducted a series of ridiculously sordid "business" and "governmental" operations, then tried to cover them up with ridiculously obvious lies; had a White House intern suck him off in the Oval Office, then was impeached but was kept from removal because his opponents were intimidated into going easy on him, after

which he insisted that the people who tried to bring him to justice should apologize to *him*; finally departed from the White House amid a festival of theft and vandalism — well, what would people have said?

They would have said that the story was too preposterous to deserve a moment's attention.

But what would they have said about a story in which a president like that was rewarded with the cheerful acquiescence of a majority of the American people? They would have said that the author was committing a literally incredible slander on democracy.

A story of this kind could appear credible, one would think, only if some extraordinary quality of mind or spirit were attributed to the protagonist. He would need to have (in contrast to all his other qualities) a Jeffersonian intelligence, a Wilsonian idealism, a Lincolnian charm, a Rooseveltian cunning, or at least a Napoleonic ambition. But Clinton had none of these things. He was (not to put too fine a point on it) a louse. His cunning extended no farther than his feckless attempts to hide the evidence; his idealism went no farther than his pious belief in his own moral purity, no matter what shameful things he did; his charm consisted mainly of the ability to impress people even shallower than he; his intelligence disclosed nothing more to him than the fact that such people existed; his ambition had no loftier purpose than that of making him the most powerful louse in the world.

The fact that Clinton attained this goal is not a commentary on any special attributes of Clinton himself. It is a commentary on the political attitudes of the American people and on the assumption from which most of those attitudes now seem to proceed, the idea that certain people are entitled to special rights and benefits, simply because they are

who they are. Clinton is the embodiment, the Platonic form, of the entitlement philosophy. His character and achievements never merited any more than public opprobrium, much less public office, yet he fervently believed in his inherent right to the highest public office in the land, and never

His ambition had no loftier purpose than that of making him the most powerful louse in the world.

more fervently believed than when he had clearly forfeited every particle of that right.

And the American people went along with him.

Why?

Some were motivated simply by family loyalty to the Democratic Party, others by antipathy to investigations of private conduct, still others by anxieties aroused by the hate-propaganda that the Democratic Party's commissars for gender, ethnicity, labor, and disability directed against Clinton's Republican opponents. And there was many a straight white male who supported Clinton out of a ridiculously mistaken belief in Bubba's mastery of the economy. But the rest of Clinton's substantial public support came from the multitude of Americans who wish to deny any traditional connection between merit and reward.

Theirs is a rebellion against personal responsibility such as this republic has never before seen. The rebellion erupted in an early and virulent form in Clinton's cabinet. Soon after he became president, Attorney General Reno "accepted responsibility" for her agency's mass murder at Waco but self-righteously refused to accept the traditional corollary of responsibility, which is resignation from office. Far from resigning, Reno demanded admiration, and got it. She stayed on the job — and so, following her lead, did every other member of Clinton's cabinet, even those whom Clinton

deceived into defending his lies about Monica Lewinsky. When the truth about the affair came out, these people stuck to their jobs without any hint of apology. They testified by their conduct that they thought Clinton was right to use them as cover and play them for saps. He was right, even when he was wrong, just because he was Clinton.

It went without saying that the mainstream media would join the rebellion. After all, the media always consider themselves above the law, simply because they are the media, so why should they not extend the same self-warranted right to a friendly president? But the rebellion went far beyond the media's capacity to influence public opinion. Clinton's approval ratings hit the high 60s precisely when his criminality became most glaring. Later, his political party received shockingly high turnouts even in counties dominated by

If he had pushed the muscular dystrophy poster child down the steps of the White House, the media would have recalled that General Washington sometimes used to kill people, too.

conservative "Reagan Democrats." Republicans failed to mobilize anything like the kind of opposition that would have been automatic and violent 30 years before, when the mildest symptoms of John Kennedy's womanizing would have led to his immediate removal, had they become known. Now, in the year 2001, Kennedy's behavior is seriously urged as a reason to ignore the incomparably more culpable conduct of Clinton.

What could Clinton have done to incur political destruction? If he had pushed the muscular dystrophy poster child down the steps of the White House, the media would have recalled that General Washington sometimes used to kill people, too. And the American people would have bought the argument. □

"Tribute to an Accidental Libertarian," from page 28

Education — that it's nine, unelected, unaccountable federal officials who hold the real power in our country. And, now, even the Left is starting to talk about the undemocratic ways of our courts. Why couldn't, they ask, justices have term limits? Or run for office? Or be accountable in some other way?

For eight years, we had a president who did not stand for anything more than that he wanted to be president and, once he bailed out Mexico from the excesses of its own slap-dash president, never led — never even attempted to lead — in any direction whatsoever. And what happened? We got eight years of peace and falling crime and declining welfare roles, eight years of wealth on a scale undreamed of in history, and, as some people remember, we got by for a while with no government at all. Are we the worse for the experience?

Rather than leaving some sort of black hole in our history

— days erased from the calendar of our national existence, the time when we ceased to be a country — most of us only have a hazy sort of recollection of the thing. A kind of, "it had something to do with the Contract With America, right? Or was it during Newt Gingrich's second term? Yeah, I'm pretty sure the government really did shut down. Didn't it?"

At the very least, the Clinton years have taught us that the Founding Fathers exaggerated. We don't need three branches of government after all. We can get by perfectly well with just a congress and the courts.

With the Clinton years behind us, we can only hope that George W. Bush will add his own subtractions. With any luck, he will. It seems to be his nature. But, I fear, his term is going to be more like that of his old man's — a caretaker following along on the heels of a wildly successful predecessor, without anything like the talent for innovation and daring. □

Good-bye to the Black Helicopters

and All That

by Sarah J. McCarthy

A fond look at a president who succored conspiracy, paranoia and talk radio.

Late in the year 2000, while chads were still being counted in Florida, and before Bill Clinton's black helicopter lifted off its pad for what may or may not be the last time, Larry Nichols, a former Clinton employee in Little Rock, dialed up the *Quinn-in-the-Morning* talk show at WRRK-FM in Pittsburgh and whispered in his Arkansas twang: "Quinn . . . Quinn . . . they're not leaving." Referring to the Clintons, of course. Nichols, a frequent long-distance caller to Jim Quinn's "Morning Militia," has been long convinced that the Clintons would never go away.

Like many Clinton-crazies, Larry Nichols has spent the last eight years afraid for his life. Sounding a bit panicky, he usually calls from somewhere in hiding. I picture him with his telephone, hunched under a blanket in a Bates psycho motel near an Arkansas highway, looking over his shoulder with furtive glances toward the door. Not only was Nichols convinced that Bill Clinton wasn't leaving and that Hillary would have to be pried away like a Halloween cat clinging to the Oval Office drapes, but he was a big-time believer in the "Arkancides," those 56 suspicious and untimely deaths around Clinton that many believed to be murders.

This is what the Clinton presidency was like: White House counsel Vince Foster found dead in Fort Marcy Park. Ron Brown, who had said he was not going down alone, died with plenty of others in a plane crash. The next-door neighbor of Gennifer Flowers beaten to within an inch of his life. Former Clinton security chief Luther "Jerry" Parks gunned down in broad daylight at a Little Rock intersection. And there were more. Bizarre stories gushed forth like a muddy geyser out of Hot Springs. We tried to find out what was happening, but never really could. Every once in a while there was a glint here, or a glimmer there, like a silver fish under murky waters, but you couldn't get your hands around it. The Clinton team always had ready a colorful cast of tough, disarming characters to beat back the fuddies-duddies who thought something sinister was going down.

Clinton aide Anne Lewis, who looks like a talking teapot from a children's fairy tale, declared with a wave of her short, chubby arms that the Filegate scandal — resulting from two White House security agents haplessly receiving an overflow of Republican FBI files that gushed forth like unstoppable suds from an *I Love Lucy* washing machine — was just a *Sesame Street* snafu. Craig Livingstone and Anthony Marceca, the Ernie and Bert of Filegate, were dismissed by George Stephanopoulos as morons. "Filegate was a bureaucratic f**kup by two morons," he told *Vanity Fair*. "Hell, you work for Bill Clinton, you go up and down more times than a whore's nightgown," quipped James Carville. "Nuttin' to be excited about yet."

Referring to the sexual harassment lawsuit in which, among other things, Paula Jones charged that she was asked to kiss the governor's crooked erection, which took a strange veer to the left, the *New York Observer* editorialized at the beginning of Clinton's second term: "This is the first swearing in of a president where 40% of the electorate was thinking about the president's penis. Right now there is a trailer parked on Pennsylvania Avenue, and we are a trailer-park nation. Enjoy the next four years."

And a trailer-park nation we were. Like friends around a campfire listening to ghost stories, I used to wake up on winter mornings while it was still dark and tune my bedside radio to *Quinn-in-the-Morning* for the latest tales of black helicopter sightings and calls from Arkansas witnesses who had seen shady capers, train deaths, and drug deals going down near Mena. For the same reason that kids love to hear *Where the Wild Things Are* read over and over while hiding under the blankets, conspiracies can be fun. Larry Nichols was my favorite caller to the "Morning Militia." He was a former

Clinton-appointed employee of the Arkansas Development Finance Authority, whom the Clintons called a "pathological liar," but who had lots of scoops. The latest "Arkancide," Larry confided to the captivated radio audience one dark morning in a breathless stage whisper, was one of his "witnesses." He would call back tomorrow morning to tell us who it was. Stay tuned.

Larry and others made it their business to report anything unusual at the Mena airport, tidbits, such as its runway being lengthened, that they might have picked up on the Internet. You'd be amazed how many people on the Internet live within sight of Mena. These folks may be swamp dwellers, but they're not dumb. They knew that during the Clinton presidency, which *The New York Times* columnist Maureen Dowd described in a prophetic pre-Monica column as an "exploding cigar, where the only absolute certainty is no certainty," paranoia could employ ya'.

Each conspiracy on Quinn's show had a theme song. "Smuggler's Blues" by Glen Frye was played for Mena updates, and "Burnin' Down the House" was the Janet Reno theme song. When Clinton aide Dick Morris was caught by the national media sucking someone's toes in a Washington, D.C. hotel room, Quinn put out a call for the song "Popsicle Toes." I had "Popsicle Toes" and drove it to Quinn's house for the Dickie Morris updates, which he played along with a lot of sucking and slurping sounds. My husband gave Quinn a copy of Streisand's long, drawn-out live version of "He Touched Me" for the sexual harassment update. (Conservatives were against sexual harassment laws until Ms. Jones erupted with stories about the president. Like a sign from on high, like 666 emblazoned as the sign of a beast, even his penis was crooked!)

Not a person to believe in conspiracy theories, I never bought a tabloid in my life, except for the time *The Star* ran the irresistible headline "Family Flees Talking Doll." But many of the bizarre stories *were* intriguing. Not wanting to

Bizarre stories gushed forth like a muddy geyser out of Hot Springs.

be perceived as someone who belonged to what Al Gore referred to as the "extra-chromosome crowd," I gleaned my info-nuggets from a wide array of legitimate sources — like *The Wall Street Journal* which editorialized that "Bill Clinton's Arkansas was a very strange place," and Joe Klein, *The New Yorker's* respected political writer who wrote *Primary Colors*, portraying Clinton aide Betsey Wright, the woman in charge of "bimbo eruptions," as someone who pointed a loaded gun at Clinton enemies telling them to "get their mind right." Even Bob Dole's ad man, Michael Murphy, announced that he was teaching his pet parrot, Ernie, to repeat "Whitewater — guilty as sin!"

"I accuse President Clinton of murder," proclaimed Dr. Jack Wheeler in his column in *Strategic Investment*, a financial newsletter published by James Dale Davidson, author of

Blood in the Streets. Wheeler specifically accused Bill Clinton of ordering his personal goon squad of Arkansas state troopers and ex-troopers to kill Luther "Jerry" Parks, the former Clinton security chief who had been gunned down in Little Rock in 1993. "Parks," said Wheeler, "was a Little Rock private investigator hired by Vince Foster to collect an extensive

Calling his political attackers "a cancer," Clinton vowed to "cut them out of American politics."

surveillance file on then-Governor Clinton, which included Clinton's participation in cocaine and sex parties at his brother Roger's apartment."

Jim Davidson, founder of the National Taxpayer's Union, was once a supporter of Bill Clinton, but had since become an ardent foe and sponsor of research into the death of Vince Foster. Warned by his lawyers that he was risking not only his credibility but a libel suit as well if his newsletter was wrong about the charges against Clinton, Davidson hired investigators to check out the allegations coming out of Little Rock. The investigators, said to be shocked at what they found, advised Davidson that he had no need to fear any libel or slander suits.

On the morning after the disappearance of former CIA director William Colby, I was reading my copy of *Strategic Investment* which was announcing that the publisher had financed a trio of top handwriting experts who had just declared Vince Foster's suicide note a forgery. The newsletter also announced that former CIA director Colby had just joined the board of *Strategic Investment*. It was a mighty strange thing to be reading right at the very time the newswires were reporting that Colby had just been declared missing from his vacation cabin.

Colby had left for a canoe ride, leaving his radio on, his computer screen glowing in the dark, and a half-eaten clam dinner on his plate. He was a cautious man, said his wife, a man who would never go out canoeing in two-foot-high whitecaps with 25 mph sea winds. Shortly thereafter, his body was found without shoes or life jacket, that his wife said he always wore. Chills ran up my spine. I could feel the sea winds billow under my life jacket . . . I mean sweater!

The skuttlebutt about Bill Clinton's connections to drugs and political murders by the Dixie Mafia was once taken about as seriously by the national media as Elvis sightings at the Kmart, but, little by little, it was nonetheless being checked out. *The New York Times* sent writer Philip Weiss to Little Rock to get the lowdown. Weiss, a witty, urbane, liberal, New York Jew was an unlikely convert to right-wing nuthood, but, between the lines of his article "The Clinton Crazies," you could tell he didn't think they were so crazy after all.

Weiss, who had voted for Clinton, later wrote an article for the *New York Observer* portraying Clinton as a "backwoods governor who allowed 'rough justice' in Arkansas," a state with a "tradition of vigilante violence," a place "so poor

Bill Clinton: A Celebration

that primitive men with third-grade educations were elected sheriff in the 1980s." Weiss wrote about Forrest City Sheriff Conlee, a man who proudly displayed the pickled testicles of a castrated rape suspect on his office shelf. The accused rapist, Wayne Drummond, insists to this day that he is innocent of the rape of a distant Clinton cousin.

Shortly after Bill Clinton's re-election, the White House issued a 331-page report to counter the unending flow of bizarre stories. Entitled the "Communication Stream of Conspiracy Commerce," the White House report designated Pittsburgh publisher and billionaire Richard Scaife as the mastermind who engineered the vast right wing conspiracy from his media mother ship at the *Pittsburgh Tribune-Review*.

Clinton spokesman James Carville, looking like a space alien who'd just shuffled his way down a gangplank of a mother ship himself, dismissed the anti-Clinton stories as just blatherings of the trailer trash. "You drag \$100 bills through trailer parks, there's no telling what you'll find. I know these people. I went to school with them. I necked with them. I spent nights with them."

During the Clinton years it was impossible for writers not to make fools of ourselves. If you ignored the conspiracy stories you were boring and irrelevant, and if you researched them, there was such a blizzard of contradictory dots, you never really knew if you were a wing-nut or if you were *onto something*. Late one night an online buddy e-mailed me an instant message warning that a serial killer from Aryan Nation was getting really mad at my writings in the Common Conservative online forum. After that, I was getting so paranoid that when I got a call from the Make-A-Wish Foundation for a donation, I thought it was a death threat.

And a fate momentarily worse than death was the day my editor at an obscure little newspaper in Pittsburgh, *The Observer*, got an angry call from Jackie Judd. It was the Jackie Judd, calling the editor about me, a nobody from Pittsburgh, and a grandmother to boot, from ABC News in Washington, D.C., demanding to know where I had received my information. She wanted to know where I had gotten my quote about her, and she wanted it now. "When she calls you, if you can't remember where you got it," my editor told me, "just cry."

When Ms. Judd called back, she said a relative in Pittsburgh had sent her my article, "Skeleton Stampede," about the skeletons in Clinton's closet.* Judd was being

*"I can't open up my closet," Clinton had once confessed to his friend David Iofshin during the 1992 campaign. "I'll get crushed by my skeletons."

called on the official ABC carpet to defend some of her statements about the Clinton White House. I had quoted her as saying, "The White House views this as a war, and they're going to use whatever they can to win it." So far so good. Judd admitted to saying that. I had received the quote from Micah Morrison at *The Wall Street Journal*. But the second part of my sentence was wrong. I had misquoted Judd by inadvertently blurring the sentence with two words, saying that she had said ABC News had "unbelievable battles" with the Clinton White House when it was actually another source at ABC News who had given *The Wall Street Journal* that information. I apologized for the misquote and Judd said she would call back if she needed me to back up her

story. Whew! The White House was reaching deep to intimidate the press, as Bill Clinton had threatened he would do immediately upon his re-election!

At a victory celebration in a Little Rock hotel on his re-election night, Bill Clinton had promised to "spend a lot of time going after detractors who pursued him on Whitewater and other ethical questions." His enemies, he declared, had "hurt a lot of people in our state with their systematic abuse." Calling

his political attackers "a cancer," he vowed to "cut them out of American politics." We might expect this kind of venting from a loser with fresh wounds, but who would expect to run into such a nasty winner? Ungracious winners with the full power of the federal government at their disposal can be a frightening prospect. Relaxing on Air Force One later that night, Clinton told reporters it was the Oklahoma bombing that proved to be the turning point in his political fortunes. "The bombing broke a spell in the country as the people began searching for our common ground again," he explained. "Our one duty to the victims of Oklahoma is to purge ourselves of the dark forces which gave rise to this evil."

Adept at the exploitation of tragedies and the politics of division, Clinton had been demagoguing the Oklahoma catastrophe before the debris had settled. He was apparently oblivious to the fact that those on the other side of the political divide saw the dark force that had given rise to the evil of Oklahoma as him. Though the administration tried to smear right-wing critics, radio-talk-show listeners, militia members, and Republicans as fellow travelers of Oklahoma bomber Timothy McVeigh, McVeigh turned out to be a loner who was enraged by the incineration of 80 Americans at Waco, a needless tragedy that was directly produced by the reckless and irresponsible decision-making processes of the Clinton administration.



"Who are these people," Clinton asked shortly after the Oklahoma bombing, "who say they love their country but hate their government?" More politics of division and inflammatory rhetoric from a man who knew full well from his participation in the anti-war movement that you can vehemently protest government policies without hating your country. These people who "hate their government" were people just like he was when he proclaimed that he "loathed the military." Understanding political radicals, because he was once one of them himself, would have given a wiser man an edge in unifying and leading the country, but Bill Clinton chose to inflame and divide, fueling the opposition's rage just as surely as his heavy-handed policies at Waco had fueled the rebellion there. In the end, he was no better a leader than his '60s nemesis, Richard Nixon. He had learned nothing.

Perhaps because the Clinton administration had viewed Pittsburgh as the home of the mastermind of the "vast right wing conspiracy," the place from where the "cancer" had sprung, the city seemed to get a little more White House attention than others. When the head of HUD visited town, he pointed across the river at a forsaken little town called Braddock and asked if that was where the Morning Militia met. On June 4, 1996, Pittsburghers had a bizarre experience — an unannounced nighttime invasion of black helicopters playing war games over city streets, zooming over McKeesport and Braddock. "Not Armageddon, Just Noisy Helicopter Training," said the next morning's headline in the *Pittsburgh Post-Gazette*.

"World War III did not break out along the Three Rivers last night," reported *Post-Gazette* staff writer Michael Newman. "It just sounded like it. As part of a U.S. Department of Defense training exercise, helicopters flew low along the Monongahela, Ohio and Allegheny rivers, from McKeesport to McKees Rocks to the Strip District. They

Operations Command at Fort Bragg: "In light of the public reaction, we re-evaluated our training schedule and determined we really couldn't do much of our training without disruptions to Pittsburgh residents and thought it would be better to cancel it."

Asked about the safety of flying the Black Hawk helicopters at night over heavily populated areas, McGraw said,

People poured into the streets in their underwear during the treetop anti-terrorist maneuvers by nine Army helicopters that swooped through with mock gunfire and explosions that shook the ground.

"I'm never going to tell you nothing [sic] is foolproof." He said that in other cities, such as Atlanta, Dallas, and Chicago, where similar exercises had been held over the last few years, public reaction had never been anything like in Pittsburgh.

U.S. Senator Rick Santorum, R-Pa., stated that he had been "left with the impression from a meeting with officers at the Special Operations Command" that the training was in part to prepare troops, should their expertise be necessary at the Atlanta Olympics. Others said the Army was concerned that conditions in certain cities are ripe for racial conflict. The morning after Pittsburgh's helicopter invasion, Tom Marr, a Philadelphia talk-show host said that invariably in these situations, the "black helicopter crowd" comes out of the woodwork, spreading rumors that the Pentagon is ready to aim its guns at American citizens.

Whatever the reason, the black helicopter crowd did get angry, and pour out of the woodwork they did! Some even poured into the streets in their underwear during the treetop anti-terrorist maneuvers by nine Army helicopters that swooped through with mock gunfire and explosions that shook the ground. "In my granma's neighborhood," said waitress Kelly Toth, "people laid down in the streets. The noises came in through the open windows. The helicopters were flying so low you could've hit them with a broom handle. They thought the communists were coming to take over, or that it was aliens!"

The owner of La Dolce Vita Sweet Shop in Bloomfield, Pittsburgh's Little Italy, said he wasn't surprised to see masked soldiers sliding down ropes onto rooftops from helicopters. "They've been doing extractions around here for a long time," he said, referring to Pittsburgh's missing persons. Another woman peering out her apartment window in the wee hours at the black helicopters said, "Oh my God, the militia was right!" On the other hand, Gran'pa Bup, a World War II vet, said: "These people are crybabies. They should've felt the ground shake when a 3,000 pound bomb was dropped on London!"

And so it went, on and on like a novel. Sure, there were nuts in the movement, and I met a few of them, and for

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I was getting so paranoid that when I got a call from the Make-A-Wish Foundation for a donation, I thought it was a death threat.

were accompanied by a frighteningly realistic soundtrack of exploding bombs and crackling gunfire. Residents from throughout the area called their local police. One man said the commotion was so loud, his wife went into labor. An official at Pittsburgh's emergency-management center said the exercises were part of the Defense Department's normal training. He said last night's exercises were designed to help helicopter pilots learn to fly at night in urban areas. The exercises, sponsored by local police departments, including the city's, started shortly after dark and lasted until after midnight."

"It Would Have Been Nice to Warn Us," said a headline the next day, followed the day after by "Military Retreats in Face of Anger: Public's Reaction Was Too Negative, Army Announces." Said Lt. Col. Ken McGraw of the Army Special

History

Robbing Peter to Pay Mary

by Samuel Silver

America would be a very different place if women were not allowed to vote.

In presidential elections from 1980 to 1996, the difference in voting patterns between men and women was 14-17 percentage points, with the exception of 1992, which had only a five percent "gap." In the recent 2000 presidential election, George W. Bush narrowed the gap to 11%, perhaps because he understands the gender gap better than previous conservative candidates have.

Why is there a persistent gender gap? What implications does it have for our society?

At the very least, the existence of such a clear difference in the voting habits of men and women explains the steady growth in government over the past 130 years. More ominously, the gap offers evidence that the liberal left is systematically undermining the financial and emotional security of women in order to gain control of government.

In their 1999 study "Did Women's Suffrage Change the Size and Scope of Government?" published in the *Journal of Political Economy*, John Lott and Lawrence Kenny examined "the growth of government during this century as a result of giving women the right to vote." They used cross-sectional time-series data for 1870-1940 to "examine state government expenditures and revenues as well as voting by U.S. House and Senate state delegations." They also analyzed the correlation between women's voting and the political makeup of Congress over this period.

Twenty-nine states gave women the right to vote prior to passage of the 19th Amendment. Within eleven years of each state granting suffrage, the size of state governments in the affected states more than doubled. Lott and Kenny studied other variables to determine if this relationship was causal and concluded that "these differences are again quite statistically significant, and they strongly rule out the possibility that higher government spending simply arose, because there was something that correlated with giving women the right to vote and a desire for greater government spending."

To determine if this same effect could be measured at the

federal level, they analyzed the effects of women's suffrage on the political direction of Congress. They used a method of analysis similar to the one for state government spending, and the results were just as dramatic:

The two consistent results were the following: allowing female suffrage resulted in a more liberal tilt in congressional voting for both houses, and the extent of that shift was mirrored by the increase in turnout due to female suffrage . . . In the Senate, suffrage changed the voting behavior by an amount equal to almost 20 percent of the difference between Republican and Democratic senators.

It seems clear that providing universal suffrage led to larger government, which raises the question of *why* women prefer big government. Lott and Kenny hypothesize that the answer may lie in a fundamental difference between the sexes. Men and women were created equal, and they are equal under the law, but, radical feminists notwithstanding, they are different from each other. Both financial and sociobiological literature provide evidence that women are more averse to taking risks than men are, which may lead them to prefer the "security net" offered by liberals. Divorced women often fare badly in obtaining alimony and other support, and women in general tend to have lower incomes. Lott and Kenny argue that women as a rule:

. . . benefit more from various government programs that redistribute income to the poor, such as progressive taxation. Hence, single women as well as women who anticipate that they may become single may prefer a more progressive tax system and more wealth transfers to low-income people as an alternate to a share of a husband's uncertain future income. Indeed, we have found (in an earlier paper) that after women have to raise children on their own, they are

more likely to classify themselves as liberal, vote for Democrats, and support policies such as progressive income taxation.

Lott and Kenny use this theory to explain the "gender gap" in voting, concluding that "... in part [it] arises from women's fears that they are being left to raise their children on their own. If this result is true, the continued breakdown of the family and the higher divorce rates imply growing political conflicts between the sexes." Therefore, it seems that some women have used the vote to reduce their financial risks in life through use of government power. In other words, we are robbing Peter to pay Mary.¹

This tendency among women's voting patterns is not only known to the liberal/left wing of American politics, but

The fact that women have used their electoral power to get government to redistribute wealth to them helps explain the steady growth in government over the past 130 years.

exploited by them. Susan Estrich, former campaign manager for Michael Dukakis' presidential campaign, writes in *Sex & Power* that "Bush is ahead among married women. Gore is strongest among those women who live alone and support their children. The promise of a safety net counts for more with those who don't have a male version of one."

In the current election, exit poll data for single versus married women is not yet available, but married voters of both sexes voted 53% for Bush versus 44% for Gore, a 9% reverse gap. Since women accounted for 52% of the total vote, this tends to support the Lott and Kenney thesis, and suggests that there is more a marital-status gap than a simple gender gap.

Traditionally, women have had a vast support system for themselves and their children, including husbands, immediate family, extended family, church or synagogue, and community-based charitable organizations. The left-liberals have worked to undermine these support mechanisms, replacing them with what Hillary Clinton calls a "village," by which she means centralized government controlled by left-liberals. In order to accomplish its goal of eliminating women's safety nets, thus frightening women into supporting bigger government, the liberal left has:

- belittled and ridiculed religion and traditional values
- devalued marriage and minimized the harmful effects of divorce
- glorified the birth of children out of wedlock, especially those without fathers or male role models in their lives
- created a maternalistic welfare state which destroyed families, especially in the black community
- replaced personal responsibility with no responsibility

As a result, the liberal left has increased women's perceived need for centralized government, to fill the voids they themselves have created.

Meanwhile, women's ability to learn about the truth of political issues appears to be diminishing. A study of the

2000 primary campaign by the Annenberg Public Policy Center at the University of Pennsylvania, titled "The Primary Campaign: What Did the Candidates Say, What Did the Public Learn, and Did It Matter?" shows not only that women are less knowledgeable than men about political issues, but that there is a growing trend for women to claim they are informed when they are not. For this study, surveys of factual political knowledge were carried out in 1996 and 2000. During both campaigns, men were more likely than women to answer questions about political issues correctly, but women and men reacted differently when they did not know the correct answer. In 1996, if women did not know the correct answers, they were more likely to say "I don't know" than they were in 2000. It is difficult to have a meaningful discussion with people who don't know that they don't know what they think they know. Radical feminists see no problem with this phenomenon, as they do not believe in objective reality, logic, or rationality, all of which they dismiss as "phallogocentric." Women tended to get more answers wrong than men, regardless of age, race, income, education, marital status, or party identification. In presenting the study, researcher Kathleen Hall Jamieson gave as one possible explanation the fact that women and men discuss politics differently. "Men talk with one another at work about politics... Women don't have that same socialization. It's a function of how women talk about politics."²

The study also found that the more people relied on local television news for information, the less informed they were: "Local news watching makes you dumber." The susceptibility of voters to the economic nonsense and outright lies of the left may be a product of the growing reliance on television for news. Television news usually plays favorable sound bites from Democrats, without critical comments, while Republican sound bites are almost always surrounded by some type of negative suggestion. In the first Bush-Gore debate, for example, most network news reports stated that Gore "won the debate on points" without mentioning that at least six of his points were lies, exaggerations, or misleading. On the other hand, news analysis programs, talk radio, and newspapers reported that at least six of his points were lies, exaggerations, or deliberately misleading. If a person's only source of news was the local television news with its national news feed from the networks, he would have the impression that Gore was the clear winner.

If liberty and democracy are to survive in America, we must reduce the excessive insecurity being foisted onto women by the culture and politics of the left and strengthen noncoercive forms of aiding the weaker members of society. Emphasis must be placed on the free market and charitable, community-based programs as the most moral and efficient alternatives to government control over our lives. If we do not stop the onslaught of the traditional family, the gender gap will continue to grow and lead us further down the path to larger government, which will undermine democracy and destroy liberty. □

Notes

1. The Lott-Kenny study can be found at http://papers.ssrn.com/paper.taf?abstract_id=160530.
2. The Annenburg study can be found at <http://www.appcpenn.org/32700report.pdf>.

Uruguay Kicks the Socialist Habit

by Thomas S. Garlinghouse

Some nations aspire to freedom; others have freedom thrust upon them.

Uruguay was once known as the “Switzerland of South America.” Throughout the first half of the 20th century, it was one of the most prosperous and politically stable countries on the continent. With a thriving trade in wool, meat, textiles, and leather goods, its citizens enjoyed a high standard of living that set it apart from its sister republics in South America. Its institutions — constitutional government, democratic plebiscites, flourishing academies, and numerous cultural diversions — were the envy of other countries. It was also the most politically progressive nation in South America. As with Sweden and Germany in Europe, Uruguay pioneered the welfare state in the Americas. Free education, public housing, medical care, and old-age pensions were provided for all.

By mid-century, however, Uruguay had succumbed to economic instability, political violence, and social chaos. The situation became so bad, in fact, that in 1973 the military stepped in and took forcible control of the government. For over a decade, a military junta ruled the country with the proverbial “iron hand.” The press was censored, the legislature dissolved, unions and political parties declared illegal, the constitution suspended, and civil liberties suppressed. It was not until 1985 that the military finally allowed democratic elections.

Uruguay’s journey from prosperity to repression was the result of an internal implosion. By mid-century, Uruguay’s welfare state had grown so large — so overweening — that stresses had begun to appear in the country’s economy. This had predictable effects in the country’s social and political fabric that ultimately led to chaos.

The architect of the modern welfare state in Uruguay was an energetic and brilliant journalist-turned-politician named José Batlle y Ordóñez (1859–1929). Born in Montevideo in 1859, Batlle came from a distinguished lineage that included entrepreneurs, soldiers, and politicians; his father had been

president of Uruguay from 1868–72. He was reared in an atmosphere of privilege, wealth, and comfort and received an excellent education at the country’s elite upper-class schools. After studying law at the University of Montevideo, he went on to the Sorbonne, where he studied philosophy and toyed with the idea of becoming a teacher.

During the traditional overseas sojourn of young members of the elite, he encountered political and social forms that were in sharp contrast to those of his own country. Switzerland particularly impressed him. He saw its enlightened social legislation and state-owned industries as models of political and social rectitude.

When he returned to Uruguay, he abandoned the idea of becoming a teacher and decided on a career in journalism. After working for numerous papers, he started his own journal, *El Día*, in 1886. A reform-minded newspaper with strongly leftist sentiments, it attacked the succession of military leaders who ruled the country throughout the late 19th century. It also proposed a series of radical political and social reforms — based on European models — and threw its weight behind the nation’s incipient union movement.

In 1897, Batlle won a seat in the General Assembly, the Uruguayan legislature. He was a dogged and energetic legislator, rising rapidly to a position of authority in the Colorado party — the traditional party of the urban populace and immigrants. Under Batlle, the Colorado party worked for a strong central government and welfare-oriented redistributionist policies. The following year Batlle became a senator, and, in 1903, president.

He immediately set about establishing an ambitious legislative agenda. His first successful act, passed in 1904, was to legalize divorce. In a deeply conservative Catholic country, this was a radical reform which at first met with stiff resistance. But Batlle was not an ordinary politician — friends and opponents alike described him as a forceful debater with considerable demagogic ability. By sheer force of personal-

Uruguay privatized state-owned industries, curtailed government spending and regulation, and lowered taxes. For the first time in years, the economy shows signs of growth: inflation is down, exports have increased, the deficit has fallen, and income has grown strongly.

ity, he passed the bill through the legislature; immediately following up with bills abolishing the death penalty, strengthening the state-owned bank, and reforming the country's educational system.

His reforms were so popular that, after a brief hiatus during which a handpicked successor governed, he easily won a second term. With the enthusiastic backing of most of the country, this term was even more ambitious than the first. Batlle pushed forward a flurry of reforms: old-age pensions, farm relief, urban minimum wage, and an eight-hour workday. He also granted women the right to vote — Uruguay was the first Latin American country to do so. With characteristic dogmatism, he announced: "The gap [between rich and poor] must be narrowed, and it is the duty of the state to attempt that task."

Throughout the 1920s, Uruguay remained a stable country with a growing economy and a relatively prosperous middle class. The worldwide economic depression of the 1930s, however, hit Uruguay hard. Unemployment soared and economic anxieties multiplied. In 1933, President Gabriel Terra suspended the constitution. The country was able to weather this storm, and the constitution was restored the following year.

In 1951, with the election of Batlle Berres, a nephew of José Batlle y Ordóñez, the country entered a new and particularly vigorous phase of state expansion. Berres adopted a program of statist policies that radically increased the role of the government in the social and economic lives of Uruguay's citizens. The pension system was expanded, selected industries subsidized, and price controls enacted. And, like Batlle before him, Berres attempted to correct the "unfair differences" in the socioeconomic structure of society through income redistribution.

In many ways, Berres' "neo-Batlism" was even more ambitious than Batlle's program had been. For many, especially those who benefited from government largess, good times seemed destined to last forever.

But cracks soon began to appear. Uruguay's economy became less and less able to sustain the demands of its burgeoning welfare system. The bureaucracy had grown to cumbersome proportions, unions were militant and vocal about

wages and benefits, and government spending was accelerating year by year. Meanwhile, exports declined, capital diminished, and investment — in a country where nearly half the work force was employed by the state — was almost nonexistent.

By the mid-1950s, Uruguay's economy was in shambles. And over the next 20 years, the country underwent a period of prolonged stagnation. Unemployment rose, exports fell, and trade deficits widened. The gross national product fell sharply and real wages declined — by 1967, they were to 40% of what they were in 1957. Perhaps most devastatingly, however, inflation rose precipitously. In 1962, inflation was troublesome at 35%; by 1967, it was 89.3%. A year later, it stood at an astronomical 125.3%.

The economic crisis led inevitably to social unrest. Strikes, boycotts, street fights between police and workers, and student unrest dominated newspaper headlines. It seemed as if the country was unraveling at the seams. In 1963, disgruntled members of the Socialist Party formed a Marxist terrorist organization, the Tupamaros. Disillusioned with democratic measures, they were dedicated to solving the country's woes by violence. Their leader, Raúl Sendic, was a former law student and party activist who had been active in Uruguay's union movement. One of the Tupamaros' first actions was the murder of a U.S. official whom they suspected of working for the CIA. This was followed by kidnappings, murders, and robberies intended to destabilize the country.

At the beginning of the 1970s, Uruguay was in severe chaos. Its economic growth rate had spiraled downward precipitously. By the end of the decade, it was the poorest nation in the Western Hemisphere, except for Haiti.

The Uruguayan military, which had been relatively inactive throughout the crisis, finally intervened. In a series of raids and arrests — in which thousands of guerrilla members and suspected sympathizers were rounded up — the military broke the back of the Tupamaros. Sendic was captured and sent to prison. Then, breaking even further from its traditional non-involvement in politics, the military set about establishing a police state, under the guise of national security. Like so many other South American countries, Uruguay underwent a period of repression. It curtailed civil liberties and arrested political agitators, dissolved the General Assembly, and suspended the constitution.

The military ruled for more than a decade. The much more dramatic coup d'état in Chile — where the air force bombed the presidential palace — caught most of the world's headlines and little attention was focused on Uruguay. This made it easier for the military to carry out repressive measures. Thousands of Uruguayans were executed, tortured, or "disappeared" during this tumultuous time, and thousands more went to jail. Ten percent of the country's population emigrated for political or economic reasons. Amnesty International calculated that in 1976 one in every 500 citizens was in jail for political reasons and that one in 50 had suffered imprisonment.

In 1985, Uruguay held its first democratic elections in over a decade. Voters elected a centrist government under Colorado candidate Julio María Sanguinetti, that set about

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The Dark Side of Israel

by Imad-ad-Dean Ahmad

Why should Americans support a socialist, racist, theocratic state?

Some libertarians claim that it is only a commitment to abstract general principle that forces us to oppose U.S. government aid to Israel. In other words, we should support the ideological concept of aid to Israel, opposing only the fact that our tax dollars are being used to achieve it. Yet if one examines the situation with a more critical eye, one finds that the laws and policies of Israel are blatantly contrary to the tenets of libertarianism — the universality of individual rights, a commitment to nonaggression, and the right to hold private property. In fact, Israel is an uncompromisingly racist, militarist, and collectivist entity, and has been so from the time of its conception.

The racism of Israel is transparent in the policy of “the Law of Return.” Any Jew may become a full citizen of Israel, but non-Jewish Palestinians of Israeli birth who emigrated or were expelled may not return. Thus, Samuel Sheinbein can escape trial in the United States, where he was accused of the brutal murder and mutilation of a fellow student, by fleeing to Israel and claiming the Right of Return; yet my mother, born and raised in Jerusalem, couldn’t return home to escape a parking ticket.

Palestinians who remain in their homeland are granted only second-class citizenship. They are barred from receiving many of the subsidies of the heavily socialized state, although they are not exempt from the oppressive tax rates. In fact, many Palestinians in Israel are treated as “present absentees,” denied the right to return to their villages. Israeli authorities systematically use government regulatory devices against Palestinians to prevent them from building or expanding their houses, refusing them the building permits routinely granted to Jewish citizens. For the Palestinian residents of Jerusalem, things are worst of all. Their homeland is illegally occupied, yet Israel treats them no better than visitors. They are considered “permanent residents” whose residency permits can be taken away if they go abroad. Jews may have dual citizenship (and many do), but a non-Jewish Jerusalemite loses his residency if he acquires American citi-

zenship. Arab Jerusalemites who marry people from outside the city must choose between giving up their residency and leaving town because non-Jews are not allowed to obtain residency.

The definition of a Jew in Israel is racial and not religious. Under Israeli law, having a Jewish mother is what makes a person a Jew. An Israeli need not follow the Mosaic law nor even believe in God to qualify as a Jew as long as his mother meets the ethnic requirements. (On the other hand, the Israeli High Court has ruled that Messianic Jews — meaning Jews who accept Jesus as the Messiah — lose their status as Jews. Apparently Jews who question the ultra-orthodox definitions of Judaism are considered as little worthy of citizenship as Palestinians.) Although Jewish teachings do not promote discrimination against non-Jews, the so-called Jewish state of Israel binds itself less to actual religion than to ethnicity. Israel grants full citizenship, including property rights, subsidies, and individual rights to any person of any nationality, so long as that person is of Jewish ethnicity. Ben Gurion University political geographer Oren Yiftachel has rightly noted that such a form of government is an “ethno-cracy” rather than a democracy.

Israel’s militarism has been defended by the claim that it is a tiny Jewish nation in a sea of hostile Arabs. However, this hostility is *not* the result of religious disagreements, as is maliciously suggested by pro-Israeli supporters. Arab aggressiveness is far from a permanent factor in the history of the Middle East, a fact clearly demonstrated by the historical coexistence of Jews and Arabs under Muslim rule. In fact, although the Romans expelled the Jews from Jerusalem, the second Caliph, Umar, allowed the Jews to return when the Muslims captured Jerusalem in the seventh century. This was

in direct contrast to the desires of the Christian inhabitants, who wished the Jews to remain exiled, and was in fact the sole Christian request that Umar did not fulfill. Centuries later, the Crusaders banned the Jews after massacring Jewish, Muslim, and Arab Christian occupants of the city. When Saladin recaptured the city, he allowed the Jews to return. The Hashemite kings Abdullah (who ruled Jerusalem from 1948–52) and Hussein (who succeeded him through 1967) departed from this tradition and excluded the Jews from Jerusalem, but they did not do so on the grounds of religious bigotry. Rather, they acted in direct response to the actions of Jews — in retaliation for the Zionist expulsion of the Palestinians from their homes and lands. Pro-Israeli factions may claim that Arabs hate Jews on principle, but history makes clear that this is not the case. The heightened militarism of the country is therefore inappropriate and may even be a direct cause of many of the conflicts which Israel blames on its Arab neighbors.

The most interesting issue to libertarians is that of private property rights. Even the most pro-Zionist libertarian will criticize Israel for its staunch socialism. The collectivism of Israel, however, is not just a simple flaw in Zionism, but the core of the ideology. To appreciate this, one should note that at the time of Israel's foundation, Jews (Zionist and non-Zionist alike) owned less than seven percent of the territory. This included land recently acquired from absentee landlords. The Jewish National Fund demanded that the new government should use its power of eminent domain in order to

Arab aggressiveness is far from a permanent factor in the history of the Middle East, a fact clearly demonstrated by the historical coexistence of Jews and Arabs under Muslim rule.

"acquire this year . . . as much land as it acquired in 47 years of unrelenting effort."¹ This land was not to be turned over to private Jewish ownership, but was to be collectively owned by the Jewish people. This meant two things: it would never again be put into private hands, and it would never again be rented or leased by non-Jews. Under current laws, the same restrictions apply to state-owned land.

A recent example of the Israeli disregard for private property was the takeover of land near the village of Dir Kadis. A press release, issued by the Israeli Peace Bloc (Gush Shalom), noted that verbal protests by the Palestinian titleholders to the land were ignored. On May 23, 1999, when villagers tried to stop the bulldozers from leveling their property, Israeli soldiers shot tear gas canisters into their houses, wounding several people, including children, and causing one woman to suffer a miscarriage. The justifications for such actions vary from the ever-popular seizures by the military for "security needs" to the claiming of land "abandoned" by refugees. In the occupied territories, Israelis employ a series of strategies to pressure the indigenous people to leave: The curfews that force people to remain indoors as many as 22 hours a day, the closures that prevent them from going to work, and the road system that cuts farms in half exemplify the difficult condi-

tions Palestinians struggle against, simply to keep land which, under any private property law, should be theirs without question. Outright deportations, though illegal under international law, constitute yet another weapon in the Israeli arsenal.

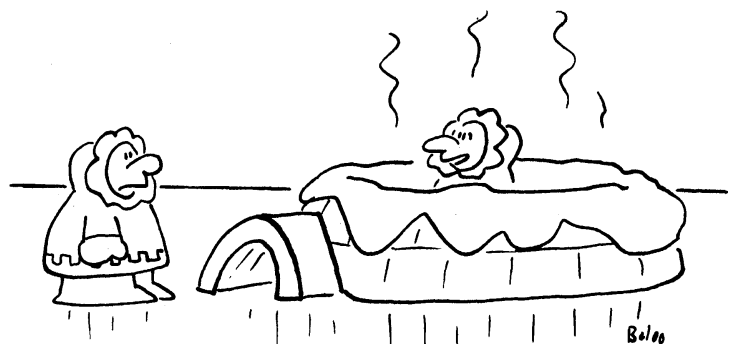
Israeli authorities systematically refuse Palestinians building permits that are routinely granted to Jewish citizens.

Land is not the only target of looting. Israel does not have enough water to support the large numbers of immigrants it needs to outpace the fecund Arab population. To maintain the stream of immigrants, the Zionist lobby induced the U.S. Congress to endorse stricter immigration laws to make it more difficult for Jews from the former Soviet block to enter the United States. Unable to come to their first-choice destination, most emigrants end up in Israel, where the water supply falls short of supporting the artificially increased population. As a result, the Israelis raid the aquifer in the occupied territories to meet their needs.² When Palestinians' wells go dry, a negative response — or indifferent silence — meets their request for permits to dig deeper wells. Meanwhile, the illegal settlers get all the water they want from the dropping aquifer, while they live on land that has been illegally seized. There is no question that Israel's policies regarding land ownership and water rights are not simply biased against Palestinians, but violent and illegal, and above all contrary to the fundamental concept of private property.

Too many libertarians, in spite of rejecting the need for government funding of foreign countries, feel that it is morally correct to support Israel. Yet morality cannot be divided from the consequences of action. The very foundations of Israel's present existence should be anathema to any libertarian who disagrees that race should supersede all other factors when it comes to granting or denying citizenship and basic rights, that history should be ignored when justifying militarism, and that private property rights can be overruled in favor of government-mandated collectivism. □

Notes

1. Jewish National Fund, *Jewish Villages in Israel*, Jerusalem: Keren Kayemeth LeIsrael, 1949.
2. Swain, A., *Arab Studies Quarterly*, v. 20 #1 (Winter 1998), p. 1.



"The housewarming party got out of hand."

What the Second Amendment Means

by Dave Kopel

Contrary to what some people believe, the Second Amendment means what it says.

What does the Second Amendment really mean? Just look it up in the dictionary. You'll find that "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed" isn't nearly as confusing as modern gun prohibitionists claim.

The legitimacy of the American version of the English language found its truest champion in Noah Webster. Webster's father served as a captain in the "alarm list" of the militia near his Hartford farm, and the family strongly supported the Revolution. Noah Webster's first major volume was the *American Spelling Book* (1783), of which millions of copies were eventually printed. He published his first dictionary in 1806, the *Compendious Dictionary of the English Language*. But his revered classic came in 1828: the two-volume *American Dictionary of the English Language*. Let us examine the Second Amendment, word by word, to see what Webster teaches us about the meaning of the amendment's words in the 19th century.

"Regulated" meant "Adjusted by rule, method or forms; put in good order; subjected to rules or restrictions." Thus, George Cabota, Federalist and one of the richest men in New England, wrote that society should function like "a well-regulated family" with "each one learning his proper place and keeping to it." [Robert E. Shalhope, *Individualism in the Early Republic*, in *American Chameleon: Individualism in Transnational Context* (Richard O. Curry & Lawrence B. Goodheart eds. 1991) 66, 67.] Thus, in "a well regulated Militia," the militiamen would be able to march and deploy for combat in proper formations, with each militiaman knowing his place.

As Randy Barnett has observed, in relation to the congressional power to "regulate" interstate commerce, to regulate something means to make it more regular, not to prohibit it. Or as Congressman Daniel Webster explained, regarding federal power to "regulate" international commerce, "To regulate . . . could never mean to destroy." (Robert Remini, *Daniel Webster: The Man and His Time*, 1987, p. 94.)

"Militia" in Webster's dictionary was "The body of soldiers in a state enrolled for discipline, but not engaged in

actual service except in emergencies; as distinguished from regular troops, whose sole occupation is war or military service. The militia of a country are the able-bodied men organized into companies, regiments and brigades, with officers of all grades, and required by law to attend military exercises on certain days only, but at other times left to pursue their usual occupations."

"Necessary" meant "indispensably requisite."

"Security" was "Protection; effectual defense or safety from danger of any kind."

"Free" meant "In *government*, not enslaved; not in a state of vassalage or dependence; subject only to fixed laws, made by consent, and to a regular administration of such laws; not subject to the arbitrary will of a sovereign or lord; as a *free* state, nation, or people" (emphasis in original).

"State" meant "A political body, or body politic; the whole body of people united under one government, whatever may be the form of government. . . . *state* has sometimes more immediate reference to government, sometimes to the people or community." Thus, "state" is not just the "government." The Second Amendment aims to protect the security of a free American people, not just to protect their government.

"Right" was "Just claim; immunity; privilege. All men have a *right* to secure enjoyment of life, liberty, personal safety, and property. . . . *Rights* are natural, civil, political, religious, personal, and public."

"People" meant "The body of persons who compose a community, town, city or nation. We say, the *people* of a town; the *people* of London or Paris; the *English people*."

"Keep" was "To hold; to retain in ones power or possession."

"Bear" meant firstly, "To support; to sustain; as, to bear a

weight or burden," a meaning that does not fit with the context of the Second Amendment. The second and third meanings of "bear" are much more congruent: "To carry; to convey; to support and remove from place to place" and "To wear; to bear as a mark of authority or distinction; as, to bear a sword, a badge, a name; to bear arms in a coat."

It is sometimes argued that "bear" has an exclusively military connotation, so that the right to "bear" arms refers only to bearing them in militia service. But none of Webster's definitions for "bear" contain such a narrow construction. And rather significantly, we know that "bear" was used with a broad meaning in one of the key documents that gave birth to the Second Amendment, the minority report from the Pennsylvania ratifying convention. The minority demanded constitutional protection for the right to the people "to bear arms for the defense of themselves and their own state, or the United States, or for the purpose of killing game." Hunting — "killing game" — is obviously a personal, non-militia purpose for which one could "bear arms."

Further, the state constitutions of Missouri (1820), Indiana (1816), Ohio (1802), Kentucky (1792), and Pennsylvania (1776) all recognized a right of citizens to "bear arms" in the "defense of themselves and the state." While arms-bearing for defense of "the state" would be in a militia context, citizens bearing arms merely for "defense of themselves" would merely be defending themselves against criminal attack. Hence, the phrase "bear arms" did not connote that arms-bearing could only occur while in active militia service.

In the 1998 case of *Cleveland v. United States*, the Supreme Court was called upon to construe the meaning of the phrase "carries a firearm" in a mandatory sentencing statute. While the majority opinion did not refer to the Second Amendment, Justice Ginsburg, writing for four dissenters, used the Second Amendment to help explain the phrase:

Surely a most familiar meaning is, as the Constitution's Second Amendment (keep and bear Arms) and Black's Law Dictionary, at 214, indicate: wear, bear, or carry . . . upon the person or in the clothing or in a pocket, for the purpose . . . of being armed and ready for offensive or defensive action in a case of conflict with another person.

Justice Ginsburg's reading of the Second Amendment is thus consistent with the reading suggested by Webster's

Dictionary.

"Arms" meant "Weapons of offense, or armor for defense and protection of the body. . . . A *stand of arms* consists of a musket, bayonet, cartridge-box and belt, with a sword. But for common soldiers a sword is not necessary." Webster's definition offers two useful insights. First, the distinction sometimes drawn between "offensive" and "defensive" weapons is of little value. All weapons are made for offense, although they may be used for defensive purposes (i.e. shooting someone who is attempting to perpetrate a murder), since the best defense sometimes really is a good offense.

Second, Webster's Dictionary suggests that the "arms" protected by the Second Amendment may include more than just weapons. The amendment may encompass "armor for defense and protection of the body." The defensive aspect of arms would be relevant to legislative proposals to prohibit non-government possession of bullet-resistant vests.

Finally, "infringed" meant "Broken, violated, transgressed."

How would the Second Amendment read, if rephrased according to Webster's dictionary?

"The good order of able-bodied men required to attend military exercises on certain days, being indispensably requisite to the protection of a not-enslaved body politic, the just claim of the body of persons who compose the United States to retain and wear weapons and armor, shall not be violated."

Hardly as elegant as the Second Amendment. But Webster's Dictionary does point us in the same direction as did all legal commentators of the 19th century: so that the militia (an essential institution of a free society) will be effective, the people are guaranteed the ownership of arms. In fact, Noah Webster himself, during the ratification debates in 1787, wrote an essay titled "An Examination into the Leading Principles of the Federal Constitution" which provided a concise summary of why the entire population should be armed:

Before a standing army can rule, the people must be disarmed, as they are in almost every kingdom in Europe. The supreme power in America cannot enforce unjust laws by the sword, because the whole body of the people are armed, and constitute a force superior to any band of regular troops that can be, on any pretense, raised in the United States. □

Uruguay, from page 38

salvaging many of the institutions the country had formerly enjoyed. Four years later, the electorate chose Luís Alberto Lacalle of the more conservative Blanco party, who began to move the country toward a market economy. He introduced monetarist policies to reduce the deficit and curb inflation. His reforms were a stark turnabout to the welfare state policies of the past. While such measures have not always been popular — labor unions and pensioners have opposed them — they have achieved their goal of economic growth.

Since 1988, and continuing throughout the 1990s, Uruguay privatized many state-owned industries, curtailed government spending, lowered taxes, and freed the economy to follow market forces. For the first time in years, the economy shows signs of growth: inflation is down to manageable

levels, exports have increased, the deficit has fallen, and per capita income has grown strongly.

Many Uruguayans now realize that the welfare state comes at a heavy cost. The quixotic promises of Batllism — that the state would provide for the citizen's every need — have largely been abandoned for a more pragmatic, market-oriented economy. It is a lesson that Europe, with its high levels of unemployment, stubborn inflation, and bloated bureaucracy, is beginning to learn. It is a lesson, unfortunately, that the United States seems all too determined to resist. Witness, for example, Bill Clinton's attempt to socialize medical care in 1993, or George W. Bush's proposed increase in federal aid to, and control of, education this year. Sometimes, it seems that the United States is determined to resurrect the ghost of Batllism. Americans might do well to study the lessons of Uruguay. □

The Abortion Conundrum

by Sarah J. McCarthy

Abortion isn't pretty, but it isn't always morally reprehensible, either.

Charles S. Rebert, the 62-year-old, ten-billion-cell clump who accuses me in the March issue of *Liberty* of wanting to kill him when he becomes a disagreeable, feeble old clump, needs to get his mind right. By age 62, most of us sadly but wisely realize that morality exists on a continuum, that ethics differ in different situations, that shades of gray are necessary, and that arbitrary lines must sometimes be drawn. Because one believes that women should retain the legal right to an abortion when their lives or health are threatened in no way means that one is about to go on a killing spree against cranky old men.

Because one kills in war does not mean that one will kill in peace. Humans make ambiguous moral judgment calls all the time. We may, at some tragic point, choose to turn off life support for ourselves or our parents, but that doesn't mean we'll opt for suicide or murder when hope exists, just as arguing for the right to bear arms does not mean that one will now or ever go postal. We all hate war but would never be so pigheaded as to call for a constitutional amendment to outlaw all wars.

Sorry, Charlie, but your slippery-slope logic just doesn't hold.

It's a conservative-guy thing to say that feelings don't matter, but Chuckie the cell clump claims to disdain emotion-laden arguments against abortion while using them himself. Before he histrionically asks how I will kill him when he becomes a feeble old cluster, he accuses me of insulting readers by trying to seduce them into weeping over pregnant women who face the possibility of their own death and that of their babies. "The tragedies of health are insignificant in number compared to the wanton destruction of babies for ends that are trivial compared to the termination of a new life," says Charlie the libertarian, preferring to wrench control of these women's bodies and put it where he wants it, in the hands of the state, so men like him will have the absolute right to live.

He accuses me of trying to deflect the reader's

intelligence, but no one has tried to deflect intelligence more than the pro-life movement in its crusade against so-called partial-birth abortion. Because pro-lifers have left out of the story the part about women who are gravely ill, the part about their lives being threatened, and the part about babies having no brains and no chance of surviving, the movement against partial-birth abortion is based on lies.

Deep feelings and impulses are a necessary part of our learning process; feelings, in fact, are hard-wired into us, whether by God or by nature, and, when integrated with logical thought processes, separate us from robots, pinheads, and cell clusters.

The most effective of the anti-choice arguments against abortion are the ones that evoke feelings of revulsion, compassion, outrage. Movies of the babies within the womb reacting to attempts to abort it are heartrending. It doesn't matter whether the film is about scissors being stuck in the head of an infant or a saline solution being injected into a beating heart. No doubt about it, abortion is an ugly, ugly thing, and the movies about it are as powerful as the Nuremberg films that show Jews being sent to the showers and shoveled by the cartload dead into ditches. And the later the abortion, the more grotesque the procedure. Late-term abortions, no matter what the method, are indeed infanticide. And they are illegal, unless there is a grievous threat to the mother's health.

A friend once told me that she cries each year on the anniversary of her abortion, knowing that her little boy would now be X number of years old. A woman living forever in guilt and sorrow that she has killed her potential baby is carrying a heavy burden. I would not want to carry it. Young girls or anyone seeking an abortion need to be

forewarned that lifelong guilt can be the consequence of an abortion. For many, these emotion-laden arguments carry more weight than a theologian's dogma that proclaims a cell cluster the size of a pin to be a human being with a soul, or the faulty logic of libertarians like Rebert who expect us to believe that twelve-cell clusters should be imbued with full constitutional rights equal to that of an adult woman even

No doubt about it, abortion is an ugly, ugly thing. And the later the abortion, the more grotesque the procedure. Late-term abortions, no matter what the method, are indeed infanticide.

while it grows within her body against her will, injected by force.

Abortion, no matter which side you are on, is an emotional issue, as it must always be. If the anti-choice movement had spent more time eliciting emotion and less time engrossed in oppressive legal maneuvers, they would have by now saved millions of babies. My main argument with Charles Rebert is not that I think abortion is a good thing. I am not a baby-killer. I am not what an anti-choice friend recently called me, a worshiper of abortion as "the Eucharist in the feminist church." I don't believe that partial-birth abortion is the ultimate of women's liberation. My issue is the methods by which abortion is combated, and I am dismayed by the way the GOP platform proposes to combat it. As a libertarian-leaning feminist, I can't condone the government outlawing, without exceptions, a particular procedure like partial-birth abortion that is sometimes necessary to save a woman's life or health. In abortion, as in much else, government force is not the solution. The ideal solution is to allow individuals with the advice of doctors and hospital ethics committees to determine appropriate medical procedures. The focus should be on educating women and doctors against all abortions — whatever the stage of pregnancy and whatever the method used — that are done, as Rebert puts it, on a whim, or for convenience.

If Mr. Rebert rereads my article, he'll note that I never discussed the abortions that are done for reasons other than rape, incest, or to protect the life of the mother. Separate arguments must be made about those abortions, which are best prevented through a massive educational effort rather than the bogus solution of a constitutional amendment employing sweeping force over the bodies of all adult pregnant women. My purpose was to show the simple-mindedness, indeed, the tyranny, of the GOP platform plank that states that it aims to outlaw all abortions without exceptions. This position is, quite simply, a denial of a pregnant woman's constitutional right to life. It is a policy that should and does lose women voters for the GOP.

The Guttmacher Institute reports that 40% of all abortions in the U.S. are performed on African-American teenagers. That is a group that needs to be targeted with information about birth control and abortion. Non-black teens are another large statistical chunk of those who get abortions.

An attempt to educate them through their schools and churches and MTV and rap music shows would be far more civilized than a constitutional amendment outlawing all abortions. They need birth control information and anti-abortion movies that appeal to their emotions. Teens are not overall in the habit of listening to esoteric libertarian arguments about sovereign individuals and angels or cell clumps on the heads of pins.

Along with Mr. Rebert, I rejoice that no one killed him when he was an 18-year-old cell clump, and that no one killed him yesterday or today. As for the day he becomes, as we all will, enfeebled and disagreeable and childlike, he may want to retain the individual right, as I do, to choose when and how to die. As he revels in life, so do we all. We can all be grateful that we were not aborted, that we were not gunned down by someone possessing the right to bear arms, or run over by someone who had a license to drive, or killed at the hands of one crazed by war. We are all grateful, those of us who are still alive, that we have not yet killed ourselves with cigarettes or alcohol or cupcakes or any of the other vices available in our free society.

I am glad that we live in a country where the government does not force us, even though it may be the moral and right thing to do, to donate our kidneys to our dying relatives if we are the only donors who will match.

I am glad that we live in a country where the government does not force us, even though it may be the moral and right thing to do, to donate our kidneys to our dying relatives if we are the only donors who will match. We, not the state, have the right to say what will happen to our bodies. I am very joyous, too, about the preciousness of my own life and that I was not forced to die in childbirth. I am happy that my granddaughter and other American women live in a country where the majority of my fellow citizens, male and female, reject the kind of government that can force a woman to submit to the slavery of a rapist's whim, a family member's lust, or be forced to die in childbirth. □



"It weren't for twist-off beer bottle caps, he wouldn't get any exercise at all."

Football Stadiums, Swimming Pools, and the Triumph of the Left

by Robert Festa

Pollsters and pundits claim that the country is becoming more and more hostile to government. They are wrong.

Several ominous signs emanated from the Republicans' dismal showing in the 1998 congressional elections, signs that portended their poor showing in the 2000 election and an even bleaker future for the GOP. Only days after the 1998 election, *The Wall Street Journal* asked whether the Republicans' poor showing "reflected the end of their ascendancy." Among Republicans there was no end to the finger pointing, with everyone from candidates to consultants to party officials being blamed for the party's humiliating performance. But no one, to my knowledge, placed the responsibility for the debacle where it belonged: on the voters, who in just a few years had made a sharp turn in how they viewed government.

For years, pollsters, pundits, and professors had argued that the country was becoming more conservative. My observation, however, is that the opposite is the case: that a momentous, perhaps even historic, change has taken place among the voters. At every level I see people asking for more government which means, in effect, that they are asking to have their freedom further restricted and more of their money taken. This has happened for a very simple reason: the left has triumphed. There may be battles still to be fought, but like an isolated group of soldiers that keeps on fighting because they have not heard that the war is over, some Republicans seem to be fighting for traditional Republican principles, unaware that their war, too, has been lost.

By "left-liberalism" I mean the idea that government has a legitimate and even desirable role to play in virtually every aspect of American life. This, of course, has been the major principle of the Democratic Party for more than 70 years. But even Republicans are starting to adopt this kind of thinking. Rep. Jennifer Dunn, for example, stated after the last election that she wanted to "soften" the party's image and "reach out" to women, who are disenchanted with the GOP's hard-

right platform. What she really meant is that she wants to move the party to the left and to spread government's influence even deeper into everyone's life.

Or consider the case of George W. Bush, whose "compassionate conservatism" is a smoke screen for more government involvement in Americans' lives. As Cal Thomas pointed out, using the term "compassionate conservatism" suggests that limited-government conservatism — lower taxes, personal responsibility, smaller government, and accountability — is insensitive to the needs of the people. In fact, this sort of conservatism *is* compassionate because it frees people from strangling government regulations, high taxes, and oppressive bureaucracy; allowing them to develop their full potential.

In 1971, President Nixon declared that "We are all Keynesians now." In 2001 it can safely be asserted that we are all left-liberals now. *The Wall Street Journal* article mentioned above said that the Republicans were now moving in the direction of avoiding ideological purity and were looking to cut deals with Democrats on the issues that Americans say they care about most: education, Social Security, and health care. In the interest of being "pragmatic," Republicans are now acting like Democrats. When George Wallace made his now-famous statement that there was not a dime's worth of difference between Republicans and Democrats, few realized just how prophetic he was.

Particularly troubling about all of this is the fact that people do not seem to realize the serious ramifications of continued government encroachment on their personal freedoms.

There was a time not so long ago when politicians debated whether they had the constitutional authority to take a proposed action, and if they did, whether it was wise to do so. Now politicians act independently of constitutional restraints, and no one calls them to account for their actions. No one asks whether government has a rightful role in the

Politicians have convinced people that they cannot live a satisfying and productive life without government's help. Where once people looked to themselves and their families to solve their problems, they now look to government.

issue under consideration. Thirty years ago, the desirability and even the constitutionality of the Social Security system was still being debated, three decades after it became law. Today, Social Security has become the so-called "third rail" of American politics, an issue only the most intrepid of politicians will touch, other than to vow to "preserve" it. A Ponzi scheme has thus become so firmly entrenched that no politician would dare suggest that it be eliminated or privatized. In the words of Don Corleone in *The Godfather*: "How did things ever get so far?"

One answer is that politicians have been enormously successful at convincing people that they cannot live a satisfying and productive life without government. Where once people looked to themselves and to their families to solve their problems, they now look to government. Exploiting the all-too-common qualities of greed and envy, politicians have convinced people that if they want something, they have a right to it. The old-fashioned virtues of self-reliance and self-sufficiency are no longer much heard of. Even something as basic as raising children has been turned over to government, with many parents abdicating their parental authority by permitting government to set curfews and keep their children from smoking. It is fascinating to watch capable, mature people become childlike when speaking of politicians and government. Paternalism, of course, has been carefully fostered by politicians, who are never at a loss at finding ways to justify their existence and to expand their power. After all, not many politicians get elected by promising less than the other fellow does. Moreover, politics, like nature, abhors a vacuum — ignorance and apathy invite government intrusion.

Someone, without a doubt, is sure to point out that one poll or another indicates that a majority of Americans believe that government is too big. Assuming the validity of those polls, they only illustrate, at best, that people are opposed to government in the abstract. But as soon as they face some adversity in their lives, no matter how insignificant, they run to government for relief. When they cannot immediately obtain what they believe is their right, or some untoward event occurs in their lives, or they are confronted by some unfairness, they turn to the politicians, who are only too glad to pander to those seeking their help.

Voters in a nearby town recently approved the construc-

tion of a recreation complex that includes a skating rink and a swimming pool. Where did voters get the idea that a recreation complex is a proper function of government? They attended government-run schools, with a government-approved curriculum, staffed with government employees. One of the few lessons that they learned is that government exists to solve their problems and grant their wishes. But they did not learn to fear the coercive power of government nor the loss of personal freedom that results when people refuse to take responsibility for achieving their goals and satisfying their wishes.

And, speaking of swimming pools, when a local branch of a national health club recently announced that it was closing the swimming pool in favor of installing other exercise equipment, users of the pool, understandably disappointed, immediately ran whining to the politicians. The politicians, ever eager to show that they are champions of average folks, bullied the operators of the health club into refunding the swimmers' fees. Bear in mind that the health club had the authority to eliminate the pool.

A group of women golfers were put out that men received preferential tee-off times at private golf courses. So they did what all good Americans do and ran to the politicians for justice. At a public hearing held by a committee of the state legislature, not one politician questioned whether the issue was important enough to warrant state intrusion, even if there was some unfairness associated with the arrangement. State intervention was justified because the courses involved had state liquor licenses. The legislature, righting a terrible wrong, overwhelmingly passed legislation prohibiting sex discrimination on tee-off times and the measure was signed into law by a Republican governor.

The taxpayers of Connecticut had a close call with paying hundreds of millions of dollars to build a football stadium for the purpose of luring an NFL team to the state. One of the more egregious elements of the plan was that a tax surplus was to be used as partial funding for the stadium. At press conferences held around the state to promote public support for the boondoggle and to extol its many virtues, almost no one pointed out that if there was a surplus of tax revenues it meant that the people had been overtaxed. The surplus, it was assumed, rightly belonged to the government, to spend as it pleased.

Moreover, at the press conferences not a single reporter questioned the morality of the state building a stadium for a privately-owned sports team. And on a radio talk show following the initial press conference announcing the plan, only token opposition was heard, and that only on the basis that the money should be spent for other purposes. I followed the debate closely, on the radio and in the newspapers, but no one ever raised the point that governments were established to help people secure their natural rights, not to steal their money to give to a private business. The politicians, for their part, were quite pleased with themselves for their vision and boldness, arguing at every opportunity that the plan was "good for the state" and other such vague inanities.

In the last two elections, education was said to be one of the top issues. Each party tried to outdo the other in portraying itself as a champion of education. But education has tra-

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Divided We Stand

by Wesley A. Riddle

The genius of federalism means we should think locally, and act locally.

When the Constitution was written, the United States was far more homogeneous than it is today. It may well be a cliché to state that modern America, in contrast to the original population dominated by English Protestants, is a melting pot of diverse cultures forged by two centuries of immigration; yet, the

fact remains that individualism in our society is a far more complex matter, or at least more openly acknowledged and discussed, than it was in the 18th century. Because of this shift, interpreting the Constitution by today's standards can be a difficult task. One may believe, as does Roger Pilon of the Cato Institute, that the Declaration of Independence is a national vision statement and that its language specifically means every single individual should live by his or her "own lights — provided only that we respect the equal rights of others to do the same."¹ However, this interpretation, idealized though it may be, fails to address the complexities which arise when individuals form associations. Such groupings are crucial to happiness and personal identity, and cannot be lightly dismissed.

This becomes especially important when the issue of state sovereignty is discussed in relation to individualism. The Constitution requires states to maintain a republican form of government. In practice, this laissez-faire philosophy means that state governments may decide what is best for their residents — or, to be more precise, that the residents may vote to determine the policies they wish to live by. An increased trend towards globalism, as propounded by modern left-liberals, threatens not only to weaken or destroy this ability for self-determination on the part of individual states, but reduce individualism itself to a homogenized standard.

As far as the Constitution is concerned, the Founding Fathers never intended that the First Amendment — which is a stricture on the federal government, not a blanket rule for all of society — be applicable to every individual and community in exactly the same way. It is true that later amendments insist that groups (and the members which

comprise them) must be awarded specific rights. For example, the Fifteenth and Nineteenth Amendments guarantee citizens the right to vote, regardless of race, color, or gender. These amendments were direct responses to social imbalances and can be argued to have been necessary when they were ratified. Imagine the mechanisms that would be required, however, if the Constitution had to spell out the broadest possible panoply of rights guaranteed to every individual. It is difficult to imagine any democracy in which this blatant announcement of rights would be necessary, much less one which begins its Constitution with the promise to "secure the Blessings of Liberty to ourselves and our Posterity." In addition, the idea of state sovereignty would be demolished by the demand that every state must grant the same rights to its citizens as all the other states grant theirs. This is true in both the sense of granting rights (i.e. every state must allow abortion because of the *Roe v. Wade* decision, regardless of the fact that several states have passed laws forbidding abortion), and in withholding rights (no state may allow drug use, in spite of many local initiatives supporting the use of medical marijuana).

Modern left-liberals argue that, above all, there should be peaceful coexistence between people of different cultures and identities. They fail to note, however, the historical precedents — namely, that the most stable multinational societies were those under imperial or authoritarian rule, which allowed no dissidence, culturally-based or otherwise. Take the case of Greeks and Turks, traditional enemies who lived peacefully under Ottoman rule, or the ethnic makeup of the former Yugoslavia under communist Marshal Tito. The rela-

tionship between imperial center and periphery was not a democratic relationship based on mutual respect between ruler and ruled; rather, its sole intent was subjugation.² It may be that the real agenda of today's politically correct crowd, in encouraging greater dependence on government and claiming to guarantee expansive rights to each individual, is to arrogate to themselves the entitlement to author and control those rights.

The current left-liberal goal is to transform the United States by eliminating true diversity and superimposing in its stead a single standard. A New Class elite, consisting of

The Founding Fathers never intended that the First Amendment — which is a stricture on the federal government, not a blanket rule for all of society — be applicable to every individual and community in exactly the same way.

intellectuals, journalists, and bureaucrats, desires to be the ruling faction, unrestrained by constitutional guarantees and "outworn" concepts such as divided or national sovereignty. The globalist vision has come to supplant the left's discredited Marxist vision of dictatorship by the proletariat. The problem, however, is that the elimination of individual and community choices leads to a society as restricted and colorless as that of communism. The Cold War was fundamentally a battle against irrationality and evil, against the collective abuse of individuals and the petty cruelties of individual human beings vested with far too much power over other human beings. The current "seamless straitjacket being tailored by America's ruling elites" (as described by Srdja Trifkovic) is akin to communism in that it quashes distinctions that make us free — even the distinctions that make us human.

As counterintuitive as it may sound, tolerance and freedom can be inversely related, as indeed they are in the liberal, globalist scheme of things.³ Hence, it behooves libertarians and conservatives to consider the federalist

superstructure, on which personal and community freedoms depend. The states were established as laboratories of liberty and cradles of culture in a practical, vote-with-your-feet kind of way. Diversity appears in the regime of dual sovereignty envisioned by our Founders, but ultimately disappears when its application is the same everywhere. Fortunately, in the modern United States, diversity remains strong and useful; a person who wishes to carry a personal weapon can move to Texas, where the gun laws are far more liberal than in many other states. This does not mean that all states must have the same gun laws as Texas, or that Texas must change and follow the example of its neighbors. Freedom allows one the opportunity to alter one's predicament, including an escape from unjust, locally imposed restraint. Freedom does *not* inherently entail ease of accomplishment, nor dictate social mores; yet this is what left-liberals insist it should and must do.

Fearing "grassroots tyranny," there are libertarian centralists who place more trust in the federal government than they do in the states. They view the federal government as an indispensable partner in the protection of individual rights. Unfortunately, their view is more theoretical than empirical. While states have admittedly been poor defenders of liberty, historical experience suggests the feds are unlikely to be any better. Indeed, "if there is a libertarian future, it lies in dividing sovereignty," as Gene Healy has argued.

Libertarians and conservatives would do well to uphold the Constitution, which recognizes the importance of different groups in the development of individuals, and support the efficacy of republican government over an extended territory. Unlike the left liberal project, a libertarian-conservative alliance behind states' rights does not deny the importance of meaningful difference, nor eliminate personal choice in favor of blanket oppression. □

Notes

1. Pilon, Roger, Preface to *The Declaration of Independence and the Constitution of the United States of America*, Washington: Cato Institute, 1998.
2. Walzer, Michael, *On Toleration*, New Haven: Yale University Press, 1997.
3. Royal, Robert, *Reinventing the American People: Unity and Diversity Today*, 1995.

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ditionally been a local matter in this country, a fact conveniently ignored by the politicians and apparently unknown by the majority of voters, who are understandably frustrated by the performance of the public schools and are not interested in the finer points of constitutional law. If a politician ever pointed out that fact, he would immediately be branded by his opponent as being against education, as if a politician could actually educate anyone. And so another local issue has been nationalized because politicians will not practice restraint and voters do not understand the danger of expanded government.

There are many other examples, certainly, including disgruntled airline passengers, dissatisfied cable TV subscribers, and the assortment of celebrities pleading for their pet causes before some congressional committee. But the low

point had to be when Sen. Susan Collins, R-Maine, orchestrated the spectacle of holding a hearing regarding the alleged deception in magazine sweepstakes. Somehow I cannot help concluding that this was not what Hamilton and Madison had in mind when they were creating this government.

Pollster John Zogby recently predicted extinction for the Republican Party if it continues to adhere to its traditional principles. "They can go pure this year and, if they do, there are not enough conservatives to win an election," according to Zogby. "If they go pure, somebody will make an awful lot of money writing *The History of the Republican Party 1854–2000*." Zogby advises Republicans to broaden their appeal — i.e., move to the left.

Perhaps Bill Clinton has his legacy after all. □

Reviews

Cracking the Genome, by Kevin Davies. Free Press, 2000, 310 pages.

The Genome Wars

Timothy Sandefur

The DNA molecule is about five feet long, but a copy of it resides in every one of our trillion or so cells, bundled into 46 chromosomes — half from each parent. It is shaped like a long twisted ladder, each rung a pair of simple chemicals (“nucleotides”) which serve as recipes for amino acids, which make up proteins, which make up enzymes — and eventually code for every detail of our bodies (and maybe even our souls).

This much was known in 1953, when James Watson and Francis Crick demonstrated the helical structure of DNA. The other thing everyone knew was that it was theoretically possible to decipher the entire genetic code of a person — every one of the three billion nucleotides in his DNA — and thus the genome of the species. Of course every individual’s DNA is different; a species’ genome, like a description of the “average man,” would not actually describe any one person, but it would convey the invaluable information of what makes a human human instead of a bacterium. Errors in the code, which lead to awful incurable diseases, could be detected, and perhaps cures could be developed.

But the task of developing such a map would be impossibly complex (or so it was thought) and when scientists at the Salk Institute and the University of California at Santa Cruz suggested a Human Genome Project to do just that, many scientists scoffed. Even if it were possible, it would take so long that it would be a quixotic attempt. Still, scientists were able to convince Congress — which has never met a quixotic attempt it didn’t like — to fund it. Watson was chosen to lead the project.

Then came a radical new personality, J. Craig Venter. Venter started life as a troublemaking kid, uninterested in study. He migrated to southern California to devote his time to surfing, but that changed when he was drafted to Vietnam, and became a medic. “You can’t live through a situation like [Vietnam] and come out of it with the same laissez-faire attitude that you might approach surfing with before that,” he says. He returned home to study medicine and then switched to genetics. Venter is an ambitious man, with the same forthright drive that once made Watson the bad boy of science. But where Watson affected a wily sort of negligent genius, Venter has always been a quietly intense man. Asked why Venter doesn’t go for pleasant day trips on his \$4 million

yacht, his wife told an interviewer, “When he goes sailing, he’s got to cross oceans.”

In *Cracking the Genome*, Kevin Davies tells the story of perhaps the most important scientific advance of the century just past, breaking the genetic code. Central to the story is J. Craig Venter, a man whose name should be a household word for generations to come. He is what Ayn Rand said of her scientist-hero John Galt: “activity, competence, initiative, ingenuity, and above all, intelligence. Independent rational judgment. The man who conquers nature, an inventor, a practical scientist, a man who faces the material world of science as an adventurer faces an unexplored continent, or as a pioneer faces the wilderness.”

Venter could very well not get the Nobel Prize. If he doesn’t, it will confirm what Davies’ book illustrates: the sad political realities of public science. Last July, Venter completed the greatest scientific achievement of the last half century: the complete mapping of human DNA. This accomplishment was what many said could not be done, and he did it in the face of all opposition, in a mere nine months. For this he has been derided by politicians and scientists across the world; DNA founding father Watson has called him a “brainless robot” and a “monkey,” and even likened him to Hitler. His crime? He finished, ahead of the deadline and with no government funding, something akin to Newton’s invention of calculus.

Venter scandalized the scientific establishment by leaving the government and forming his own for-profit company, Celera Genomics, which applied a radical new method to the problem of DNA sequencing. Where the government project cut DNA into smaller strands, which were then restrung, Venter’s new technology broke the strand into tiny fragments, each of which was sequenced, then fit

back into place. This "shotgun" scheme bothered many geneticists, who thought it prone to error, but Venter soon demonstrated its efficacy by sequencing the genome of the fruit fly. He released the complete information to the public on free CD-ROMs, just as, years before, he had published the genome of the flu virus and *The Genome Directory*, the first catalogue of all known human genes.

What the government scientists

could not forgive was Venter's avowed purpose to make money off his work. "To leave this to a private company which has to make money," decried British scientist Michael Morgan, "seems to me completely and utterly stupid." Another British scientist, John Sulston, has called Venter "morally wrong" and "totally immoral and disgusting." "I find it a terrible shame that this moment in human history is being

sullied by this act," he says. (Evidently Sulston is not troubled by the public project's subsidies from non-consenting taxpayers.)

Few, if any, critics accused Venter of scientific shortcomings. The gravamen of their complaints was that

Venter accomplished what many said could not be done, and he did it in the face of all opposition. For this he has been derided by politicians and scientists across the world.

Venter was dirtying the scientific community by seeking profit. Alongside envy was genuine fear. As one of Celera's science advisors put it, "It will not be good if the public effort is seen to lose. Congress would wrongly assume the public effort was wasted and might decide to cut back NIH's funding." The public science community saw its funding at stake, and it circled the wagons. "Once the genome initiative got consolidated into this managed project," one scientist says, "it became a bit like Stalinist Russia. If you're not with us, you're against us. The consequences were predictable."

That consequence was the increasingly hostile race (amplified by media attention) between the public and private genome projects. The public project released its information on the Internet, while Celera sought to profit through subscriptions to its genetic database. Resentment from government scientists began to sound more and more like the National Science Institute of *Atlas Shrugged*, while Venter was increasingly portrayed as a bio-robbor baron.

Venter has repeatedly explained that Celera will make its money through subscriptions, the way LEXIS-NEXIS sells subscriptions to its news service. "[We] don't own the data, it's not secret information," Venter told an interviewer in June. "It's such a large data set [that] making it useful, making it interpretable, making it so that pharmaceutical companies, scientists, universities can use the genetic code" would bring Celera customers. Yet the

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Applications from international professors are due March 15, 2001.

left continued to accuse Venter of trying to patent the genome, or even humanity itself. This was ironic, as Venter pointed out. "You know, there's a recent study published in *The Wall Street Journal* of who the top ten human-gene patent holders were.

Resentment from government scientists began to sound more and more like the National Science Institute of Atlas Shrugged.

Number one was the U.S. government. Number two was Incyte Pharmaceuticals. Celera's not on the list."

The idea of patenting genes has a number of complications, some sophisticated and some just silly. Davies tells of Donna MacLean, a British waitress and poet, who has filed a patent on herself, in order to protest the "grasping, greedy atmosphere" surrounding human genome research. Venter came under more professional criticism in 1992, when he urged the NIH (whom he was still working for at the time) to file patents on about 2000 "expressed sequence tags" (genes whose location on DNA is known). The NIH responded with a statement "deploring" the application. Many scientists objected that Venter did not know what these genes actually did; they were merely bits of decoded DNA. Other scientists objected that patenting the information would impede the flow of information, and thus slow progress. This is a legitimate argument against patent law in general, but it is not necessarily true in this case. Francis Collins, head of the government project, argued that Venter shouldn't "put toll booths on basic science," worrying that "there are so many tolls, there are so many complicated patent and licensing arrangements, there are so many royalty fees attached, that doing any really interesting experiments, where you may want to draw several discoveries together, and push yourself a little further down the road, just isn't worth it any more." But many things (including all college genetics textbooks) are protected by intellectual property law. And if royalty fees stand

in the way of science, then shouldn't all databases, all journal subscriptions, all lab coats, and safety glasses be free of charge? It may be true that, as the government project website puts it, "patent filings are replacing journal articles as places for public disclosure — reducing the body of knowledge in the literature," but Venter argues that patenting actually increases the amount of public disclosure. "The opposite of patent protection," he says, "is trade secrecy. And then we all lose." As another bio-baron told Davies, "What Celera and the Human Genome Project are doing is just creating the cable to download information from the human genome; nothing more, nothing less. I don't give a damn about this cable as long as someone else hooks them up."

As Venter has explained, people think, gee, it's terrible that they're patenting the insulin gene. But they don't own your insulin gene, they don't own mine. They don't block research; anybody can get the insulin gene sequence out of databases. They can synthesize it, they can isolate it from tissues, and they can do all the research in the world they want on it. What they can't do, you can't go just start a company and start manufacturing human insulin and selling it. Because it costs about \$600 million to get a drug through the FDA process, the approval process for safety. And no company would invest that kind of money if they didn't have

this short period of monopoly to guarantee them a financial return.

Arguments against patenting genes rarely rise above the level of complaining that someone might strike it rich. Celera did make Venter rich, and biotechnology stocks helped lead the way in the stock market rise of the last few years. But the announcement of the project's completion was oddly off key. On orders from the White House, Venter and Collins made a joint announcement that the project had been finished cooperatively. That cooperation caused Celera stock to fall sharply. But "the reason for the carefully orchestrated announcement," Davies explains, "was reminiscent of the race scene in *Alice's Adventures in Wonderland*, when the judge (the dodo) after careful deliberation, declares, 'Everybody has won, and all must have prizes.' The prize to the public project's scientists was the pretense that the race was actually a tie, and that a commercial upstart that is barely two years old did not really beat them to it." As for Venter, he receives "the officially sanctioned respectability that should give him a place on the invitation list to receive a Nobel award for medicine from the hands of the King of Sweden." But, as Venter says, in a boat race, "if one boat wins, then the winner says 'We smoked them' and the loser says 'We weren't racing, we were just cruising.'" □

Moral Matters, Second edition, by Jan Narveson. Broadview Press, 1999, 337 pages.

Liberty, Tradition, and Morality

Edward Feser

Books on what philosophers call "applied ethics" tend to have two flaws: (a) an obsessive focus on questions of rights, justice, and the like, which turns all questions of morality into questions of politics; and (b) a prejudice in favor of answering such politicized moral questions in a way

which is decidedly leftist, "progressive," or otherwise resolutely hostile to traditional morality. Jan Narveson's update of his *Moral Matters* avoids (b) only partially, and avoids (a) almost not at all. It is, for all that, well worth the attention of anyone interested in the issues he discusses. Narveson is eminently readable, usually reasonable, frequently witty, and always interesting; even when his arguments

fail to convince.

Traditionalists are not the only ones who should be troubled by the flaws of applied ethics. Any philosopher sensitive to the complexities of moral life, and who puts truth and intellectual integrity above party, ought to deal with all aspects of the moral life and give a fair hearing to the best representatives of those points of view with which he disagrees. The recent renaiss-

A very large segment of the population holds attitudes on questions of wealth and poverty, sexuality, life and death, and so forth, which are at odds with those of the academic class.

sance of Aristotelian virtue ethics in moral theory should itself provide strong incentive to rethink the assumption that once one has determined whether a person has a *right* to take a certain course of action, one has dealt with the only, or even the most important, moral issue. That a very large segment of the population, perhaps a majority, hold attitudes on questions of wealth and poverty, sexuality, life and death, and so forth, which are at odds with those of the academic class is reason enough to treat the traditionalist point of view with a measure of respect, or at least respectful disagreement, especially in an age when appreciation of "diverse" points of view is supposed to be de rigueur. (It is reason enough, that is, if one seeks to *understand* one's fellow citizens rather than condescend to them.) Fortunately, consideration of Aristotelian virtue ethics has at least begun to creep into introductory texts, though its practical consequences are often left somewhat vague (perhaps because they tend to sound anything but "progressive").

Fair treatment of the traditionalist outlook has not made a great deal of progress, however. When represented at all in an anthology, it is more likely to be by a reading selection taken from a journalist or political activist rather than serious conservative thinkers

from the long line stretching from Burke and Hume to Oakeshott and Hayek to Roger Scruton. Even a reading from libertarian Robert Nozick, once regularly served up as a token counterpoint to Rawlsian welfarist liberalism, is less likely to be seen, now often bumped from the table of contents by some trendy communitarian or feminist critique of Rawls.

Narveson, like Nozick (or at least the younger, anti-Rawlsian Nozick), is a prominent libertarian. And though libertarianism and conservatism are often lumped together under the category of "right-wing" positions, they are not identical. They are also not incompatible, though Narveson writes as if this were not so. There are libertarians who are also conservatives and libertarians who are not. Both would put severe limits on the power of the state to interfere in the economic and personal lives of its citizens. Conservative libertarians, however, would insist that though the *state* ought not to enforce traditional moral scruples with respect to sexuality, drug use, and the like, those scruples ought nevertheless to be respected, and that unless they are, no free society can long survive. Non-conservative libertarians tend to be as dismissive of the traditional *moral* rules governing these areas as they are of *legal* rules governing them, and thus tend in areas of personal morality, though not in politics, to be allied with the left. Narveson seems to be a libertarian of the latter sort.

Narveson's non-conservative libertarianism is a natural consequence of his general approach to moral philosophy, which is contractarian. To oversimplify: for the contractarian, morality rests on an implicit contract between the members of the moral community, so that only those moral rules can be regarded as binding which would be agreed to by all rationally self-interested persons. Libertarianism follows more or less automatically from this in Narveson's view: not all rationally self-interested persons (Rawls notwithstanding) would agree to rules guaranteeing welfare, much less equality, as rights, so such rules cannot be morally, much less legally, binding; a free-market economy and a minimal (at most) state polity follow as a matter of course. But a rejection of

conservatism also follows: since one who is rationally self-interested might nevertheless have a taste for casual sexual affairs, become an unwed mother, or engage in homosexual activity, traditional sexual morality can have no contractarian basis. A rule against murder can, of course, be justified, but that's cold comfort to the unborn in Narveson's contractarianism, since they don't count as persons, and only persons can be parties to the social contract.

It is not surprising that the advocate of such a moral philosophy should tend toward an obsessive focus on questions of rights, justice, and the like that occurs so frequently in applied ethics — for if universal rational consent to a rule for action is all that matters in morality, the distinction between what is *morally* binding and what ought to be *legally* binding is fine indeed, and morality and politics seem ultimately indistinguishable. Not that Narveson would entirely endorse such a result. He acknowledges that questions of morality and questions of legality are conceptually distinct, and there are even cases where he takes a

For Narveson, morality rests on an implicit contract between the members of a moral community, so that the only binding rules are those which would be agreed to by all rationally self-interested persons.

rule to be morally binding even though it ought not be legally enforced. Rules requiring mutual aid or charity (as opposed to welfare as a matter of *right*) are like this, in that their observance cannot justifiably be legally compelled but can be regarded as *morally* required (since a rational individual would observe them in light of the possibility that in the long run, he might benefit from a general respect for such rules). Nevertheless, in most cases Narveson writes as if once he has settled the question of whether observance of a rule ought to be legally enforced, he has ipso facto settled the moral ques-

tion as well.

What he has to say about sexual morality is illustrative of this. The trivial observation that there are rational individuals who favor homosexuality, extramarital sex, pornography, and so forth, seems to him sufficient to prove that prohibitions against such things cannot have even any moral (as opposed to legal) force. An account so glib — indeed, the conservative would say, superficial in the extreme — must surely be judged inadequate by anyone even dimly cognizant of the inherent link between sexual desire and one's sense of self, and the moral agency which sets us above the animal world.

Are we really expected to believe that the same individual is more important than a Vermeer a day, week, or month after birth, but not a day, week, or month before birth?

The rise of illegitimacy and other negative social consequences of the sexual revolution would also seem to be relevant here. Yet though Narveson is by no means dismissive of such considerations, he is ambiguous about their moral relevance. He allows that society has an interest in supporting those institutions that best fulfill the needs of children, and even grants that those institutions are the traditional ones; but he insists that we ought not engage in moral criticism of those who do not conform to traditional standards. The upshot appears to be that he regards those standards as being of prudential interest only. That illegitimacy, for instance, is a bad thing, is not grounds to stigmatize those who opt for "single parenthood"; it is merely a consideration those contemplating such an "alternative lifestyle" might want to keep in mind while weighing the pros and cons.

We can, I think, be forgiven for suspecting that this represents a curious and unjustifiable contraction of the domain of morality. For the Aristotelian, the question of what is most conducive to the good life, to human flourishing, is of the very

essence of moral inquiry, and is a question that one can answer only after giving an account of human nature. Where sexuality is concerned, surely the considerations just noted give some indication of what sorts of sexual arrangements are most in tune with human nature, and thus human flourishing. Indeed, the conservative philosopher Roger Scruton has developed a detailed and sophisticated defense of traditional sexual morality on the basis of an Aristotelian approach to ethics. The traditional confinement of sex to the context of marital commitment, he argues, in addition to its social benefits, best fulfills the psychological needs imposed on us by the interpersonal and self-compromising character of human sexual desire. Libertarian philosopher Michael Levin, though not an Aristotelian, has also appealed to human nature to defend sexual moral conservatism. He argues from sociobiology that homosexuality is intrinsically dysfunctional and ill-suited to promote human happiness, so that the common revulsion against it (itself very likely to be hard-wired into us) serves an important social function.

Narveson does not even mention these important arguments (being satisfied merely to dismiss quickly some crude caricatures of other traditional and religious arguments for traditional sexual morality), but he would no doubt reject them on the grounds that even if Scruton and Levin are right in taking a traditionalist ethic to be most conducive to human well-being, there are nevertheless individuals who will seek, for good or ill, to act contrary to what is in their best interests, and thus will have no inclination to sign any social contract which would require them to do otherwise. But why should this be relevant, even given Narveson's contractarianism? After all, there are also individuals who would seek to avoid the obligations of charity and mutual aid, yet Narveson takes *that* to be irrelevant — the duty of charity is *still* morally binding on them, presumably because it is *in fact*, whether they realize it or not, in the best interests of all to respect it. So why should we not conclude that the rules of traditional sexual morality, since they

are also, whether some realize it or not, in the best interests of all, are also morally binding?

Perhaps Narveson would reply that there may well be *some* individuals for whom traditional sexual restraints would in fact *not* be beneficial, and that observance of such rules cannot be considered morally binding on all, because they could not be agreed to by those who do not benefit. But then, there are also *some* individuals (the very rich, perhaps) who may not benefit from rules requiring mutual aid, and Narveson does not take this fact to undermine the case for the moral requirement to respect *those* rules. If Narveson is going to ignore deviations from the normal case in the latter instance, he cannot consistently take them to be relevant in the former. Moreover, though Scruton and Levin would argue that living in accord with traditional sexual moral scruples is, in general, directly beneficial for the *individual* who observes them, they would also insist that their general observance is also beneficial *indirectly* to *everyone*, since a general respect for such rules creates a society that is more conducive to human happiness. Such a notion should not be surprising to any libertarian, at least not one familiar with Hayek's famous defense of tradition: moral rules can serve their social functions only when they are generally respected and obeyed, even by those who appear not to benefit from them directly. Rules safeguarding private property, for instance, even if violating them would indeed be in the best interests of this or that individual, must still be respected in an absolute way if they are to serve their function of benefiting all in the long run. The conservative



would argue that this holds for moral rules of traditional sexual morality, however chafing some might find them (and even if, on libertarian grounds, he would take those rules, unlike the rules safeguarding property, to be properly enforceable only via social, rather than legal, pressure).

Moreover, traditional *moral* rules arguably support indirectly the *political* order Narveson seeks to uphold. Citizens of a society suffering the ill effects the conservative believes inexorably follow the collapse of traditional scruples are not likely to desire limited government — not when the state is so eager to help pick up the pieces and offer “assistance” to those who’ve made messes of their lives, in the form of welfare benefits, funding of clean-needle distribution and drug rehabilitation programs, funding of abortions and day-care programs, condom distribution and “sex education” in public schools, AIDS research, and so forth. If, as conservative thinkers from Burke onward have argued, self-control and self-government go hand in hand, there is also, as E. Michael Jones has argued, an intrinsic connection between “sexual liberation and political control” which the libertarian ignores at his peril. It is no accident that libertines and leftists are almost always the same people.

The bottom line is that, even from Narveson’s contractarian perspective, the question of the moral status of traditional rules governing sexuality is on all fours with the question of rules governing charity. It is not enough simply to note that some people reject those rules; one must also consider whether they can *reasonably* do so, given the human-nature-based accounts of sexual morality developed by the likes of Scruton and Levin. Of course, merely

noting the existence of such accounts doesn’t by itself prove anything, and perhaps Narveson could ultimately show them to be flawed. But he cannot make his case if he simply ignores them.

Narveson’s defense of abortion is not much better. He has a reply to the standard objection to his sort of position that, if a fetus’s not being a “person” suffices to strip from it any right to life, it would also strip a young infant, and certainly a newborn, of such a right, thus opening the way to infanticide. As long as abortion is permitted, he argues, there will be very few who will have the desire or need to consider infanticide, and we have in any case a “social interest” in forbidding it. But if “social interests” are enough to justify a moral rule against infanticide, why are they not also enough to justify a rule against abortion itself? Narveson’s appeal to the allegedly crucial moral difference between forbidding a woman to kill something still connected to her body and forbidding her to kill something no longer so connected does not help. A woman’s new Mercedes or prized Vermeer is not connected to her either, yet Narveson would refuse to allow any rule that would forbid her from destroying either of *those*, however foolish she would be to do so (and however socially detrimental her destruction of the latter would be). So why should she not be allowed to destroy her newborn, given that it’s not a “person” and thus has no right to life? If Narveson replies by allowing — as he clearly should — that there is in fact a moral difference between destroying a newborn and destroying a Vermeer, it is hard to see why this isn’t a difference that also makes a difference

in the case of destroying a *fetus*. Are we really expected to believe that the same individual is more important than a Vermeer a day, week, or month *after* birth, but not a day, week, or month *before* birth?

Narveson is on much firmer ground in discussing capital punishment. He ultimately

rejects it, but he is fair to the conservative defense of the death penalty as morally required by the demands of retributive justice, and he skillfully refutes the tiresome clichés about two wrongs not making a right, the allegedly more “civilized” mindset of the death-penalty abolitionist, etc. Capital punishment is *intrinsically* unobjectionable, in his view — a murderer has, after all, broken the social contract, and thus cannot consistently object to his being killed in retaliation — but Narveson thinks it unlikely that it serves as a significant deterrent, and this unlikelihood, coupled with the possibility of executing the innocent, is enough to tip the balance against it.

Narveson has a rare knack for weaving together both the moral and pragmatic arguments for libertarianism in a way that is clear and comprehensible to the general reader without sacrificing intellectual rigor.

Here again Narveson’s discussion is marred by his failure to consider the more refined arguments on the conservative side of an issue. He treats the issue of deterrence as if it were simply a matter of what consequences a potential murderer might consciously weigh before committing the act, but as the sociologist Steven Goldberg has argued, the *primary* deterrent value of the death penalty is likely to be much subtler. A society in which a murderer is consistently, peremptorily, and contemptuously “cut off” from the community (to use Old Testament language) as someone who has made himself utterly unfit for human company is a society in which the horror of murder is felt more strongly, with the result that fewer people will be likely (even in the heat of passion) even to *consider* murder. Capital punishment’s possible *subliminal* deterrent effect on *all* citizens is much more important in the long run than the *conscious* effect it has on this or that criminal. And this is of a piece with the way moral rules work in general. The reason most peo-



“You don’t know anything about machinery — you’d better call in a *Homo habilis*.”

ple don't steal is not because they consciously weigh the possible results of stealing, but because the general contempt people have for thieves is so strong that stealing something never even enters the average person's mind as a live option. (Here again, Hayekian considerations concerning the hidden beneficial effects of superficially "irrational" social rules cannot be ignored.)

Narveson's discussions of several other issues, e.g., suicide, euthanasia, pornography, and prostitution, are similarly marred by his unwillingness to deal seriously with anything but standard caricatures of the traditionalist view. (He defines "the" conservative view on pornography, for example, as if all conservatives *must* favor outright legal prohibition, not just moral disapproval.) And by treating each issue as if it were merely, or even fundamentally, a matter of whether the acts in question should be *legally* forbidden, he leaves most of the moral ground untouched. Surely a moral philosopher with Narveson's sensitivity to the bad social consequences of abandoning traditional sexual restraints should have more to say about prostitution and pornography than that they ought not be banned.

Nevertheless, these, and most of the other issues Narveson deals with, do indeed have both a political and legal aspect, and what he has to say about those aspects is valuable and persuasive. Narveson has a rare knack for weaving together both the moral and pragmatic arguments for libertarianism in a way that is clear and comprehensible to the general reader without sacrificing intellectual rigor. His chapters on population issues and environmentalism are particularly impressive, and constitute the finest concise presentation of the libertarian position on those topics I've seen; and what he has to say about issues like sexual harassment, affirmative action, "animal rights," war, and the conditions under which one should obey the law, are a solid, sophisticated, and useful exposition of the libertarian point of view.

On issues of public policy, no libertarian will find much, if anything, to disagree with, and in many cases will discover a fresh perspective on familiar arguments. On issues of personal morality, however, Narveson's book is

deficient. Of course, he is entitled to try to defend whatever conclusions he wishes, but he ought at least to try to deal with the best representatives of the traditionalist view, and not write as

if it were *by definition* incompatible with libertarianism. Conservatives — especially conservatives who are also libertarians — deserve fairer treatment. □

My Love Affair with America: The Cautionary Tale of a Cheerful Conservative, by Norman Podhoretz. Free Press, 2000, 248 pages.

The Podhoretz Problem

Jeff Rigenbach

"So far as liberty is concerned," Norman Podhoretz writes near the end of his latest book, *Americans* "have so much of it that some of us think we have too much for our own good. But scarcely anyone except the libertarians complains about the lack of it." Clearly, then, Podhoretz doesn't sympathize much with the libertarians' point of view. He not only explicitly counts himself among those who think Americans "have too much" liberty, he also drops his discussion of the point right there, and never offers a single word in defense of his claim.

You might expect that an author who'd adopt such a stance would be unlikely to have much of anything to say that libertarians would find worth listening to. But in this case, you'd be wrong. Podhoretz, his general meddlesomeness and authoritarianism notwithstanding, is an absolute joy to read on any number of particular issues. Take, as a case in point, the issue of bilingual education.

Podhoretz grew up in an immigrant and mainly non-English speaking household. As he puts it, "I was born in this country, in the Brownsville section of Brooklyn, but as a very small child I spoke — or so family tradition

has it — more Yiddish than English...." Moreover, he writes, "my English was so marked by a Yiddish accent that I was often mistaken for a recently arrived immigrant." When he reached the public school system at the age of five, he was "placed in a remedial-speech class." He now realizes, he says, that he "was put in that class in order to correct what was considered a stigma and an obstacle to the process of Americanization, which the elementary school teachers of that era were as much expected to further as they were to make us literate and numerate."

The elementary school teachers of today, of course, are expected to do something else entirely. In many places they are expected to adhere to what Podhoretz calls "the demented and discredited theory that the best way to teach English to children from homes in which Spanish or Chinese or some other language is spoken is to conduct their classes in those other languages."

"Because of bilingualism," Podhoretz writes, "many millions who came or were born here in the last decades of the 20th century were subjected to the opposite experience from mine." And to Podhoretz, this is nothing less than a crime. His teachers' efforts to Americanize him by helping him learn to use the English language as it is

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used by educated Americans, he says, made him aware for the first time of the music of language and helped him to fall in love with literature — especially literature in English. Had it not been for those remedial speech lessons, Podhoretz claims, he might never have learned to listen so attentively to the sound of language and might never have embarked on a career as a writer. "I continually thank my lucky stars," he writes, "for having been born into and then having been taught to avail myself of the miraculous glories embodied in this marvelous instrument [the English language]. And the more I do so, the more my heart goes out to the children of immigrants who came here nearly a century after my own parents did, and the angrier I grow at the adults who . . . were robbing or cheating them of the blessings of this inheritance, and fighting like tigers against any policy that would encourage them to reach out with both arms and gather in as much of what is rightfully theirs as they had the will and the capability to do."

Similarly, as Podhoretz argues with considerable force, we should regard as wrongheaded the efforts of various colleges and universities to rid themselves of their traditional freshman requirement of Western Civilization and replace it with new courses that give equal status to such figures as Frantz Fanon and Rigoberta Menchu. The fear is that students of color and students who grew up in foreign or immigrant cultures will feel "excluded" by courses that focus on the works of "dead, white males."

Yet, as Podhoretz insists, his own experience with the traditional introductory courses in Western Civilization at Columbia was quite otherwise. "The texts," he writes, "included very few *by* Jews, and whenever they referred to Jews or Judaism, it was more often than not in an unfriendly and even hostile spirit. Yet working through the two reading lists as a Columbia student, I felt that an inheritance of indescribable richness which in the past had been inaccessible to my own people (because of a combination of actual — that is, legal — exclusion and voluntary isolation) was now mine for the taking. Far from being left out, I was being invited in,

and I looked upon the invitation as a great opportunity and a privilege."

Neither bilingualism nor the teaching of the works of dead, white males to college students is really a libertarian issue, of course. If all schools on all levels were privately owned, as they

Podhoretz believes the case for more individual liberty to be so foolish it does not deserve serious consideration.

ought to be, they'd be free to set a bilingual course or not, teach dead, white males or not, just as they and their customers saw fit. Nobody should be taxed to support any of these choices; *that's* the libertarian position. And, of course, Podhoretz never considers it.

On the other hand, most libertarians would probably agree that as long as we're saddled with a government school system for most of the populace, it is preferable for those schools to avoid pedagogical techniques that make it harder for students to achieve an education. On this level, at least, libertarians might be expected to find this book enjoyable and stimulating. Then too, there are times when Podhoretz actually adopts a clearly and unmistakably libertarian position on an issue — as he does when he writes of affirmative action that "this presumably liberal or progressive idea actually represented a reversion to a state of affairs under which the individual was once again to be looked upon as the member of a group or a class and dealt with on that basis alone: the very state of affairs that the American Revolution was fought to overturn."

At times like these, Podhoretz is very attractive indeed to a libertarian reader — and all the more so because he so frequently bases his opinions on his life experience, and describes his life experience with the skill and nuanced style of a good novelist.

This is the crux of my Norman Podhoretz problem — his undeniable attractiveness as an author. He writes

with grace and clarity — and not infrequently with truth and justice as well. Yet, as the lines with which I opened this review make clear, he is no friend to the cause of individual liberty. Not only does he believe Americans possess too much of it, he also believes the case for more individual liberty to be so foolish it does not deserve serious consideration. (Additionally, he is an advocate of a meddlesome and pugnacious foreign policy of exactly the kind that begets U.S. involvement in foreign wars — wars that kill and maim thousands of young American men, while also serving as justification for further curtailment of individual freedom at home.)

Nowhere is Podhoretz's fundamentally anti-libertarian spirit more clearly

on display than in the way he consistently fails to make any distinction whatever, either in his writing or, apparently, in his thinking, between society and government — or, as Albert Jay Nock would have put it, between social power and state power.

At one point in this book, for example, he refers to July 4, 1976 as "the country's two-hundredth birthday." Still later, he writes about a group of conservatives who broached the idea in 1996 "that the present American 'regime' had become 'illegitimate,'" so that "persons of conscience had to ask themselves whether the only proper responses were those 'ranging from non-compliance to resistance to civil disobedience to morally justified revolution.'" Indignantly, Podhoretz

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refused "to support the preaching of revolution against this country."

These quotations, chosen at random from dozens like them scattered throughout the book, make clear what Podhoretz means by "country." In both cases, he seems to have the U.S. government in mind. July 4, 1776 is, of course, the date on which a new would-be American government declared its independence from the British government. And in the other

case, he equates revolution against the current American "regime" (a clear reference to government) with "revolution against this country."

Not to put too fine a point upon it, then, but in Podhoretz's mind, the U.S. government is the country. He is even capable of giving "America" (meaning, of course, the U.S. government) credit for his own long and successful career. There were, for example, "the laws

through which the American government, and the ethos of American society, encouraged private individuals (such as Joseph Pulitzer and Eureka J. Kellett) to set up scholarships and fellowships like those that enabled me to attend Columbia and Cambridge." There "was also the tax exemption extended by American law to non-profit institutions that made *Commentary* — and hence much of my life's work — possible."

There would be no philanthropy, you see, no individuals at all willing to put their money into what they regarded as worthy undertakings and causes, were it not for the magnanimous act by which government allows people to keep some of the wealth they have earned if they agree to use it to such ends. It is noteworthy that in a book of nearly 250 pages, full of references to the "country" with which Podhoretz is so much and so deeply in love, there are only two passages in which he even seems to acknowledge the reality of any such thing as American society, as distinguished

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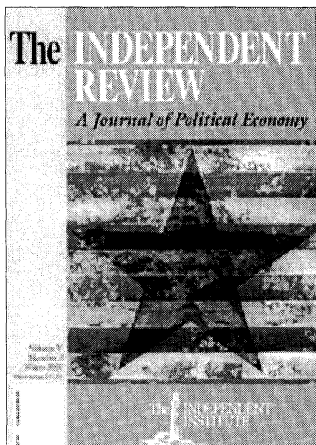
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Podhoretz is important really only for what he represents — the right-wing siren whose lure can capsize individual libertarians.

from the U.S. government. One is the passage just quoted, with its mention of "the ethos of American society"; the other appears in a discussion early in the book on the especially intense love that he believes Americans who came of age in the '30s and '40s — Tom Brokaw's "greatest generation" — feel "for their country." He remarks that it "remains a mystery . . . why people should have revered the country even during the Great Depression, when it was putting them through so much deprivation and pain." Here, by "country," he seems to mean something like "American society." (It is true, of course, that it was the U.S. government which caused the Great Depression in the first place and then resolutely pursued policies virtually guaranteed to

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prolong it, and in this sense it was the federal government that was putting the people through deprivation and pain. But it is not at all clear from the context that this is what Podhoretz had in mind when he wrote the passage.)

This, then, is the man at the heart of my Podhoretz problem: a prodigiously talented writer, who, on those occasions when he's in the right, can be magnificent; but who is, nevertheless, a foe, not a friend, of individual liberty. Maybe you don't have a Podhoretz problem, *per se*. Maybe instead you have a Sowell problem or a Johnson problem or even a Limbaugh problem. You know — the articulate conservative who both attracts and repels you: attracts you by superbly articulating libertarian ideas from time to time, repels you the moment you stop to think about what his or her agenda really is. Most libertarians I know have at least one problem of this sort on their hands. And I think it tells us something that the best-selling living author at Laissez Faire Books, the largest libertarian bookseller, is conservative Thomas Sowell.

It is in this way that my Podhoretz problem is also ours, for Podhoretz is important really only for what he represents — the right-wing siren whose lure can capsize individual libertarians and even, in time, the entire libertarian movement. It is dangerous to fall into the trap of thinking of conservatives as our allies. They are not. As Timothy Sandefur pointed out in these pages only last month, "conservatism has always been hostile to free markets" because "they are an acid eating away the structures which keep society frozen still," and social stability is really "the conservative's prime value."

Conservatives are not champions of individual liberty. They are not champions of the free market. Those of them who run for political office employ libertarian rhetoric to appeal to voters, then work against libertarian interests once in office. The classic case in point is Ronald Reagan, who lied his way into the California governor's mansion and then the White House by talking about individual liberty, lower taxes, and smaller government. While in Sacramento he imposed state income tax withholding on the state's citizenry, increased the tax bite, and vastly increased the size of the state

government. In Washington, D.C., he increased taxes, increased the size of government, and pushed through such measures on behalf of individual liberty as civil asset forfeiture and mandatory minimum sentences for those caught with substances not on the president's approved list.

Yet, during the years of his baneful administration, scores of libertarians flocked to Washington in search of jobs. Scores of other libertarians portrayed Reagan publicly as a champion of individual liberty and free markets. Why should it surprise anyone, then, if most people regard libertarianism as interchangeable with conservatism, see

no point in supporting libertarian candidates when there are conservatives available with a better chance of winning, and believe that the way to promote individual liberty and free markets is to support conservative Republicans on election day?

The road to this sorry state of affairs often begins with the seemingly innocuous practice of reading Norman Podhoretz and his ilk. Read them, sure. Even listen to Rush Limbaugh and his even more talentless imitators if you must. Give them credit where and when it's due. But don't forget whose side they're really on — and which side *you're* really on. □

Jazz, directed by Ken Burns. Public Broadcasting System.

Not All That Jazz

Richard Kostelanetz

I haven't yet watched all of my tapes of Ken Burns' self-consciously monumental *Jazz* — more than seven times the length of a feature film, more than twice the footage of *Shoah*; but much of what I saw was engrossing, particularly the surprise of unfamiliar historical footage. Knowing before something about jazz history, I was pleased to learn more about the extraordinary drummer Chic Webb and the reed player Sidney Bechet (1897-1959), both of whom are commonly neglected in surveys. (Since the latter died on his birthday, May 14th, which is also mine, I have personal reasons for curiosity.)

Produced in the public-television tradition, *Jazz* has an abundance of testimonials from talking heads shot with lighting that produces odd shadows across their faces. (The motive behind this I cannot fathom. What is portrayed by making people appear as though they are in an underlit restaurant?) In my opinion, most of these mouths

could have been cut away without much loss. For good reason, talking heads don't appear in the greatest documentaries, beginning with Leni Reifenstahl's *Olympia* (1938), and I ban them from my own films. The blessed invention making these talking heads less insufferable is the remote's fast-forward.

Remember first of all that this, like previous Ken Burns films, is a pet project of the National Endowment for the Humanities, which is responsible for more mediocrity than its companion Arts endowment. One device by which the NEH ensures vapidness is its insistence upon the involvement of academic "experts," whose participation is as essential for American government support as Communist Party membership was for Soviet cultural support. This accounts for why slick trumpeter Winton Marsalis, the principal talking head, must be identified in subtitles as an "educator."

Because Burns sentimentally portrays jazz as African-American art surviving precariously in predominantly white America, he misses a large

An Open Letter to the Libertarian Movement

from the International Society for Individual Liberty

Dear Friend of Liberty,

Since the 2000 US elections, many libertarians have been wondering what on earth it will take to bring about political success.

The bad news is: there is no magic bullet that will result in overnight success. A past LP presidential candidate who visited my office a few years ago complained that far too many libertarians think that if only they had the right slogan or uttered the right incantation or made the right compromise or had the right candidate (or some other gimmick) success would be theirs.

He said there was no substitute for damned hard work. We agreed.

The answer lies in expanding fundamental education at the grassroots. No libertarian political success can occur until the coercive State has been morally delegitimized in the eyes of the people – and until they have learned how individuals acting voluntarily in an environment of freedom can offer better solutions to our vexing economic and social problems than those posed by big, intrusive, governments.

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In this era of economic globalization and the looming menace of world government, the fight for liberty must also be global if we are to succeed. No free homeland will long survive in an unfree world.

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Victory in Lithuania! Years of energetic public education about civil society by the Lithuanian Free Market Institute helped elect the first pro-market government in their recent election. ISIL Rep and LFMI co-founder Virgis Daukas is laying the groundwork for greater long-term success through an extensive youth education program. ISIL has provided the funding for translation and publishing of three introductory books that are the backbone of this Lithuanian youth curriculum – Ken Schoolland's acclaimed free-market fable *The Adventures of Jonathan Gullible*, Mary Ruwart's *Healing Our World*, and Karl Hess's *Capitalism for Kids*.

Costa Rica Media Darlings: Libertarian congressman Otto Guevara has been named "Congressman of the Year" in both of his years in Congress by the national media! He has grabbed regular headlines with his principled attacks on corruption and the state-owned monopolies. And among other things he has called for the abolition of taxes and the central bank! The Movimiento Libertario is on track to elect 15% of the next Congress, and Guevara is poised to be a serious contender for President in the 2002 election.

Also in Costa Rica, ISIL Rep Rigo-berto Stewart is building a grassroots movement to bring autonomy and limited government to the impoverished and ignored Caribbean province of Li-

mon. He too has gotten good media coverage. Stewart's book *Limon Real: A Free and Autonomous Region* (available through ISIL) is a new classic in the libertarian decentralist literature.

ISIL and our members have provided literature and books for translation, funding and organizational assistance to the educational side of the exciting Costa Rican effort.

Ayn Rand Returns to Russia: ISIL was responsible for initiating the translation and publication of Ayn Rand's works in her native Russia. Copies of her books have been donated to thousands of Russian libraries and schools.

Just recently, publisher Dmitry Costygin and Belarus activist Jaroslav Romanchuk got a copy of the Russian *Atlas Shrugged* into the hands of Andrei Illarianov – top economic advisor to President Vladimir Putin. Illarianov has extolled the book and called for radical free-market reforms at national news conferences. All this would have been unthinkable in the old Soviet Union just 10 years ago.

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Vince Miller, President, ISIL

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amount of American music — often good music, sometimes great music — that resembles jazz in déclassé origins and manners of operation. I'm thinking first of Latino jazz, epitomized by the Cuban-American Frank Grillo (1905-86), commonly known as

One devise by which the NEH ensures vapidity is its insistence upon the involvement of academic "experts," whose participation is as essential for American government support as Communist Party membership was for Soviet cultural support.

Machito. The only acknowledgment of Latino jazz I can recall is the portentous narrator mentioning that Dizzy Gillespie in his 1940s heyday hired a Cuban drummer named Chano Pozo. Didn't Burns' advisors tell him that James Reece, Europe's legendary World War II band, included Puerto Ricans, among them composer Rafael Hernandez (whom John F. Kennedy

reportedly called "Mr. Cumbanchero") or that Duke Ellington's band included Juan Tizol, whom fellow Puerto Ricans believe penned some of Duke's songs? Nothing embarrasses those dependent upon academics more than the evident insufficiency of scholarly advice.

Italian-Americans seem neglected as well, beginning with the great violinist known as Eddie South (c. 1905-62) and blind pianist Lennie Tristano (1919-78). I don't recall any mention of the greats of European jazz, beginning with the magnificent Belgian Gypsy guitarist Django Reinhardt (1910-53), but including, in my pantheon, another blind pianist named George Shearing (b. 1919) and the French violinist Stéphane Grapelli (1918-97). (The blanket omission of violinists, including African-American Leroy Jenkins (b. 1932), makes one think Burns and his academics didn't regard the violin as a jazz instrument.) The white bandleader Stan Kenton is mentioned, but not heard.

Having authored a *Dictionary of the Avant-Gardes* (1993, 2000), I lament the complete omission of the great saxophonist Albert Ayler (1936-70), the multi-talented John Zorn (b. 1952), the versatile winds player Eric Dolphy (1928-1964), the pianist/composer/

band leader Sun Ra (1914-1993), and the pianist/composer Terry Riley (b. 1935), whom, aside from his compositions, I rank among the great keyboard improvisers. Needless to say, except for Frankie Manning and Norma Miller, jazz dancing is lost as well.

Though the film acknowledges Jewish-Americans who played with blacks, there is no mention of strictly kosher jazz — by Jews, for Jews — called Klezmer, or of post-Klez, epitomized perhaps by Zorn. Likewise forgotten is the comic jazz epitomized by Spike Jones, whose best music still sounds incomparably brilliant and unique a half-century later. Finally, there is no mention at all of Rembetica, which is Greek improvisatory underworld music of the 1920s and 1930s, composed mostly by refugees from Asia Minor, but widely performed and even recorded in Greek communities in the United States, particularly after its 1937 banning in Greece.

In short, for all of Burns' self-conscious desire to be politically correct and appease the NEH's rules, for all of the opportunities afforded by support for more than 19 hours, this representation of American art fails finally for being not multicultural enough. □

McCarthy, from page 34

awhile maybe I was one of them. How could it be otherwise, after all, the whole conspiracy food-chain thing was said to have started down the street from where I live at the newspaper we call "The Trib." Sometimes I wrote op-eds for the Trib. But what if Woodward and Bernstein had been dismissed because they met some kook show named Deep Throat who hung out in underground parking garages? Yes, I went on the conspiracy tour, roamed around in the tall grass in Fort Marcy Park to check out the cannons, looked for the missing bullet and all the rest. In the end, though, I concluded that Chris Ruddy, author of *The Strange Death of Vincent Foster*, was wrong, and that Ken Starr had gotten it right in declaring Foster's death a suicide.

Others still aren't so sure, like the lady I met at a Quinn think tank, a bar called Kangaroo's. Introducing herself as a member of the West Virginia Militia, she said she had been run off the road by the CIA on the way to the meeting. She explained that lead paint had been outlawed by the government because they wanted to see through our walls with infrared equipment from satellites. To outfox them, she had added lead to her no-lead paint and was there to give us her formula for adding lead. I figured she might have been an FBI agent, fishing for wingnuts.

With the Clinton presidency over, the only thing we can say for sure is that the biggest nutball of them all has just left

the building. The lunatics had indeed taken over the asylum, to the tune of "Hail to the Chief." With Bill Clinton and his wife gone from Pennsylvania Avenue, it's a good bet that we'll be hearing nothing from the militias, the wingnuts and the Arkansas fever swamp folks. Even the Internet will simmer down. The last black helicopter we'll hear about is the one that swoops Bill and Hillary off to Georgetown. And no matter how much the liberals complain about George W., they will never have to deal with what we did. I'm no Dionne Warwick with a crystal ball, but I have some solid predictions about the Bush administration: I know Laura Bush won't go on TV to announce that any of us are free-loaders. Condoleezza Rice won't be visiting Al Sharpton with a gun telling him to get his mind right. Mary Matalin won't be found dead in Fort Marcy Park. Christie Whitman won't threaten to break anyone's kneecaps. Even the pro-life ideologue Ashcroft won't incinerate 80 feminists at the NOW headquarters. And no one in the Secret Service will have any tales about George W. leaving the White House rolled up in a blanket in the floor of a car having phone sex with an intern.

Clinton's legacy? Easy. It'll be two things — his resilience in the face of a self-induced pummeling, and as Hillary put it at the end of the Lewinsky-impeachment saga — that you could say a lot of things about Bill Clinton, but he was never boring. □

Letters, from page 6

Therefore, they can have no rights.

Those who are against what they consider to be the murder of unborn human beings are like the New England anti-slavers in the early 1800s. They can't win until most people come to believe that the attitude that human beings are property and at the mercy of the people who own them is wrong. If it is never seen as wrong, it will never be changed. Furthermore, they will continue to receive bitter rebuttal from those who believe that human beings are property to be destroyed at whim.

I have gone back and forth on the issue of abortion over the years. I went along with those who thought it was all right in the first trimester. I can't go along with those who think it is okay at the moment of birth, and I await the next step that it may be okay until the child reaches maturity, or once the person gets too old. All it takes is that those people be considered subject to the wishes of their owners, whether individuals or the state, because they aren't really human beings.

Bob Peirce
Pittsburgh, Pa.

A New Approach

The pseudologic exhibited by Charles S. Rebert seems typical of the pro-life crowd. The pivotal assumption, that embryos have rights, is slipped in halfway through the argument. What is curious is that these people haven't also called for a ban on contraception. Their logic implies that a woman bear children as fast as possible throughout her lifetime, to protect the rights of all those unfertilized eggs.

My own view is that a mother has the right to kill her children whatever their age, positive or negative. Natural selection has already ensured that excesses will not be common.

Dan Vander Ploeg
Portland, Ore.

Abortion and the Growth of the State

Charles S. Rebert argues that the state should protect unborn humans, even a mere fertilized egg. Unless one simply assumes, as Rebert evidently does, that rights are limited to humans, his argument is equally applicable to extending rights to chimpanzees, por-

poises, and clams. Why should humans be special? However much his prejudice in favor of humans may appeal to us, by making his argument he implicitly invites others to claim rights on behalf of non-humans. Has he no rational argument for just what sort of being has rights and what sort is mere property?

His claim that "governments are established to protect human rights" seems like a seriously overbroad invitation for demands for state intervention in protection of every imaginable human right. If the state properly has broad authority even just to protect rights, does this not imply that the state ought to intervene to prevent a pregnant woman from poisoning her unborn baby with alcohol, or even caffeine? Maybe spanking really is child abuse and should be a crime? Is this not a invitation for others to try to use the state to deter or punish a whole host of practices which they feel violates someone's rights? Is it really the proper province of the criminal law to

deter or punish every imaginable wrongdoing?

Does he want a government that will stay out of our lives, except when somebody else is doing something that offends his ideas of just who has just what rights?

Bill Bunn
Arcata, Calif.

Words Don't Dehumanize, Facts Do

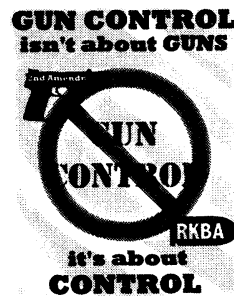
Charles S. Rebert is glad, with hindsight, that his mother didn't kill him when he was only twelve cells. He must be just as grateful she didn't when he was only two cells and a gleam in his father's eye. Is any woman who says "no" guilty of murder?

It's not the words "twelve cells" that dehumanize, it's the fact. His twelve cells was no more a human being than was his father's gleam, even though hindsight can show that in this case they both became one.

Tom Porter
Reseda, Calif.

Note: Sarah J. McCarthy responds to Charles S. Rebert on p. 43 of this *Liberty*.

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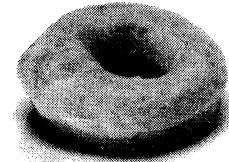


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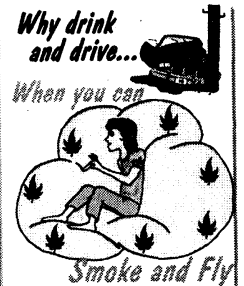
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Terra Incognita

Boise, Idaho

Interesting post-political career opportunity for the Clinton administration's former attorney general, reported by the *Las Vegas Review-Journal*:

Former attorney general Janet Reno has been offered \$500,000 if she will pose for a number of nude full-frontal photographs. The Boise man who made the offer believes that it will show people "the side of her they don't know."

Hollywood, Calif.

Advance of American culture as the new millennium begins as reported in *The Wall Street Journal*:

Mattel Inc. announced that Barbie "will star in a new animated motion picture based on 'The Nutcracker and the Mouse King,' the 1816 ballet by E.T.A. Hoffman. Her boyfriend Ken will co-star. This is not the first movie role for the 11 1/2 inch doll. In 1995, Mattel gave Walt Disney Co. permission to use Barbie in its feature film *Toy Story 2*, but was chagrined when the character was depicted as an airhead."

Korea

A new cultural program to aid international understanding, reported by *Hemispheres*:

Hoping to profit from the 50th anniversary of the Korean War, Korean officials are offering tour packages of battlefields at prices ranging from \$800 to \$1,000.

Providence, R. I.

Medical innovation in the nation's smallest state, reported by the *Milwaukee Journal Sentinel*:

A 7-year-old girl scheduled for eye surgery instead had her tonsils and adenoids removed, and was released without undergoing the eye surgery.

Lexington, Tenn.

Progress in public education, as reported by *USA Today*:

A school board member who believed that his son's high school basketball team "was not being well coached," sent the team's coach a letter threatening to kill him.

Colorado

Another victory in the War on Crime, reported in the *Denver Post*:

A woman who posed nude with a gun for a photograph taken by her boyfriend while on supervised release faces a 63-month prison sentence.

South Africa

Curious problem in the new South Africa, reported by *The Economist*:

An educational minister in KwaZulu-Natal refused to go into her office for several weeks because it was "bewitched."

Canada

Advance in military science, reported by *Soldier of Fortune*:

Canadian officials spent \$2.4 million on research and development of underwear for women in the Canadian armed forces. It concluded that civilian underwear was "entirely adequate."

Seattle, Wash.

Latest dispatch from the War on Unequal Treatment of the Differently-Abled, reported by the *Times*:

A disabled woman who went to a Garth Brooks concert is suing the city over seating arrangements. She objected to the country singer's practice of seating pretty women — rather than differently-abled people — in the first two rows of seats.

Towaoc, Colo.

Setback in penology, reported by *Prison Legal News*:

The Ute Mountain council postponed opening its new \$9 million, 78-bed jail for Native American prisoners because it is unable to find enough Native American prison guards.

England

Intriguing cultural development, reported by *Prison Legal News*:

The new craze sweeping the nation is a TV show called "Jailbreak." Contestants are placed in a custom jail staffed by guards and a former warden and offered \$141,000 if they escape.

Wisconsin

Dispatch from the War on Child Abuse, as reported in the *Milwaukee Journal Sentinel*:

Under a new law, a mother who bought her 13-year-old son condoms for use with his 15-year-old girlfriend can be sentenced to 15 years in prison and fined \$10,000 for "failing to prevent her son from being sexually abused."

Fabrichny, Russia

Strange news, reported by the *Yakima Herald-Republic*:

In the village of Fabrichny on Russia's Pacific coast, "electricity consumption is so high it caused high-voltage lines to melt the neighboring village last week."

Albuquerque, N.M.

Peculiar news from the Land of Enchantment, in a dispatch from *USA Today*:

The New Mexico State Fair has proposed a rule that the hair of animals entered in livestock competitions can be shampooed and blow-dried, but may not be dyed or supplemented with "false hair."

Readers are invited to forward news clippings or other items for publication in *Terra Incognita*, or e-mail to terraincognita@libertysoft.com. Special thanks to Russell Garrard, James Bertsch, Brian & Barb Rachocki, Allison Payne, and Andrew Martin for contributions to *Terra Incognita*.

The editors of *Liberty* invite you to attend the

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