

Liberty

The Films of
Ayn Rand

April 2008

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Is Ron Paul Racist?

by Bruce Ramsey

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by Stephen Cox

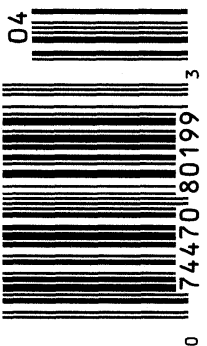
I Married an Alien

by Sandy Pierre

Gun Control: The Logical Fallacy

by Eric Neigher

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Letters

Re-review

I appreciate very much your making room in your pages for a review of "Libertarianism, For and Against" ("Your Liberty, My Liberty," Jan.-Feb.) of which I am coauthor. Much of the review was on target but some of it pertaining to my contribution to the book was confused — for example, I did not defend libertarianism from a Kantian position (certainly I didn't invoke Kant anywhere) but a neo-Aristotelian, Lockean, Randian one.

The idea that one must either present a consequentialist-utilitarian defense of libertarianism or a Kantian one is totally alien to how I have approached normative matters throughout my writing — one need but consider "Classical Individualism" (Routledge, 1998) as a clear case in point. There are many others who would not fit within either one of those two meta-ethical schools.

But I suppose few people whose works are reviewed are ever fully satisfied with how they are being read by the reviewer.

Tibor Machan
Silverado, CA

Five-A-Side

In his review of "Libertarianism: For and Against," Gary Jason finds five points on which Tibor Machan's case for libertarianism is "shaky." Let me try to shore up those points.

Point 1: Machan's case is "too skinny" to allow a society to survive in the real world. Answer: Raw, theoretical libertarianism doesn't acknowledge well the power of competition between nations as a positive force. The United States is doubly blessed to have internal states that compete with each other to attract quality citizens and corporations.

Point 2: Dignity of rational agents and natural rights are stated as the basis for libertarianism, but they are also

used by some as the basis for modern statist liberalism. And Point 5: Machan believes in freedom of the will, but what happens if we do not, in fact, have free will? Answers: Individualism is a physical fact. Our minds have no physical connection with other minds, and any apparent groupthinking we do is a voluntary performance. Free will is also a physical fact, caused by the fractal chemistry of our brains. The revolution of fractal mathematics made it no longer necessary to determine if noncausal randomness truly exists in the universe — complex, fractal systems are not distinguishable from random ones. Therefore, we are free-willed individuals who are best served by a society that allows us to be free and individual, and exacts only a small, limited by contract, portion of our freedoms to empower a government.

Point 3: What does a libertarian do about orphaned children? Answer: Any society that survives protects its children — by custom, by charity, and, as a last resort, by law and government power. Difference is, the family is the basic unit of a free society, while the government is the first cause in the collective society, with family members relegated to mere agents of enforcement of the collective will. Note that the last resort to government power in the case of the protection of children does not necessarily apply to adults who are poor, aged, infirm, irrational, or insane. A free adult has to be responsible for his own path through life.

Point 4: A real estate tycoon, as an example, is not an independent creator of wealth. He depends on civil servants like police, firefighters, street and water departments to provide value to property, and therefore should split acquired wealth with them and let them drive the train sometimes. Answer: By

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constitution we agree not to put our collective hands into others' pockets. As long as the jobs of tycoon and police officer are open to all, there is no injustice here. If too many police officers leave their jobs to become tycoons, then the government raises the salaries of police officers and lures some of them back. In my town, large numbers of people have nicer houses and cars than I do. More power to them. Begrudging them their successes would not be an act of an innate desire for "equality," but a revelation of envy.

Tom Jaquish
Fort Wayne, IN

Charity at Gunpoint

Gary Jason's review of "Libertarianism: For and Against" is a good summary of the arguments of Machan and Duncan. In his own criticism of libertarian positions, however, he hits upon the essential moral question: can the end, no matter how desirable and even noble it might be, justify the means of government coercion? He asks, "What does a libertarian do about orphaned children?" And further: if there was a shortfall in private charity, "Can the state not act?" He seems to say that somehow the answer is yes.

To these questions, a libertarian or anyone else can do whatever he feels is appropriate regarding orphaned children or any other cause, *except* use the coercion of the state to force the fruits of someone else's labor into his particular

cause, be it orphaned children or any of the other million or so justifications statist planners use for their "programs." When the state "acts," by its nature, it does the only thing it can do. It points guns and uses coercion.

It should be noted that in the real world this "starving children" argument fades to irrelevancy. In a society where the total tax load approaches 50% (in my country, Canada, it's well over that), there are still thousands upon thousands of charitable organizations that routinely raise millions of dollars for all manner of causes. Does anyone seriously believe that, left to our own voluntary action, and left with some of our own money after the taxman is through with us, we would let orphans starve in the streets? That in order to prevent such an occurrence we require the guns of government pointed at us? I find that argument more than a little bit offensive.

Paul Mollon
Owen Sound, ON

Jason responds: I thank Professor Machan for his remarks about my review of his recent book. Regarding my comment about Kantianism, I used that label in response to Machan's appeal (at various points) to respect for the dignity of autonomous agents as part of his defense of libertarianism. That strikes me as quintessentially Kantian in tone. But I understand that Machan favors the neo-Aristotelian and Lockean approaches (looking at what leads to the

flourishing of the individual and the natural rights of individuals).

I certainly do not believe that the utilitarian and Kantian perspectives are the only perspectives in ethics generally, or the only ones of use in exploring the foundations of libertarianism. Indeed, I explicitly said that while the perspectives that have traditionally been so employed have been egoism, utilitarianism, and natural rights theory, other perspectives can be employed as well. These include virtue ethics, existentialist act deontology, Christian act deontology (agapism), and Rossian multiple-rule deontology.

Mr. Jaquish's points to shore up libertarianism's basis are worth reflecting upon. Granted, competition between nation-states is often positive. But often it isn't, as (say) when some nation allows its citizens to financially and technically support terrorists attempting to get a nuclear bomb, who are in turn permitted by a second country to operate in its territory, resulting in a threat to your own country. It is hard to see how a strict principle of never initiating force unless first attacked will allow a response that will prevent a devastating attack, one that would likely bring down the nation.

I'm not sure that pointing out that chaotic-fractal systems are unpredictable and so appear to be uncaused helps much. This reminds me of the claim made by some of the physicists who first devised quantum theory that it "saved" freedom of choice, because under the standard interpretation of the theory, microphysical events are inherently probabilistic, not deterministic. So, for example, we can say of a certain collection of atoms of a fissionable metal that half will spontaneously decay in a certain length of time, but we cannot — even if we have all possible relevant knowledge — say of a given atom precisely when it will decay. Under this view, God plays dice with the universe, as Einstein famously put it.

It is hard to see how either true non-causal randomness (or even merely the chaotic unpredictability) of a system helps explain free will. First, the brain

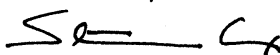
I hate to bring bitterness into this space, but it was only a matter of time before I grew bitter about the current presidential campaign. Of course it's all nonsense, like getting bitter about Homer Simpson's drinking habits. Nevertheless, something finally got to me: the constant blather from the Obama campaign about "hope" and how he's the candidate of "hope" and what America needs is "hope."

Maybe Obama's Hollywood contributors are hoping for a few more millions in salaries and dividends — or some second-hand self-respect, which they *hope* to get from him. Or maybe "hope" is just a four-letter word, signifying nothing but bitterness about whatever it is that you thought you should have had. In any event, I'm sick of it. I remember when (Bill) Clinton was the Man from Hope. Give me a break. Can you imagine a cheesier presidential platform — "I will give you hope"?

Suppose one of your friends said, "I'm here to give you hope"? What would you say? I know what I'd say: "I *hope* you're going to turn up for dinner at 7 p.m. next Thursday, instead of 8:30, the way you usually do. That is my *hope* for you."

Well, so much for the presidential campaign. This issue of Liberty comes, not to give you *hope*, but to give you something to enjoy *right now*. I don't *hope* that you'll enjoy it; I am *sure* you will.

For Liberty,


Stephen Cox

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doesn't seem to be a fractal system, or one driven by random microphysical events. Second, supposing it were such a system, how does that "save" free will? If my "choices" are just the spontaneous, uncaused or at least the chaotically unpredictable cascade of neural firings, in what sense is my action free — meaning traditionally that I was truly aware of (knew) what I was doing and could have done otherwise?

My point was simply to suggest that requiring that we accept contracausal (or even chaotically unpredictable) free will before we can argue for a minimal state seems to saddle libertarian political philosophy with a heavy (and in my view unnecessary) weight, indeed.

The point above ties in with my response to Jaquish's claim that "the last resort to government power in the case of the protection of children does not necessarily apply to adults who are poor, aged, infirm, irrational, or insane. A free adult has to be responsible for his own path through life." First, Jaquish is conceding what I'm not sure Machan would, that in the case where private charity for orphaned children is inadequate (a case which all libertarians agree is not descriptive of America at least through most of its history), it would be legitimate for the government to do the job. Second, is a demented or insane person really "free?" For example, is a person afflicted with very advanced Alzheimer's disease really responsible for his choices? Maybe in the sense of having fractal neural cascades in the brain tissue, but hardly in the traditional sense of free will.

Finally, the point I was making regarding the role of government in (say) the wealth of a real estate tycoon was that it is hard to disaggregate the contribution of personal and governmental

action to the tycoon's wealth. I merely pointed out that Machan didn't really reply to this point made by Duncan. However, I also pointed out that the same point could be raised against Duncan's statist liberalism as well, because while the government contributes to the tycoon's ability to increase his wealth, it also hinders that ability as well.

I certainly agree with Mr. Mollon that no orphans are starving or apt to starve in modern industrial economies, because such free-market economies produce wealth sufficient for charity to happen naturally. And I couldn't agree more that we are overtaxed, and that contemporary statist planners use the "starving baby argument" to commit much mischief.

But philosophy involves pushing views to extremes — conducting thought experiments — to test for consistency and robust explanatory power. Suppose that there were a hypothetical situation in which charity was not sufficient to save an orphan. Mollon says that even then, the state cannot coerce the citizens to save the child, even to the extent of taking a small amount of money from each. An uncompromising stance, indeed — and one I question.

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Reflections

The schoolmaster vs. the nanny — A race between McCain and Hillary in November can be compared to a showdown between a stern schoolmaster who preaches pain, sacrifice, and discipline and a smothering nanny who promises endless and all-knowing love. Whether we want it or not.

To put this in another way, McCain leans in the direction of George Orwell's bleak and austere "1984," while Hillary prefers to give us a variant of Aldous Huxley's softer, more self-indulgent "Brave New World." — David Beito

Deceptive vacuity

— It is puzzling how seldom TV pundits expose the vacuity of "change" as a political platform. Everyone wants change of some sort or other, but many of the desired changes clash. Do pundits and politicians really think that voters are too dense to recognize deceptive ambiguity when they meet it? (Possibly they are, which would be a sad commentary on democracy.

— Leland Yeager

Treasury junk bonds

— Amidst the grand hoopla that is the current election campaign, a recent report in the Financial Times of London (Jan. 11) went largely unnoticed in the American press.

Moody's, the independent bond-rating company, announced in its annual report on the U.S. that America is in danger of losing its triple-A rating, because of rapidly rising entitlement spending — specifically, rising Medicare, Medicaid, and Social Security costs.

These entitlement programs, which together consumed 25% of the U.S. budget in 1975, are now consuming 45% — and the boomers are only now beginning to retire. The next ten years will see the tsunami of boomer retirees demand their entitlement goodies.

However, despite warnings by Congressional Budget Office chief Peter Orszag and Comptroller General David Walker that these entitlement programs are about to explode,

most of the candidates have been promising to expand health care to cover the 40 million said to be uninsured. All of this makes it likely that U.S. Treasury notes will be junk bonds in the not too distant future.

— Gary Jason

Counter-programming — I was going to do a complete analysis of the rhetoric and political effects of conservative talk radio hosts and the three stooges — Limbaugh, Hannity, and O'Reilly — who lead their way. They seem to be on everyone's mind lately. They don't like McCain.

But one thought trumped all that: They're counter-programming. They want Hillary Clinton to be president. Four years of her warmed-over, takes-a-village pabulum will be red meat for their listeners.

— Jim Walsh

Don't want no fat people

— I thought Mike Huckabee was a bad Republican because (among other things) his anti-obesity crusade involved sending report cards home telling parents their kids are fat. But every time you think the Republicans can't get any worse, they do. A few miles southeast of Little Rock, Rep. W.T. Mayhall Jr. has introduced a bill in the Mississippi legislature to bar restaurants from serving food to obese people. This is what it says:

Any food establishment to which this section applies shall not be allowed to serve food to any person who is obese, based on criteria prescribed by the State Department of Health after consultation with the Mississippi Council on Obesity Prevention and Management.

As a writer for the New Republic — no doubt a Yankee — noted, this law would surely devastate the Mississippi restaurant business. Mayhall's bill isn't likely to pass but it had two co-sponsors, another Republican and a Democrat. And, you know, it did occur to me: there are laws prohibiting bars from serving alcohol to the drunk, so why not prohibit restaurants from serving food to the fat?

The difference in the two laws is clear and fundamental.



Drunks might endanger the rest of us on the roads. Fat people are only endangering themselves. How much I drink may be a matter of public concern, if I'm using roads that other people drive on. How much I eat is nobody's business but my own.

Americans used to understand distinctions like that. Barry Goldwater, the man who turned Mississippi into a Republican state, warned, "A government big enough to give you all you want is big enough to take away all you have."

And that's what we see here. Mayhall cites the costs that obese people impose on the taxpayers through the Medicaid system. Barry would understand: you create a government health care system, and sooner or later the government is not only going to ration care, it's going to try to regulate people's lives to hold down costs. Barry just wouldn't have predicted that it would be the Republicans who would try to interpose the government between a man and his fried chicken.

— David Boaz

A bunch of buttinskis — On January 25, the Federal Communications Commission proposed that a \$1.4 million fine be levied on 52 television stations owned by or affiliated with ABC. Seems that back in 2003 the aforesaid stations broadcast an episode of the show "NYPD Blue," in which a woman's bare buttocks were displayed.

The FCC found this indecent, because it depicted "sexual organs and excretory organs" in a "patently offensive way." Moreover, the bare arse was shown before 10 p.m., which means that it could have traumatized untold numbers of kiddies who had not yet gone to bed.

ABC, attempting to rebut (sorry) the FCC, argued, "The buttocks are not a sexual organ." That ABC could have made such a claim with a straight face is remarkable. The network is owned by Disney, after all. The FCC, in any case, was not persuaded.

Yes, folks, these are adults who are arguing about some cheeks on display in prime time. And yes, people drawing a federal paycheck have spent four years determining that those who revealed those cheeks to the American viewing public should cough up no less than \$1.4 million for doing so. It seems to me that the real ass is the FCC. — Jon Harrison

Benazir: a corrupt legacy — It is worth revisiting some of the YouTube clippings of Benazir Bhutto's rallies and putting yourself in her place. How long could you endure those sickeningly adulating crowds, with all their associated expectations? How long would it be before you decided to run away, calling it quits, as did the Messiah in Richard Bach's "Illusions"? Or would your instinct be just to puke profusely, ensuring that the very last bit in your stomach was out?

So what must Bhutto have been like, in view of the fact that she actually returned from London to be with such crowds, leaving her children behind? So overpowering was her need

to be even closer to the crowd that she put her head out of the car, and had it blown away.

Trying to understand Bhutto, it is unavoidable to compare her with Musharraf. It is unavoidable to reflect on her achievements and wonder if she was a product of anything but dynastic rule. It is unavoidable to wonder what kind of people her immediate family must have been, when both her brothers died under unnatural circumstances, and her father was hanged. Were they martyrs or simply people with the psychology of the speeding teenager, who at some level considers himself invincible? It is unavoidable to wonder why in a country where women have an extremely low status, as has been the case with India, Bangladesh, and Sri Lanka, a woman should be elected prime minister.

Benazir's father, Zulfikar Ali Bhutto, is considered by many to have been the most corrupt person to lead Pakistan. Accused of killing a political opponent, he was hanged in 1979. Benazir was to become Pakistan's prime minister twice, in 1988 and 1993. On both occasions, she was removed from power for alleged corruption and extra-judicial killings (including that of her own brother, Mustaza). Her husband was widely known as the 10% man, for the cut he allegedly collected as bribes. Benazir went into self-imposed exile in 1998 to return only recently after Musharraf granted her amnesty from charges. The move was perhaps made possible by the ever-interfering America — making one wonder how responsible America must be in subsidizing corruption and spinelessness around the world.

When Benazir was in power, she did nothing that could have improved the lot of the Pakistani minorities and women or put a leash on increasing fundamentalism in Pakistan. Her sole interest during those days was apparently to make as much money as possible through her husband, while resolutely sticking to power. One must wonder what makes political leaders so utterly greedy. What is the use of stashing away billions and billions that one can never need or even have an opportunity to use? It could only be a mixture of deep-rooted sense of inadequacy and insecurity, a search for means to avoid the reality of mortal existence. And more fundamentally, of course, the corrupt practices of politicians are a sign of extreme stupidity. Indeed, stupidity and spinelessness were written on the face of Benazir. Even those not good at reading faces could see her stupidity reflected in every word she spoke.

Had she cared about Pakistan, she would have worked with Musharraf, who despite being an incorrigible crook himself, has brought some sanity to the conduct of the Pakistani state. Indeed, he has done a lot to control the Taliban and to improve Pakistan's relationship with India. She would have worked with him to alleviate the suffering of Pakistani women and minorities, something that she knew would only get worse in a democratic system where mullahs would call the final shots. She would have worked with him to control the appalling level of fanaticism that rules Pakistan, fanaticism that hasn't a chance of being controlled by democracy. But all she did was bring more chaos. It doesn't take much effort to conclude that hers was an utterly wasted life.

What an irony it is that leftists and even libertarians are so statist in thinking about the future of such places as Pakistan! The leftists think that the solution to the world's problems

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lies in the state. The libertarians think that the reason for the world's problems is the state. Even libertarians must therefore believe in the high potency of the state. But can politicians really decide the fate of a society? If anything, in Benazir's death Pakistan has extended its luck by continuing the rule of Musharraf for a few more months. But despite having the support of one of the world's best and biggest armies, he must go, as the masses have decided so.

Many years from now, Pakistan and the rest of the world will look at the rule of Musharraf with nostalgia. In the faces of the crowds that accompanied Benazir, you will see a very grim future for Pakistan.

— Jayant Bhandari

Local obsequiousness — My friend Liam Vavasour, whose writing has appeared in these pages, entertained me at dinner the other night with a suggestion about the health and happiness of presidential candidates.

Liam observed that whenever one of these folks makes a speech, he (or she) always effusively compliments the state he's talking in. Whether the candidate won or lost in, say, the South Carolina primary, he announces that he will be eternally grateful for the opportunity he's had to meet the citizens of South Carolina in their homes and offices. He'd always *thought* that South Carolina was a lovely and historic state, but now he *knows* and *understands* the landscape, the traditions, the very soul of South Carolina; and this learning to know and love the state has been an enlightening, humbling, and deeply erotic experience.

He (and his lovely wife, or her lovely husband) look forward to returning many, many times to idyllic South Carolina, to renew their acquaintance with the wonderful friends they've made in South Carolina's churches and schools and factories and union halls and mattress stores and prisons and gambling dens and houses of prostitution. In short, thank you! for letting us into your homes — and into your hearts. And as we move on to the wonderful state of North Carolina, we will always look back to South Carolina and thank you, thank you, thank you, from the very deepest bottom of our hearts, for the support and friendship — yes, the warm and palpitating love — that all of you have extended to us these past 18 months. I and my beautiful wife (or husband) will always regard our stay in South Carolina as the acme and pinnacle of our lives, the King's Chamber of the Great Pyramid, the top of the line in running shoes, the fulcrum of the radiance of the divine planet Venus. May every South Carolinian rise and call South Carolina blessed! For she alone is the origin of hospitality; she alone is the guarantor of American values; she alone is the ark and altar of American freedom and democracy.

The enunciation of these sentiments, Liam said, is obligatory. And you can't doubt their truth. When invoking hearth and home, the duties of guests and hosts, the traditions of the 50 great American states, no politician can possibly go astray. None would lie; none would even exaggerate the facts. If one candidate said, "South Carolina is a great place to live," every other candidate would immediately declare that man a liar, for South Carolina is in truth the *only* place to live.

Then how awful it is (Liam added) that after every state primary, all these candidates are whirled away from their new-found friends, and, like Paolo and Francesca in Dante's "Commedia," are punished eternally in hell — either the part

of it known as the Senate, which some of them are trying futilely to escape, or the part known as the White House.

The problem — and why shouldn't we face it now? — is that no one really *wants* to live in the White House. Oh, people may pretend that they do. They may even picture to themselves the pleasures of January 20, when a police escort will take the president-elect to the Executive Mansion and deposit him there. They may think that this is really what they have spent their lives desiring.

But when their hearts are warmed, when their confiding spirits reach out to the modest citizens of Iowa or New Hampshire or wherever their staff informs them they are sleeping tonight, then they understand what their values really are. The White House? Never! I want to stay right here: Debbie's Dew Drop Inn, Columbia, SC.

And that's what they tell the voters, who perversely insist that they evacuate the hinterland and repair to the Nation's Capital. Yet the only thing on which all presidential candidates agree is the evil nature of Washington, DC There has never been a presidential candidate since Washington himself who hasn't run against Washington. It's only an heroic sense of duty that keeps them from defecting, one by one, from the campaign trail, as each of them discovers the delights of Burlington, IA; Portsmouth, NH; and Fresno, CA.

Therefore, Liam argued, the best thing we can do is simply to vote against all party politicians who believe it's against their nature to go to Washington. It's an "Atlas Shrugged" situation: the truly intelligent, productive members of American society must be saved from their imaginary obligation to live in Washington and serve the people, instead of retiring to Flint, MI, and spending the rest of their lives cooking hamburgers with their friendly neighbors.

The solution is: Take them at their word! Release them from their silly pledges to "change America," "fix the health-care system," "give everyone a free lunch," darken the sun and turn the moon into blood. Free them from their "obligations." You like South Carolina? *Fine: stay there.* And the rest of us will promise to leave you completely alone.

— Stephen Cox

Fix a fence, go to jail — An article in the Daily Breeze, a suburban Los Angeles newspaper, reports that Francisco Linares is going to jail because he repaired a fence belonging to the affluent city of Rolling Hills Estates. Superior Court Judge Sandra Thompson chastised Linares, a Farmers Insurance district manager, for violating the municipal code and sentenced him to six months in county jail.

Linares, who owns a home in Rolling Hills Estates, asked the city to repair a white three-railed fence behind it. He was told that the fence was on his property. After he replaced the termite-infested planks, the city reversed itself and stated that Linares had illegally built the fence on city property.

Linares had to get permits for the fence and other code violations. He claims that he tried to comply, but was unable to because of the city's confusing building codes. The city claims he failed to resubmit an application that had been deemed incomplete. Richard Hamar, Linares' attorney, asks, "What will society gain if you put this man in jail?"

Perhaps the question should be, what will society lose? In "Atlas Shrugged," Ayn Rand says, "But just pass the kind of

laws that can neither be observed nor enforced nor objectively interpreted — and you create a nation of law-breakers. . . .”
Indeed. — Alan Cook

Bad databases, terrible commercials — Many postmortems of Super Tuesday are citing Ron Paul’s weak showing as proof that Americans are “not ready for libertarianism.” Others are blaming the media blackout of Paul coverage since New Hampshire.

Both explanations are unpersuasive or, at least, incomplete. While the claim that “Americans are not ready for libertarianism” is true as far as it goes, few of us ever believed (except in our less rational moments) that Paul was going to win. At the same time, we thought with good reason that he had a fighting chance to win a respectable bloc of Republican votes (10 - 20% or higher).

Unfortunately, several major blunders and miscalculations by the campaign itself always seemed to get in the way. A case in point was the Iowa database fiasco. The campaign had produced a get-out-the-vote database showing the names of thousands of people to be called on caucus day or transported to the caucus sites. Either because of petulance or because of simple human error, a volunteer completely messed up the list.

But it was the campaign itself that made the fatal mistake by not making a backup list, leaving the volunteers unable to carry out the operation on the crucial day. This was no small matter. Only a few thousand votes separated Paul from John McCain and Fred Thompson.

Had Paul come out of Iowa with the momentum of a third place win, the media blackout may well have never happened, at least to the same degree.

The terrible television and radio ads, however, were even more damaging to any hope of a better showing. I suspect that they may have actually lost Paul votes. It is revealing that exit polls showed that antiwar Republican voters on Super Tuesday (as in Iowa and New Hampshire) went for McCain — the most pro-war candidate in the race.

Instead of appealing to these voters, Paul’s commercials made him look like just another Republican candidate, or stressed immigration, which had essentially become Romney’s issue. Had Paul’s commercials stressed his antiwar views and hammered McCain’s enthusiasm for the war, Paul might have reached more of these voters. — David Beito

No more IRS — Whatever you think of Mike Huckabee’s campaign for president (and I don’t think very much of it), it has had one remarkable feature: his TV ads have done one thing — demand the abolition of the IRS. Even more remarkable is the fact that I have seen absolutely no discussion of this, either in the Usual Media or on the net.

Why? — Stephen Cox

Arranging deck chairs on the Titanic — The boneheaded economic stimulus package authored by the president and forwarded by the Democratic Congress aims to push the federal government deeper into debt in order to buy the quiescence of citizens worried about recession. This is a bad idea. Exactly *how* bad is a matter of some dispute.

The package will send so-called “tax rebate” checks of between \$500 and \$1,500 to most U.S. households with annual

incomes under six figures. The total price tag of this buy-off has been estimated at \$145 billion. The final cost may be more.

In early February, White House Office of Management and Budget (OMB) director Jim Nussle held a press conference at which he spoke in carefully scripted phrases about the stimulus package:

Obviously, the bipartisan growth package that is pending on the Hill right now — which we include in this budget, at \$145 billion, and we hope will soon pass — combined with a sluggish economy, does pose some challenges with regard to the deficit. That bipartisan bill will raise the deficit by \$145 billion, and obviously that will have an impact, but we believe that this up tick is temporary. . . .

Nussle’s theory is that the stimulus package will avert a recession, keep the U.S. economy growing and assure more tax revenues coming into federal coffers.

This is like taking a pay-day loan in order to go to Las Vegas, hit the craps table, and come home with enough cash to pay your mortgage and winter heating bills. Sure, it’s possible. But not very likely.

Also, note Nussle’s repeated use of the term “bipartisan.” He pasted that word to any mention he made of the stimulus package, throughout his press conference. The net effect was that even *he* suspects the buy-off is a bad idea — and he’s getting ready now to share the blame later. Here’s more:

. . . the President decided that he wanted to take 1 percent of the economy — that was the size of the growth package he wanted, 1 percent of the economy, and that’s where we arrived at that \$145 billion. And the Congress agreed with that. In fact, it appears, from what we hear, that Congress wants to add to that, driving the deficit even higher than what we’ve done in a bipartisan way.

Adding to the confusion about the ultimate cost of this stimulus: Some OMB projections show the federal budget deficit for Fiscal Year 2008 growing from \$162 billion (pre-stimulus package) to \$407 billion, counting the package. That suggests the total effect to be more like \$245 billion.

Nussle suggested that the extra \$100 billion in operating losses comes from lower projected tax revenues and a \$70 billion “placeholder” calculation for expenses related to the Iraq war that don’t show up the regular budget. “So,” said Nussle, “it’s not all the growth package, but that’s the most significant part of it. . . . Some of it is from the excess spending that was done over and above the President’s budget this last year on the part of Congress, but most of it is this bipartisan growth package.”

In other words, in fiscal ‘08, we’ll be adding an extra quarter-trillion dollars to our \$9 trillion national debt. This is not where many Americans expected to be, near the end of the second term of a president who claimed to be a common-sense, fiscally-responsible conservative. How did Nussle explain all the red ink? With a familiar refrain:

. . . the attacks of September 11th; the emergency spending that went into dealing with homeland security, an entire new department that was created to protect our country and which has protected our country since that attack; a global war on terror; two wars, in Afghanistan and Iraq; the emergencies with Katrina and the tsunamis.

It's not just the critics of the Bush Administration who complain about these things; Bush's own OMB director sounds like Ron Paul, connecting international adventures and bureaucratic bloat to our growing debt. The Bushies know that their policy choices have further indebted the country; and they still believe they've chosen correctly.

Finally, one of the worst effects of creeping statism is its corruption of all fiscal discipline. In an environment of insolvency, there's little incentive to be careful. Nussle embodied this corruption. He justified the administration's spendthrift ways by contrasting them to bigger problems:

We need to do more to keep spending in check in order to balance the budget by 2012 and address the longer-term spending challenges. . . . we need to make sure that mandatory spending, which is overwhelming the rest of the budget, is also held in check. Now, mandatory spending [is] spending that's on autopilot. . . . And the current trends are, frankly, not sustainable. In the next 35 years alone, the automatic spending portion of this budget will completely swallow all of the revenue that's available, which means there will be no money available for some of the basic responsibilities of the federal government, such as national defense and homeland security. . . . we're 10 years out now from some of the challenges in Social Security, and that this unfunded \$34 trillion liability in Medicare is going to completely consume the budget.

To this end, Nussle boasted about Bush's efforts "to get Medicare growth under control." Specifically, the Bush Administration has proposed that Medicare spending only increase 5% a year — instead of the currently-budgeted 7.2% a year. Over five years, this slower growth would "save" some \$178 billion.

Which the federal government is borrowing, instead, to make people *feel* less worried about recession. — Jim Walsh

Ethnography of the Left — I have lived for 20 years in Santa Cruz, CA, one of the more reliable political time warps in America. I am a libertarian-leaning conservative, now also a leisurely retired college professor. Unavoidably (and I do nothing to avoid it), I interact daily with many liberals, progressives, radicals, and such.

To save myself from going crazy, I have adopted a pseudo-scientific stance toward those people. I am engaged in a permanent ethnographic study of the Left. (It's genuine ethnography because I am able to observe it in its own habitat.) As a pop-ethnographer, I have been puzzled by the following simple phenomenon: individuals in my age range (early boomers), with life trajectories resembling mine, whose lifestyle is undistinguishable from mine, whose values are even similar to mine, nevertheless seem to hold political positions dramatically different from mine.

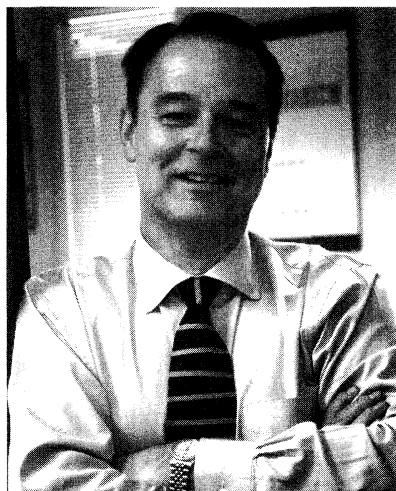
I am puzzled in part because I am slow to demonize my adversaries. (It would be difficult to do so anyway. In this small town, their lives are open books. It's obvious most of them are not evil.) Also, I avoid carefully the temptation to affix a psychiatric label to what's far from my own understanding of reality. (Nevertheless, I have developed fast and dirty tests to save me from wasting my time with the broadly insane.) So, I am speaking here about apparently rational people.

Here is what I think I have found among this particular category of political animals:

- 1) a strong and consistent preference for bad news;
- 2) a tendency to switch quickly from topic to topic;

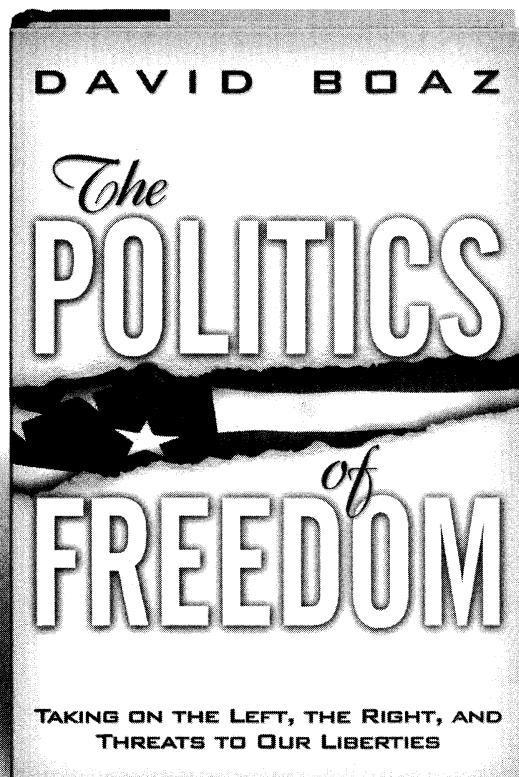
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- 3) cognitive dissonance; although their sources of information often overlap mine to a surprising extent, they often don't understand what they hear and what they read. This lack of comprehension extends to basic concepts and to numbers, both. Thus, I have caught formally well-educated leftists confusing "budget deficit" with "trade deficit" and the national debt with the aggregate debt that Americans have incurred on their credit cards. (I am not making this up!) When I point out to them that their attacks on "corporations" would, if successful, undermine my own financial safety as a retiree, they act stunned or incredulous. Similarly, they have, in general, no idea that 4% unemployment is low or that a 4% national economic growth is high. Often, they combine the two forms of incompetence: I have won many bets by guessing correctly that leftists believe that military expenditures consume 20% of GDP. They understand neither GDP nor % (I have stopped betting because they rarely pay up but, that's another story);
- 4) access to esoteric sources of information that might just as well be secret because I can rarely track them down. They forget to send me the reference they promised, or the item does not say what they say it says, or the source simply does not exist.

This is only a compound of informal observations, not a religious creed. I don't mind being corrected. Above all, I would like to find out what other readers of Liberty have to say on the same topic. — Jacques Delacroix

With friends like these — While visiting the United States in mid-January, Iraqi Defense Minister Abdul Qadir let it be known that Iraq will require a U.S. military presence for another ten to twelve years.

According to Qadir, Iraq's armed forces may be ready to provide internal security on their own by 2012. The guarding of Iraq's borders without U.S. assistance will have to wait until 2018 or 2020. That's the good news, folks.

The bad news is that Qadir's timeline has gotten lon-

ger since he last offered a prediction in 2007. Furthermore, if even this distant goal is to be achieved, Iraq, according to Qadir, will require a massive infusion of U.S. arms, including advanced warplanes. And whom do we think will be paying for these modern, very expensive weapons? Yep, it'll be the American taxpayer, otherwise known as thee and me. Despite its oil riches, Iraq's basket case economy and ruined infrastructure will more than absorb every dime it earns for many years to come.

Such are the fruits of "victory" in Iraq. But perhaps the next president will offer some hope for a change of course? Perhaps he or she will take the steps necessary to save us from such a triumph and bring us back home where we belong?

Don't count on it. John McCain looks more and more like the Republican presidential nominee. He's committed to staying the course in Iraq, no matter how long it takes. McCain's main rival, Mitt Romney, is equally hard-line.

On the Democrat side, you've got Hillary or Obama. No matter what they say, neither one is going to liquidate the Iraq commitment. If we were to pull out of Iraq next year, and anti-U.S. elements took over, the wave of recriminations would make "who lost China?" look like a garden party. The O'Reillys and Hannitys and Limbaughs, with ex-Vice President Cheney (assuming he hasn't dropped dead from his 17th heart attack in the meantime) at their backs, would maintain a drumbeat of denunciation and slander. No administration could withstand that and get reelected.

So don't bet on the November election changing much. A Democrat may get us out in five years' time. Any Republican will likely keep us there for at least ten. Of course, events may force the issue. If Pakistan falls to Islamists, or Israel drags us into a war with Iran, then things may change, and quickly. If not, be ready for more lists of the fallen, and an additional couple trillion dollars down the drain, in the name of "winning the war on terrorism."

Oh, and keep an eye out for an appearance by the goddess Nemesis, probably when you least expect her.

— Jon Harrison

Prospects of a third option — If it is Hillary versus McCain in November, the door is open for an antiwar, small-government third-party candidate. Significant constituencies in both parties may be ready to bolt.

In the Republican party, conservative loathing of McCain is both widespread and intense. Rush Limbaugh, Sean Hannity, and Glenn Beck will probably fall into line, when push comes to shove; but many others dislike and distrust McCain so much that they'll look elsewhere. And they may even overlook the antiwar views of a true small-government candidate.

While the hatred for Hillary on the Left is not quite as strong, her nomination will still give ample pickings to a more consistent anti-war candidate. (Members of the "netroots" and Daily Kos internet communities distrust Hillary's prowar votes and have made noises about seeking out left-libertarian candidates.) An Obama nomination, on the other hand, will greatly weaken the potential of a third ticket. The antiwar left may grumble about Obama's evasiveness, but it will stick with him.

Should the opportunity arise, Ron Paul can take on the burden of continuing his campaign . . . if he wants to. But he has



"You only want me to let your people go? Thank goodness!
— I was afraid you were from the *Teamsters!*"

said that he will not. Instead, perhaps, he might give his blessing to another, younger, libertarian candidate. A dream choice for libertarians in November, a person who could also appeal to the Left and conservatives, would be former governor Gary Johnson of New Mexico. Johnson is a zealous defender of the 2nd Amendment, a critic of the Iraq War, and a supporter of drug legalization.

— David Beito

As safe as money in the bank — Common in business ethics textbooks are case studies of unethical practices by for-profit corporations. Needless to say, the crimes and misdemeanors of the likes of WorldCom and Enron are analyzed in great detail. Conspicuously lacking are case studies of malfeasance by non-profits and government agencies.

This is no surprise, of course. The authors of most business ethics texts work for government or non-profit colleges, and are ideologically disposed to view government as an honest referee that keeps business from exercising its evil tendencies, safeguarding innocent humanity. Business ethics profs read Immanuel Kant but not James Buchanan — for them, public choice theory doesn't exist. However, in reality, government is hardly angelic.

Consider a recent report in *The Wall Street Journal* (Feb. 4, 2008). It details a new sort of government fraud: pocketing “unclaimed” assets. Here's how the scam works. State governments have laws requiring businesses to return unclaimed property (such as valuables in safe-deposit boxes) to the rightful owners. But a number of states, most notoriously cash-starved California, are stealing those unclaimed assets. To put this simply, they take over the unclaimed assets but make no effort to find the owners, and instead use those assets as general revenues. This is as slick a fraud as anyone could dream up — but the perps are the selfsame angelic referees supposedly devoted to protecting the public.

We're not talking chump change here. In 2006 alone, the states collected over \$5 billion in assets and returned only \$1.75 billion to the owners. The states currently hold about \$35 billion in OPM (other people's money). On the list of California's unclaimed asset holders are such impossible-to-find people as Angelina Jolie and Willie Mays. Apparently, none of the angelic referees in state government has thought to call Brad Pitt or the Baseball Hall of Fame. Also listed is Sergey Brin, co-founder of Google. They could have just Google-searched the dude.

That many states are seeing this as a great new way to snatch revenue is indicated by the fact that they are starting to demand that businesses speed up turning over unclaimed assets — including uncashed employee checks and even unredeemed gift cards — and have cut back on attempts to find the legitimate owners. California, for example, no longer notifies the owners or even publishes their names.

If banks pulled this sort of crap, the government would go after them with a vengeance, and business ethics professors would bemoan the heartlessness of corporate greed. But when government does it, nothing is said.

— Gary Jason

The Hillary/Mamie meme — By the time you read this, the shouting will most likely be over between Hillary and Obama, so this question won't be of much more than historical interest.

But, still, I can't help wondering just what this “experience” is that Hillary thinks she has that sets her apart from Obama. They are both relatively new, relatively inexperienced senators. She wasn't even a congressman from New York, or a member of the New York legislature. So, unless she is essentially making the libertarian argument that serving time in government doesn't prepare one for higher office, the best she can claim is a kind of wash with Barack on actual, paid, governmental experience.

What *is* she referring to when she touts her experience? The fact that, a decade ago, she was married to the president? If you follow that reasoning, we should have elected Mamie Eisenhower in 1968. Now, if Hillary would just make that argument, I'd hop right on board with her.

— Bill Merritt

The markets yawn — Hearing Dubya propose a “growth package” on January 18, I got the queasy feeling that he didn't know what the hell he was talking about. Okay, perhaps he was reading platitudes probably written by someone else.

I continue to get the same feeling when I hear Robert Reich, a decade ago in the Clinton administration, now mostly on NPR; but unlike Dubya, Reich writes his own stuff.

As soon as Dubya finished, the reporter on Bloomberg radio said that the financial markets had “little change.” Millions of investors around the world responded implicitly and yet definitively.

— Richard Kostelanetz

Newspaper follies — There are many ways a newspaper can slant the news: what it chooses to print, what it puts on page one, the position of alternative arguments within an article, etc. Such tilting allows a paper to promote partisan positions beyond its editorial page, or appeal to a core constituency — notions of “fair and balanced coverage” or “all the news that's fit to print” be damned. I live in San Francisco. Still, I subscribed to *The New York Times* for years, till I noted its falling standards and switched to the *San Francisco Chronicle*, aka the *San Francisco Comical*. It is not a great newspaper, but at half the cost I got to read about the murders in Oakland, which I found more interesting than similar news from the Bronx. The rest of the coverage I judged about equal.

But on Jan. 19, I picked up a copy of *The Times* from the trash pile at my local coffee house — out of curiosity and perhaps the attraction of saving a dollar. An interesting front-page article, “A New Global Oil Quandary: Costly Fuel Means Costly Calories,” caught my attention. The article decried the plight of the third-world poor facing higher prices for vegetable oils, particularly palm oil, because of rising European demand for biofuels that can be made from the same stock.

The piece had a curious comment prominently positioned on page one, which read: “And all this is happening even as global climate change may be starting to make it harder to grow food in some of the places best equipped to do so, like Australia.” I read on to find out more, but I found nothing further on the subject of global warming. In a rather long article filled with facts and declaratory statements, the comment stood by itself, an affront to basic rules of journalism: it is the only comment in the article qualified by the word “may,” reducing it to a mere speculation and an unsupported one at that; it is the only comment on page one not followed up in

the body of the article; in an article devoted to a discussion of market demand, it is the only reference to supply; it deals with food in general, not edible oils; there is no support for the idea that Australia is suitable for growing palm oil (which it is not).

In short, the comment on global warming was only a gratuitous airing of the paper's editorial opinion, strategically salted on page one. With an arsenal of ways to slant the news more subtly, I would at least have expected The Times to adhere to basic standards of journalism.

But there's worse. The Times failed to tell the full story — what caused the increase in the demand for biofuels? The answer is obvious. The demand resulted from an attempt by European governments to replace fossil fuels and reduce carbon dioxide emissions. The irony is that The Times tried to blame global warming, when the real culprit was misguided global warming activism. How did it miss that? Was The Times perhaps blinded by its ideological position?

A few weeks ago, the San Francisco Comical ran an article on a similar phenomenon, an increase in the price of corn because of the diversion of foodstock to ethanol, another bio-fuel, and the effect the increase was having on the poor of Mexico. At least the Chronicle didn't blame global warming, although it's committed to the campaign as much as The Times. But it also failed to identify the root cause of the price increase — U.S. government policies supporting ethanol production. This is unfortunate. No matter where one stands on global warming, the effectiveness of putative solutions, their costs and consequences, is important.

Unfortunately, if I want news coverage like that, I'll have to look elsewhere. The Comical just isn't up to it. Nevertheless, I stand by my decision to switch my readership. The next time I see a copy of The Times in the trash I'll just leave it where it belongs.

— Bob Marcus

They found a way — As a libertarian, I naturally lean towards limited government and minimal tax rates, but I have to give credit to New York state's taxmongers for their creativity.

Although Congress has extended for seven more years the moratorium on taxing the internet, Albany thinks it has found a way around this inconvenience. The Supreme Court has ruled that mail order houses can be required to collect sales taxes only if they have a physical presence in a certain state. Amazon and other e-retailers often provide links to other sites in return for a commission on any resultant sale. New York incredibly claims that this is the equivalent of an actual salesperson or storefront and that, therefore, these sales are taxable.

When the New York Sun exposed this tax grab late last year, Gov. Eliot Spitzer buried the plan; he had, after all, made campaign promises not to raise taxes. The state's Department of Taxation and Finance may try again, however, now that the spotlight's been off them for a while. As budget director Paul Francis said, "I don't regard it as a tax increase. It's only a tax increase to the person who is paying it." I couldn't have said it better.

— John D. Swanson

Le grand désastre de la Société Générale

— France does not usually collect gold medals when it comes to finance. Oh, sure, it has a staggering public debt. Also, the tax rate is one of the highest among developed countries —

Paris bureaucrats absorb 54% of the GNP and there are six levels of local government that pay themselves with local taxes.

But, overall, financial news from France — the world's sixth largest economy — is usually rather tepid. That's why the recent Société Générale fraud scandal came as such a surprise. With its eye-popping figures, its photogenic, noble perpetrator, and its display of embarrassed elites, it had every ingredient of a great story.

To recap: In late January, a large volume of sales in futures trades created a worldwide market slump. A few days later, one Jérôme Kerviel, a lowly trader from respected French bank Société Générale (or SocGen) walked into a police station and fessed up to a multibillion euro fraud. At \$1.47 per euro, that's real money. Soon, juicy details started to emerge: Kerviel, an unremarkable 31-year-old securities trader, somehow acquired futures contracts for amounts far above his authorized limits. He ended up with positions worth about 50 billion euro — or \$70 billion. Discovering the mess, the bank unloaded Kerviel's stash of futures within three days, creating a worldwide market slump. The bank lost 3 billion euro in this fire sale. Add another 2 billion euro in losses from other activities — conveniently announced at the same time — and Kerviel seemed the culprit of a 5 billion euro loss.

Kerviel's management was let go, but when Daniel Bouton, the bank's CEO, presented his resignation to the board, it was rejected. How nice of the board.

The parallel with another trading scandal was obvious. In February 1995, trader Nick Leeson single-handedly brought down another old and respectable institution, Barings Bank. He too cooked the books, taking unauthorized positions that resulted in massive losses. But the parallel stops there. First, Leeson's losses were a mere 827 million pounds — less than \$2 billion, and a fraction of the SocGen losses. Second, the British trader cowardly fled to Kuala Lumpur whereas Kerviel, owing to his mistake like the Gallic man he is, squarely went to the police. Finally, greedy Leeson was trying to get a fat bonus, whereas Kerviel, on salary, only sought to make money for his employer. Take that, perfidious Albion!

Analysts started to wonder. How could one entry-level employee create such havoc? Was he a financial mastermind? Or maybe a super-hacker capable of manipulating trading computers? And, wait a minute, how come France's tough and complex banking regulations didn't prevent this?

There are controls and regulations in the French banking system, all right. There are so many, actually, that nobody knows them all. The European Commission — a bunch of non-elected bureaucrats now responsible for more than 80% of the laws and regulations in the EU — emits a continuous flow of new rules, which adds to (and sometimes conflicts with) national laws. Now, add the internal procedure manuals that routinely plague banks. You cannot possibly keep up. You cannot obey the law because you cannot know the law. As a result, the only way to be safe is to Obey The Boss. Kerviel did. That's why he feels he is a scapegoat today. It remains to be seen if upper management was aware of his activities.

As for high tech wizardry, Kerviel simply used a few old tricks. He used colleagues' passwords to log transactions under their names: passwords are routinely written down on sticky notes in many brokerages, since rules force employees to change them often. He also created fictitious customer accounts to hold his illicit stash of contracts. He probably edited out any

red flag from the unprotected Excel spreadsheets that pass for auditing tools on most trading floors, explaining away inconsistencies by the notorious inaccuracies and errors that are the norm in these slapped-together pieces of work.

Auditing by spreadsheet is a recipe for disaster everywhere and banks are no exception. But the rules are changing so often

that creating a real auditing application would be impractical, since it would be obsolete before its deployment anyway.

Inevitably, voices are now clamoring for more extensive, tighter regulations. Never mind that the ones in place are inefficient, badly implemented, and mostly disregarded. Never mind that when a scandal threatens some executive, he passes

Getting tough with the wrong people

Is there any issue about which statist politicians demagogue more than immigration? Some of the most ridiculous noises this presidential primary season have been candidates talking about “getting tough” on businesses that employ illegal immigrants — while insisting that the U.S. provide government benefits to those same immigrants.

This is madness: blame businesses for hiring the illegal immigrants drawn to this country in large part by government benefits like Medicaid, food stamps, and housing aid. Do any of the front-runners in the establishment parties see the hypocrisy of such positions? Apparently not.

Hillary Clinton:

- We do have to crack down on employers who exploit and employ undocumented people. (Iowa Brown & Black Presidential Forum; Dec. 1, 2007)
- We want to work in a bipartisan way to have comprehensive reform — employer verification, more help for local communities so that they can pay for schooling and hospital and other expenses that they have to bear because of the immigration crisis. (Univision Democratic primary debate; Sept. 9, 2007)
- Voted *Yea* on allowing illegal aliens to participate in Social Security. (Preclusion of Social Security Credits; Bill S.Amdt.3985 to S.2611; vote number 2006-130; May 18, 2006)

John McCain:

- . . . we will have a temporary worker program with tamper-proof biometric documents, and any employer who employs someone in any other circumstances will be prosecuted. (Meet the Press, Jan. 27, 2008)
- I believe we need a temporary worker program. One with an electronic employment verification system and tamper-proof biometric documents, and any employer who employs someone in any other way will be prosecuted to the fullest extent of the law. This is a national security issue. (2008 Facebook/WMUR-NH Republican primary debate)
- Voted *Yea* on allowing illegal aliens to participate in Social Security. (Preclusion of Social Security Credits; Bill S.Amdt.3985 to S.2611; vote number 2006-130; May 18, 2006)

Barack Obama:

- . . . we’re going to crack down on employers who are hiring them and taking advantage of them. . . . But they can then stay here and they can have the ability to enforce a minimum wage . . . make sure that they can join a union. (Democratic radio debate on NPR; Dec. 4, 2007)
- We have to make sure that employers are held accountable, because right now employers are taking advantage of undocumented workers. (AFL-CIO Democratic forum; Aug. 8, 2007)
- Voted *Yea* on allowing illegal aliens to participate in Social Security. (Preclusion of Social Security Credits; Bill S.Amdt.3985 to S.2611; vote number 2006-130; May 18, 2006)

Judge these people by their actions, not their words. Making state benefits available to illegal immigrants is a draw. If Sens. Clinton, McCain, and Obama want to get tough with the people enabling this problem, they should start with . . . themselves.

Whatever his faults as a candidate — Republican or libertarian — Ron Paul makes the most coherent case about dealing with what Mrs. Clinton calls the immigration “crisis”:

You can’t solve this problem as long as you have a runaway welfare state and excessive spending and the wiping out of the middle class through inflation — because that’s what directs the hostility, people are hurting. When we have all these mandates on hospitals and on schools. There’s an incentive for a lot of our people not to work, because they can get welfare. Then there’s a lot of incentive because they know they’re going to get amnesty. We gave it to the illegals in the 1980s. Then, we put mandates on the states to compel them to have medical care. And you say, well, that’s compassionate. What happens if the hospital closes and then the people here in this country don’t get medical care? So you can’t divorce it from the economics. You’ve got to get rid of the incentives. No amnesty. No forced benefits. (2008 Facebook/WMUR-NH Republican primary debate)

To check the positions and statements of the anointed, I used the website www.ontheissues.org, run by a Massachusetts-based “good government” advocacy group of the same name. I suspect that *limited* government is not part of the group’s notion of *good* government. But its mission statement sounds fine to me: “to provide non-partisan information for voters in the Presidential election, so that votes can be based on issues rather than on personalities and popularity.” Amen to that.

— Jim Walsh

responsibility down the line and is allowed to keep his highly paid position by his gang of Good Old Boys. Never mind that politicians often extract kickbacks from the organization that they can control. For the statist mind-frame that prevails in Europe, the lines are drawn: profit is a swear word, banks are nests of conniving capitalists pigs, and more laws from a benevolent state are the only thing that can protect the unsuspecting public from these malevolent financiers. Mere facts need not apply.

— Fred Mora

Truly universal — The day before Super Tuesday, economist Paul Krugman dropped a bomb on the Obama campaign. Obama's health care plan, which would cover about half the uninsured, was deficient, said Krugman: Hillary's would be truly universal at only a "slightly higher cost."

Of course, Krugman never questioned the goal of universal health insurance. The vast majority of uninsured people are either well off — more than a third make more than \$50,000 per year — or young and healthy — more than a third are between 18 and 34 and don't believe health insurance is a good investment.

Obama's plan seeks to insure more low-income people who may truly need better health care. Hillary's seeks to be universal by requiring that everyone buy health insurance, whether they want it or not.

Krugman projects that Obama's plan would cost federal taxpayers \$102 billion per year, while Hillary's would cost \$124 billion. MIT professors must make a lot more money for Krugman to think \$22 billion, or nearly 22%, is just "slightly" more.

But the big lie is that Krugman leaves out the cost to all those people who will be forced to buy insurance they think they don't need. Add that and the total cost of Hillary's scheme will be roughly double the cost of Obama's plan.

It doesn't take an MIT economist to see that the big winners under Hillarycare II will not be the poor, who would be adequately protected by Obama's plan (and have fairly decent taxpayer-subsidized health care now), or the other uninsureds, who will have to spend money on insurance they don't need. Instead, the real winners will be the insurance companies.

Our current system, which Obama's plan would expand, gives people health care by taking money from other people. Hillary would compound that sin by coercing people into buying a product they don't want. Regardless of the coercive aspects, Krugman is being dishonest when he leaves out an important share of costs in order to claim that Hillary's plan is only "slightly" more expensive.

— Randal O'Toole

Cold snap, warm globe — Now that global warming ideology is ascendant, its hucksters have taken to claiming that unusual weather of any kind confirms their dire theories. It reminds me of the way local farmers back in the 1950s used to blame extreme weather on atomic testing. Of course, these farmers hadn't been to college and might be forgiven their superstitious, unscientific outlook. Today's opinion movers and shakers have less excuse.

In its Sunday Opinion Section, The New York Times noted that delegates to the recent climate talks in Bali decided they needed two years to formulate a plan for combating global warming. Concerned that "the earth's changing climate seems unlikely to wait," the editors commissioned op-eds from writers abroad "to report on the weather in their part of the world."

Of course these literati weren't expected to know anything about either the weather or global warming; their mission was to create alarmist propaganda.

The writer from China bemoaned the fact that one part of his country had a severe drought, while in another place, heavy rains caused flooding that killed hundreds of people. Very clever, this global warming. A writer from France claimed that global warming was spoiling the olive crop this year with "a warming trend with freak cold snaps." One wonders, could that be the same as a cooling trend with freak warm snaps?

A Chilean novelist declared — I don't think he figured this out himself — that "global warming is melting Antarctica, and as a result large quantities of water will inundate our coastline." (Thank goodness the water will stay down there!) He did some of his own research too: "An exporter I know told me that this season's uncharacteristic frosts ruined 40 percent of his crop." It's uncorroborated hearsay, of course, but a commendable first attempt at journalism for a writer hitherto specializing in fiction.

And worth a good laugh for readers, to see the editors of The New York Times publish, with a perfectly straight face, the finding that global warming is freezing the dickens out of Chilean avocados.

— Jim Payne

Stop thinking about tomorrow — The famous line "it's the economy, stupid" comes from a list of rallying points Jim Carville wrote on a whiteboard in Bill Clinton's presidential campaign headquarters:

1. Change vs. more of the same
2. The economy, stupid
3. Don't forget healthcare

Having improbably won the 1992 election with this formula, you'd think the Clintons would be familiar with it and able to defend against it. Obama is cleaning Sen. Clinton's clock by talking about some undefined "change"; Hillary is saying nothing markedly different from the other candidates about the economy; and her campaign must wish the electorate would "forget healthcare."

— Patrick Quealy

Obama's global appeal — I happened to be in Zanzibar during the Iowa caucuses. This was six days into the troubles in Kenya — and Tanzania in general, and Zanzibar in particular. We here in another part of Africa are feeling the flack flying across the border.

Zanzibar, tourist island that it is, had been cut off from whatever international banking system it is that allows people to pay by credit card. All those transactions were supposed to be handled through banks in Nairobi — and Nairobi banks weren't doing any business at the time. Which meant a lot of good people in Zanzibar were looking at going hungry for an indefinite span. And, naturally, they were worried about . . . the Iowa primary.

The first I heard that Obama had won was from the desk clerk at a hotel where I wasn't even staying. I'd just stopped by to inquire about a restaurant and, the moment he found out I was an American (which was approximately the moment I opened my mouth), he asked about Obama. It is hard to exaggerate how excited he was. He had the entire rundown of the primary — Obama's numbers, Hillary's, Edwards' — in more detail than any American I have talked to since.

A couple of days later a baggage handler at the Dar es

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Salaam airport approached me, and it was the same thing — he practically glowed at the idea that Obama might be our next president. In fact, because the ins-and-outs of the Democrat primary system had never crossed his mind, he thought Obama *was* our next president.

I don't know if this means anything in a larger sense. It certainly doesn't mean I'm going to vote for Obama. Frankly, at this distance, I don't even know what Obama stands for — if anything. Democrat politics aren't something I'm inclined to follow when I get out of earshot. But if the folks I met are any representation of what other people think about our country, it sure means something — perhaps nothing more than that a large part of the world shares my opinion of Hillary. But what I think it means is that an Obama presidency would give us a fresh start in the minds of a lot of foreigners.

Maybe even better than fresh. And that's something worth thinking about. — Bill Merritt

Political amusement — All the official candidates for their parties' nominations disappoint me (even Ron Paul, with his simplistic and irresponsible ideas about how the United States might shed its overcommitments abroad). For this reason I am glad to see front-runners humiliated, like Clinton and McCain in Iowa and possibly again in New Hampshire.

One hope, however unrealistic, is that an acceptable dark horse might emerge after all. Something more realistic to salvage from the process is amusement (which would gratify H.L. Mencken). Furthermore, almost everyone has some opinion about politics, making it a conversation-starter rivaling weather and sports. — Leland Yeager

Changing how college works — A small segment of the policy world — the higher education segment — is obsessed by the idea that a few elite universities have amassed multi-billion-dollar endowments and are failing to use them the way they ought to. Sen. Charles Grassley, a Republican from Iowa, has made political hay by threatening to punish these universities. He wants to make them pay out 5% of their endowment every year. (Unlike nonprofit foundations, colleges and universities have no such obligation now.)

This pressure led Harvard, and then Yale, to announce that they will spend more on financial aid. This aid is meant to bol-

ster the middle-class families who don't normally qualify for much financial support. For example, Harvard won't make any family who earns under \$180,000 to spend more than 10% of its income on college payments to Harvard.

This innovation didn't win any friends, however. Lynne Munson, a former official of the National Endowment for the Humanities, noted that Harvard's new financing plan would cause it to spend an additional \$22 million per year out of an endowment that is currently over \$34 billion, and rising.

I don't necessarily endorse the colleges' position as they complain that the public just doesn't understand how hard it is to spend 5% of an endowment (so many funds are restricted, and you always have to save for a rainy day, etc.). And it may be that universities should fall under the same rules as nonprofit foundations — and perhaps neither should be tax-exempt.

But that isn't the motivation for this latest round of political grandstanding and populist punditry.

Universities are big, fat targets and they have caught the attention of people who see the world in terms of class divisions. The New York Times says the rise of the giant endowments is evidence that America's already stratified system of higher education is becoming ever more so.

Oh, come on. There is stratification, but so what? My guess is that what is really fueling this antagonism is not the wealth of the universities, but their selectivity.

For various reasons, a few schools are so much in demand that the chance of a merely bright and studious youngster getting into them has plummeted. The fact that the nation's most famous schools are closed off to most children, even those of the cultural elite, is a more likely cause of the current hostility than the billions of dollars that loyal alumni have donated and talented financiers have managed. Attacking wealth and championing the little guy (in this case, the schools that have endowments of mere millions) is always popular, and this campaign gives some cover to what may simply be envy.

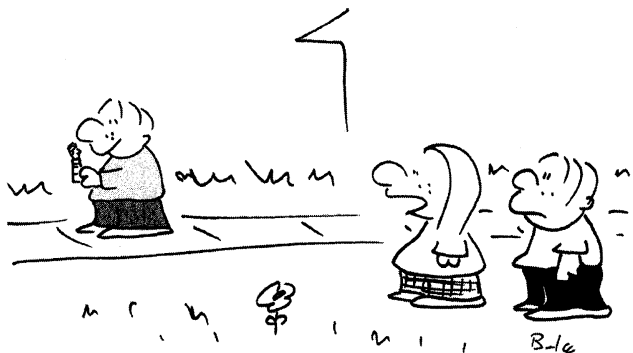
— Jane S. Shaw

Sunday morning spin — If former Clinton spinmeister George Stephanopoulos can be ABC's chief interviewer and political correspondent and former Mario Cuomo-Pat Moynihan aide Tim Russert can hold the same position at NBC, could Karl Rove succeed the retiring Bob Schieffer as host of CBS's "Face the Nation"? He's as smart as Russert and Stephanopoulos. And I have no doubt he could shape tough questions and zero in on politicians' weak spots. But somehow it's just impossible to imagine one of the establishment networks hiring a *Republican* spinner for such a job.

— David Boaz

A stealth liability — On a number of occasions I have commented on the looming financial crisis concerning entitlement programs and their unfunded liabilities. Be it Social Security, Medicare, Medicaid, the Pension Benefit Guaranty Corporation, or the numerous state and municipal employee pension or health insurance systems, they are all in various degrees of trouble. All show the same depressing face.

First, these programs have large unfunded liabilities that are only now coming to light, because while government requires business managers to vouch for the accuracy of their financial statements, government doesn't require the same financial disclosure of itself.



"He's a strange kid — he has a William F. Buckley Pez dispenser."

continued on page 24

Word Watch

by Stephen Cox

If you are sentimental about human nature, don't read this column. It will just make you angry, because it's about the way that worthless people reveal their worthlessness in words.

On Christmas day, 2007, a tiger named Tatiana escaped from her enclosure in the San Francisco Zoo. What happened just before and just after her escape remains a subject of debate. Although the wall that Tatiana had to scale was *only* about 12 feet high, there is no record of any tiger leaping out of an enclosure like that before. It seems likely that, as zoo personnel have suggested, Tatiana was being taunted by a person or persons who provided some means — perhaps a pair of legs dangling over the wall — for her to get a toehold and escape.

After scrambling out of her “grotto,” Tatiana mauled three young men, Carlos Sousa, 17, and his two friends, Amritpal (Paul) and Kulbir Dhaliwal, 19 and 23, brothers. Sousa died. The Dhaliwals survived. Tatiana was shot to death while standing over the soon-to-be-made-a-corpse of one of them.

By that time, the tiger had been loose for about half an hour, while the brothers tried to summon help on their cell phone. In case you're wondering how the people on the other end will regard you if you ever make a 911 call, consider the tone of this conversation (source: San Jose Mercury News):

“A very agitated male is claiming he was bitten by an animal.” *Prove it, you bastard.* “They do not see any animal missing. Male is bleeding from the head.” *That's not enough proof.* “Zoo dispatch now say there are 2 males who the zoo thinks they are 800 [code for ‘crazy’] and making something up but one is in fact bleeding from the back of the head.” “*Who the zoo thinks they are 800: we're from Mars; that's how we talk.*”

Seven minutes later comes the reassuring report that although zoo officials aren't letting police inside, they themselves are “dealing with it.” *Deal with it, dude. OK?*

Some of the rest of the conversation is even more predictable, given its source. Have you ever called any public official about an urgent problem? You have? I'm sorry. And what was that person's primary concern? Right: he or she wanted to make sure that *you calmed down*. And so, on Christmas day at the zoo, the 911 dialogue went like this (source: San Francisco Chronicle):

“OK, calm down, all right,” the dispatcher replied.

“It's a matter of life and death,” Dhaliwal said.

“If the paramedics get hurt they cannot help your brother, so you need to calm down and . . .”

“Send more paramedics then!” Dhaliwal said. *Not a bad idea.*

The dispatcher replied, “You are going to be the best help for your brother right now, so you need to calm down and help him until we can get there, sir, all right?”

The next time you're calling an ambulance, or reporting a burglary, or being chased by a tiger, this is precisely the irritated and patronizing tone that you can expect to hear: *Sir, all right?*

Finally, after the cops arrived and the Dhaliwals were rescued, a

refreshingly human emotion was expressed. “Have cat, shot cat,” a policeman remarked. It was almost as good as Perry's account of the Battle of Lake Erie: “We have met the enemy, and they are ours.”

But this no-nonsense style did not persist. A fire department flak provided a fashionably verbose (not to mention partially inaccurate) summary: “The tiger went into a cafe at the zoo and attacked a patron. That person ended up dying at the scene . . . [Police] shot the tiger, and the tiger is deceased.” Note that human “patrons” *end up dead*, while animals are reported as *deceased*. One pictures, in the former instance, the gerbil that your kids forgot to feed; one imagines, in the latter instance, a flower-decked casket at the Hubbard Memorial Funeral Home and Mortuary, with Tatiana lying in state, her paws crossed reverently across her chest. The tiger didn't end up dying; she passed on to a better life.

Things also seemed to have worked out well for the zoo. The director, a moron named Manuel Mollinedo, proclaimed himself “extremely satisfied that our zoo staff acted appropriately. . . . I'm very proud of the way that our zoo staff operated that evening.” Perhaps Mr. Mollinedo didn't remember the fact that “our staff” had started by overestimating the height of Tatiana's enclosure, believing, or at least saying, that it was several feet higher than it was; and that this staff responded to the tiger's escape by keeping rescue workers off the premises, while making its own chaotic attempts to figure out how many tigers were roaming free. Then there was the zoo cafe worker who apparently refused to let the Dhaliwals into the restaurant when they sought refuge from the tiger. But oh well. Who cares? All was “appropriate.”

According to Mollinedo, “Some of our staff did heroic things, and I hope that eventually they can be recognized for the way they handled some very difficult situations where they actually put their lives on the line.” Hey, that's great; tell us more. But according to the Associated Press, Mollinedo “did not detail their actions, citing a continuing police investigation.” In other words, to paraphrase King Lear:

We have done such things, —

What they are, yet I know not: but they have been

The wonders of the earth.

I don't need to tell you that Tatiana was memorialized by animal lovers and animal rights agitators with the predictable candles, bonfires, and other votive trash that the English-speaking peoples now use to express a grief that lies too deep for tears.

And the tiger victim, Carlos Sousa? He was eulogized on a memorial website (what else?) with his own MySpace rap (what else?): “Hey What's Up!? My Name is Carlos, Im portugeese and brazilian. I'm 16, I love my life, but its gonna get better. I want to be DJ someday. I Hang with the family, and my true homies play basketball and go out to the movies and party harder then a rock star, only sumdayz wen i have my days off of work. I'm just a laid back guy looking for some cool new friends! So if anyone wants to talk, just say wat i doo doo!!”

Obviously, this was an outstanding young person. Granted, both Carlos and his true homies had been smoking weed and drinking vodka before they went to pay their call on Tatiana at the SF Zoo. Nevertheless, his father stepped up to the plate and pitched clichés like a professional: “My son Carlos was a very good boy.”

Not so, perhaps, his friends the Dhaliwals. There had been certain legal problems with them (as with Carlos), including a 140-m.p.h. police chase involving one of the brothers, an episode for which he got (you guessed it) a life-changing term in . . . probation. Then there was the little matter of the Dhaliwals’ refusal to reveal what happened at the zoo, or even to communicate for some time with their dead buddy’s parents. But Carlos’ mom forgave them; and when she did, she had a fund of orthodox words to bestow in absolution. According to the San Jose Mercury, she intoned, “Other people can say my kid’s a bad kid, too . . . Kids are kids.” A is A.

She went farther. According to the San Francisco Chronicle, she “said in an interview that Paul Dhaliwal had told her, ‘We didn’t do nothing. We were just normal kids in the zoo.’ She added, ‘That’s what happened — just dancing, talking, laughing like normal kids.’” Yes, in America, what you do when you’re a normal 19- or 23-year-old “kid” is to get wasted and hang out at the zoo on Christmas day, “dancing.”

Besides dancing, the Dhaliwals spent the holiday season hiring a high-priced lawyer, Mark Geragos, and made ready to sue the zoo. But then — what do you know?! — it emerged that one of the Dhaliwals had actually deigned to talk with Carlos’ dad, and had admitted that the three buddies had been, well, sorta gittin’ in dah tigh’s face — “standing on the railing,” “yelling,” and “waving their hands.”

This yelling and waving and talking and dancing probably happens rather frequently, wherever “normal kids” get their chance to play Dr. Doolittle with the zoo animals, but no tigers have ever gotten sufficiently riled up about it to make a successful lunge at the idiots who annoy them. So the San Francisco police suggested that (to put it somewhat more bluntly than they were willing to do) the trio got what they deserved. The Chronicle quoted a police report as

saying that “as a result of this investigation, [police believe] that the tiger may have been taunted/agitated by its eventual victims . . . This behavior may be consistent with a tiger that has been agitated and/or taunted.”

I suppose it was the police department’s barely repressed emotional *agitation* that resulted in the understated language of its report: “may have been,” “may be consistent,” “taunted/agitated.” In any event, the tiger wasn’t the only thing that escaped from the zoo on Christmas day. A lot of weasel words also got out of their enclosures. What the hell does “taunted/agitated” mean? Did the errant youths merely taunt the tiger, or did they manage to “agitate” her as well? And what kind of word is “agitated”? It’s the kind of word you use when you want to diminish something: “A very agitated male is claiming he was bitten by an animal.” Oh, he was just *agitated*.

Of course, the cops didn’t want to diminish the righteousness of Tatiana’s indignation; they want to get the goods on the Dhaliwals. But contrary to what many cultural theorists believe, even *established authority* often surrenders to the language of its time — pure, dumb, stupid language. *Agitated* isn’t the right word for the cops’ purpose. Try *tormented*, and drop the stupid slash (/) mark.

Then there’s that word “consistent,” which appears every 30 seconds in any TV story about cops and courts and lawyers: “The findings of the autopsy were consistent with death by blow-gun . . .” But what does *consistency* amount to? A lot of things are consistent with a lot of things. The existence of this column is consistent with my owning a Dell computer, but that doesn’t mean that Dell was the weapon I actually used. Consistency is not a cause-effect relationship, although it often plays one on TV.

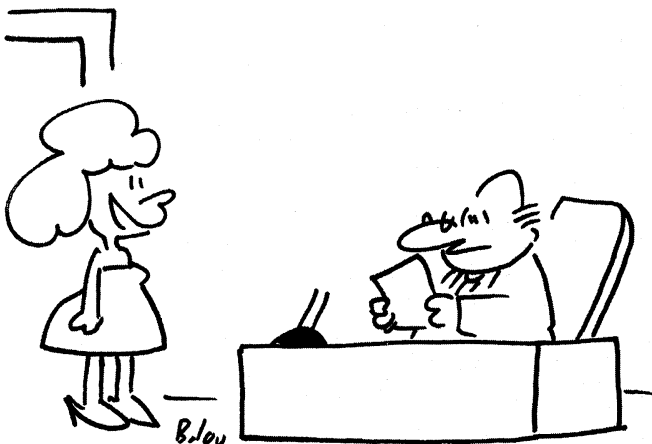
Looking at this tiger thing as a whole: did you ever see a sequence of events, outside of an election campaign, that reflected worse on the American language, as currently employed?

I’m sorry, very sorry, to say this, but Mark Geragos, one of the nation’s (circus) star attorneys, emerged with more verbal honor than most of the other dramatis personae. That may not be saying much. He made his usual share of ridiculous statements. He claimed there was no evidence his clients had taunted the tiger. He claimed that Tatiana’s enclosure “couldn’t hold a house cat.” Right. Just try urging your house cat over a 12-foot wall. And naturally he charged that his clients were the victims of a “smear campaign.”

But the great thing is that after the weasely “taunted/agitated” report came out, Geragos said relatively little about the case. No dancin’, no laughin’, no tauntin’ the tiger. No wat it doo doo. Mainly silence, the absence of speech, the silence of an animal when it’s biding its time. He knew that the zoo would issue some face-saving statement and await negotiations on the legal settlement that will make the Dhaliwals rich.

Finally, the statement came. “The zoo firmly believes that something highly unusual happened that provoked Tatiana out of her enclosure. This has been a tragedy for everyone involved but we continue our investigation to determine what happened on that day.”

Sure. I hope you do. And I hope, somehow, you manage to nail the Dhaliwals. But in the meantime, you might try to define what was “tragic” about “that day,” for anyone except the tiger. Tatiana, at least, fell in the line of duty. As for the others . . . This wasn’t “Oedipus,” and Carlos Sousa wasn’t the King of Thebes. Neither was Manuel Mollinedo, if the zoo’s leading bureaucrat is what’s implied by “everyone.” A major sign of decay in American civilization is ignorance of the fact that “tragedy” isn’t the only word for *something bad that happened*. Another word is “farce.”



“Sorry about some of the punctuation — I haven’t learned the top row of the keyboard yet.”

PFY vs. RP: Is There a Racist in the House?

by Bruce Ramsey

Ron Paul's presidential campaign was hit by scandal.
What happened? How bad was it?

On January 8, the day before the New Hampshire primary, the New Republic published "Angry White Man: The Bigoted Past of Ron Paul." In the national news, it was a one-day story. Among left-liberals, it was a confirmation story: right-wingers are racists. Ho hum. Maybe it affected Paul's 8% showing in New Hampshire, but probably not, because the polls had put him about that high.

Among libertarians it was a potboiler.

What were the facts? Over the years, Paul had sponsored several newsletters, such as the Ron Paul Political Report. Particularly in the early '90s, between Paul's stints in Congress, some of these newsletters engaged in a flippant racial disparagement. Here is the worst, as summarized by the New Republic:

On Blacks:

An October 1990 edition of the Political Report ridicules black activists, led by Al Sharpton, for demonstrating at the Statue of Liberty in favor of renaming New York City after Martin Luther King. The newsletter suggests that "Welfaria," "Zooville," "Rapetown," "Dirtburg," and "Lazyopolis" would be better alternatives — and says, "Next time, hold that demonstration at a food stamp bureau or a crack house."

A December 1990 newsletter describes Martin Luther King Jr. as "a world-class adulterer" who "seduced underage girls and boys" and "replaced the evil of forced segregation with the evil of forced integration."

The January 1991 edition of the Political Report refers to King as a "world-class philanderer who beat up his paramours" and a "flagrant plagiarist with a phony doctorate."

A February 1991 newsletter attacks "The X-Rated Martin Luther King."

On Gays:

The June 1990 issue of the Political Report says: "I miss the closet. Homosexuals, not to speak of the rest of society, were far better off when social pressure forced them to hide their activities."

A January 1994 edition of the Survival Report states that "gays in San Francisco do not obey the dictates of good sense," adding: "[T]hese men don't really see a reason to live past their fifties. They are not married, they have no children, and their lives are centered on new sexual partners." Also, "they enjoy the attention and pity that comes with being sick."

The New Republic's piece also made an issue of Paul's criticism of Israel, implying that non-support of Israel is anti-Semitic as such, which it is not. The author, Jamie Kirchick, had heaped all the accusations together. He ended by suggesting that Ron Paul was "a man filled with hate."

Kirchick was having a good time. When the article appeared it got him invited on the Tucker Carlson show.

"Hate" is a word that gets used a lot in certain quarters, and I try to be parsimonious with it. Some of the newsletters were nasty. In some of the cases the positions were all right.

"Hate" is a word that gets used a lot in certain quarters, and I try to be parsimonious with it.

It was defensible to laugh at the idea of renaming New York for Martin Luther King — and yet the *way* it was done was not defensible.

Why bring up newsletters from 1991? To label Ron Paul in 2008. That was the only reason. And yet the Ron Paul that we have seen during the campaign was nothing like the voice in those letters. Paul had not waged a racist campaign. He had been elected to Congress ten times, and he had apparently never waged a racist campaign. People stepped forward who had known the man a long time and said so. Bruce Bartlett, former assistant treasury secretary under George W. Bush — a man who had left Bush and written a book attacking him — was not attacking Paul. The interviewer on the neoconservative webpage Frontpagemag.com invited him to do that, and Bartlett declined. He said:

"I worked on Ron Paul's congressional staff back in the 1970s. I don't believe for a moment that he has a racist or homophobic bone in his body. But he can be a bit naive and overly trusting of people that he views as allies on the issues he really cares about, such as the debasement of the currency."

There were other such testimonials, one of them from an officer of the NAACP in Texas. There was even a statement from Kirchick himself, writing in a personal email to Berin M. Szoka of Gays & Lesbians for Ron Paul. Szoka wrote that he had met Kirchick at a Reason magazine party in Washington, D.C. Szoka posted Kirchick's letter. It included this statement:

"Anyways, I don't think Ron Paul is a homophobe; I'm just cynical and enjoy getting supporters of political candidates riled up. If you were a Giuliani guy I'd have called him a fascist."

Isn't that nice?

Here was the perfect time for anyone to stand up and say what racist or antigay thing Paul had personally said or done over the last 20, 30, or 40 years. And there was nothing.

Nothing. That is significant.

Reporters asked Paul about the newsletters. He said he had not written them and they did not reflect his beliefs. He

said he didn't know who had written them, which, of course, sounded lame. Some bloggers who knew Paul accepted that he had not written them, though Eric Dondero, a former staffer who broke with Paul over the Iraq war, recalled him scribbling newsletter copy on tablets. Dondero and others said the pieces not written by Paul mainly had been written by his hired editor, Lew Rockwell, a former member of his congressional staff. Rockwell now heads the Ludwig von Mises Institute in Auburn, Alabama, and runs the libertarian website LewRockwell.com.

Kirchick called Rockwell, who denied writing the newsletter copy. Rockwell said he had mainly handled the promotional copy. There followed another babblefest about Rockwell and the Mises Institute, with many bloggers vehemently charging the Mises folks with racism. One of the most fulminant was an anonymous web page called RightWatch, which argued that Rockwell was a racist because he had published articles by people associated with the League of the South. But Rockwell had published a lot of people, including leftists. He publishes twelve people every day, including blacks, Asians, and Jews. He has published me. But this RightWatch fellow was all wound up, and said the Mises Institute was a "viper's nest."

The most notable internet fulminator was John Robbins, Paul's chief of staff from 1981 to 1985, who posted an open letter on the internet, addressed to Rockwell:

"The puerile, racist, and completely un-Pauline comments that all informed people say you have caused to appear in Ron's newsletters over the course of several years have become an issue in his campaign. . . . You have allowed Ron to twist slowly in the wind. Because of your silence, Ron has been forced to issue repeated statements of denial, to answer repeated questions in multiple interviews, and to be embarrassed on national television. Your callous disregard for both Ron and his millions of supporters is unconscionable. If you were Dr. Paul's friend, or a friend of freedom, as you pretend to be, by now you would have stepped forward, assumed responsibility for those asinine and harmful comments, resigned from any connection to Ron or his campaign, and relieved Ron of the burden of having to repeatedly deny the

Kirchick wrote in a letter, "I don't think Ron Paul is a homophobe; I'm just cynical and enjoy getting supporters of political candidates riled up."

charges of racism. But you have not done so, and so the scandal continues to detract from Ron's message. You know as well as I do that Ron does not have a racist bone in his body, yet those racist remarks went out under his name, not yours. Pretty clever. But now it's time to man up, Lew. Admit your

role, and exonerate Ron. You should have done it years ago.”

This is posturing. It reminds me of a dog barking publicly on behalf of his old master. And note that Robbins has relied on what “all informed people say” — and, in fact, the people who seem to be informed say these no-byline newsletters had more than one writer. Tim Virkkala, who was an editor at Liberty then, and privy to R.W. Bradford’s libertarian gossip, says Murray Rothbard was also known to be a writer for Paul’s letters. Rothbard was a polemicist of the first order. He loved a political brawl. He was also the originator of the “paleo” strategy of appealing to the populist Right — and all this was during his “paleo” period. Rothbard could very well be responsible for the roughest language in the Paul letters. But there is no profit in piling on Rothbard, because he is dead.

This is dogs fighting over old bones.

And it is not true that if the ghostwriter, or writers, stepped forward, it would take the spotlight off Ron Paul. It would put the media spotlight *on* Paul one more time. Nor would a confession and a groveling “exonerate Ron.” The commonsense assumption is that when a man hires a ghostwriter, and markets the ghostwriter’s words as *his* words, they become his words.

Paul is responsible for the newsletters.

What I gather from Virkkala and others is that Paul hired some people to produce red-meat newsletters to build up a right-wing donor list. Politicians rile up donors all the time; it is part of the technique of cultivation. Liberals say, or imply, that their opponents are misogynists, racists, Christian cultists, Constitution-destroyers, and corporate tools. Donor-targeted prose is always exaggerated and often some of the least defensible there is.

Still, Paul’s violated a taboo. But the sin is, for the most part, 17 to 18 years old. Is it still mortal? Is there no statute of limitations? No half-life to its radioactivity? Some libertarians think so. They walk away from Paul. Whom, then, will they support? John McCain? Rudy Giuliani? Hillary Clinton?

Gay conservative blogger Andrew Sullivan, who had supported the war but changed his mind about it, switched his support from Ron Paul to Barack Obama. Were Paul’s fans going to do that?

The Libertarian Party, anyone?

If you read the blogs of the most offended, there is a pattern. The people slamming Paul for racism differed with him over other things as well.

“I wasn’t a fan of Ron Paul to begin with,” wrote Cato’s director of research, Brink Lindsey, on January 11. “I hadn’t known about his old newsletters and their cesspool of racism and homophobia. But I didn’t need to know about them to know that I wanted nothing to do with Ron Paul’s brand of libertarianism. . . . Just look at his xenophobia, his sovereignty-obsessed nationalism, his fondness for conspiracy theories, his religious fundamentalism — here is someone with a crudely authoritarian worldview.”

Paul does seem to believe that the “security and prosperity partnership” proclaimed by the leaders of the United States, Canada, and Mexico is more than pabulum, and really a plan for a “North American Union.” That is a kind of conspiracy theory. Score one for Lindsey here. Paul is against NAFTA and the WTO, and for that I would score another one for Cato’s for-

mer point man on trade. But I bridle at “authoritarian worldview.” Is it authoritarian to advocate pulling U.S. troops out of the Middle East? I recall that Brink Lindsey was the one who favored George W. Bush’s war over there.

Several others, including the anonymous blogger of RightWatch, wrote as if Paul’s position on immigration were *prima facie* evidence of racism. Immigration restriction may be

Rothbard could very well be responsible for the roughest language in the Paul letters. But there is no profit in piling on Rothbard, because he is dead.

unlibertarian in theory, but it is a position that many libertarians (and immigrants) nonetheless hold for practical reasons. It is revealing that people who are for open borders assume that those who are not are motivated by evil thoughts along the lines of race and ethnicity. It is a nasty assumption, even if it’s stated in a polite way.

In the internet imbroglio over Kirchick’s article, Lew Rockwell was attacked directly. Kirchick’s piece had named LewRockwell.com as being against Abraham Lincoln. And so, it says, “Paul’s alliance with neo-Confederates helps explain the views his newsletters have long espoused on race.”

Note the non-neutrality of the wording, “have long espoused.” It begs the question. It asserts what the article is trying to prove — that Paul is a racist *now*, by saying it is something he has “long espoused.” Judging from the excerpts posted by the New Republic, the racial stuff from newsletters — not directly from him — came in the early 1990s, more than 15 years ago.

The statement also suggests that Paul is “allied” with neo-Confederates *because of their racial beliefs*. But none of the pieces I have seen on LewRockwell.com apologizes for the Confederates’ racial beliefs in any way, or for slavery or Jim Crow. Really “neo-Confederate” is not an accurate label for Rockwell’s position. He is thoroughly antistate and supports the right of secession — against any government, any time. Rockwell is anti-Lincoln because Lincoln was a nationalist, a centralizer of federal power and also, I think, because Lincoln is in a political temple no one else attacks. Attacking him becomes a point of distinction. Rockwell will allow it and the Cato people won’t. Kirchick might have explained all that, but he didn’t.

He had gone on to say:

“The people surrounding the von Mises Institute — including Paul — may describe themselves as libertarians, but they are nothing like the urbane libertarians who staff the Cato Institute or the libertines at Reason magazine.”

The urbane libertarians versus the non-urbane libertarians. Another poke in the eye.

To this, Lincoln debunker Thomas DiLorenzo fired back on the LewRockwell blog with some non-racist bigotry about Kirchick's skin:

"Imagine my surprise to learn from an emailer this morning that the pimply-faced youth James Kirchick, who graduated from college barely a year ago, had his education funded

Paul's sin is, for the most part, 17 to 18 years old. Is it still mortal? Is there no statute of limitations? No half-life to its radioactivity?

by the neocon Olin Foundation. He apparently majored in warmongering and imperialism, referred to at Yale as 'International Security Studies.' I was equally surprised to see on the web that the PFY [pimply-faced youth] has also written articles for Frontpagemag.com defending the Iraq war."

Karen DeCoster, a Rockwell author, came out on her blog on behalf of Lew. She saw the pile-on as the work of the "Kochtopus," a term used in Rothbard's old newsletter to mean the organizations funded by Charles and David Koch, such as Cato. DeCoster wrote:

"The Kochtopus has been out to kill Rothbardian libertarianism . . . for a very long time, and this, they think, is their great chance. I have read the excerpts from the Ron Paul newsletters, and I can tell you this: those excerpts making light of immigrants/blacks/etc. are way too snappy and attempt to be way too humorous to have been written by Lew Rockwell. Lew is not a guy who tries to humor people. That is not his comparative advantage. Lew's only sense of humor is letting other people make him laugh. I do not say this to be demeaning — it is just his nature. He will never be the snappy, impetuous,

humorous, quipster of the party. His personality is exactly the opposite. The seriousness of his personality is very obvious in his many writings. He is a warm and kind man who, with all of his success, could be a condescending jerk. Instead he is a very fair, hospitable, mellow, and serious man."

The opinions go on for miles. Perhaps DeCoster, who is an accountant, was right when she said there are too many libertarians without real careers who have nothing better to do than to get online and attack people. Maybe it was all World of Warcraft to them. I got the same message from former Reason editor Virginia Postrel, who is no fan of Paul's. She wrote: "Life is short, I don't make my living as a professional libertarian any more, and I don't feel responsible for commenting on every libertarian-related development that comes along."

The pattern was clear enough, anyway. The people who disagreed with Paul about the war, or about immigration and trade, or abortion, or about his belief in God, tended to see mortally sinful racism and homophobia in the yellowed newsletter excerpts, and the people who agreed with Paul had a strong urge to forgive. It may not be rationally defensible, but it is the way we are.

I am disappointed in Paul on this newsletter thing, but I will vote for him in my state's primary election, and with more enthusiasm than for any presidential candidate I can remember. Not because I think he has a chance of becoming president, or because I agree with him on everything. But I agree with him on some big things: the Constitution, federalism, government spending, and the war. I think it is important for the country, and the Republican Party, to hear his views, and to witness the fervor those views elicit in ordinary Americans.

About the hit piece by TNR's PFY, I take the view of Allan Walstad, professor of physics at the University of Pittsburgh. Writing as "Doc W" at Volokh.com, he posted his views on the good doctor from Texas:

"All I see is a 72-year-old guy working his butt off for limited government, individual liberty at home, foreign non-interventionism, fiscal responsibility — and getting sniped at because he's more closely associated with one childish warring faction of the libertarian movement than the other." □

Reflections, from page 18

Second, massive numbers of baby boomers are due to retire over the next decade, which will bring the unfunded liability crisis out into plain view.

Pamela Villareal and D. Sean Shurtleff of the National Center for Policy Analysis have recently revealed another wrinkle to the entitlement mess. It turns out that the Social Security system may actually be in worse trouble than thought, because the number of workers on disability is growing rapidly and disproportionately. The disability component of the Social Security program is growing at double the rate of the retirement component.

In fact, over the last 15 years, the number of disabled beneficiaries of the program has grown from 3.9 million in 1985 to 8.4 million in 2006. During that same time, disability expenditures went up 500%, while standard elderly retirement expenditures went up less than 30%.

Given the fact that Americans are healthier and are living

longer than ever before, and given the fact that fewer are working in hazardous conditions than ever before, one suspects that at least part of the increase is due to some perverse incentive. Now, it appears that over 70% of Americans take their Social Security payments early (at age 62, as opposed to, say, 66). When a worker opts for early Social Security, his or her monthly check is lower than it would be at the later age. But if the same 62-year-old worker claims disability, he or she gets a 30% higher check.

That is a perverse incentive, indeed. — Gary Jason

Clean bill of health — Recently I heard that President Bush underwent a physical examination, including a colonoscopy. My concern for the presidential health was allayed when nothing was found. Then I realized that I need never have been worried. The president's health had actually never been at risk. This was merely the top secret conclusion of an exhaustive search pattern. After all, they had already looked everywhere else for those WMD's. — Anthony Teague

The Films of Ayn Rand

by Stephen Cox

*This essay, exploring
the film career of a writer
who exerted a large
influence on libertarian
thought, appeared in the
first issue of Liberty.*

— *Patrick Quealy*

Film is a popular art and a cooperative one. It appeals to a mass audience, and its creation requires the collaboration of many artists. The novelist, even the novelist afflicted with editors, has an easier time maintaining control over his work than does the writer of films, whose scripts must be brought to life by producers, directors, cinematographers, and actors. It is partly because film is a collaborative art that it is so often the art of situations rather than of ideas or characters. A basic situation — boy meets girl, bank robber meets bank, Godzilla meets Tokyo — may survive the process of filmmaking, and may even be intensified by that process, while subtle character analysis and complex ideas perish. Basic dramatic situations have more obvious appeal to a mass audience than do carefully developed philosophical theses. This helps to account for the fact that film is so often sentimental, in the sense that it presents situations that exploit and confirm common emotional responses rather than suggesting ideas that might challenge them.

As a novelist, Ayn Rand was a devoted antisentimentalist, continually challenging commonplace reactions. She did so by writing fiction that attempts to explain why those reactions are philosophically inappropriate. Fiction of her kind requires scope: the arguments of “The Fountainhead” could never be encapsulated in a two-hour, or a twenty-hour, movie. And, of course, Rand was an individualist artist who aspired to total control of her work. When Bennett Cerf, the head of Random House, wanted her

to cut "Atlas Shrugged," she asked him, "Would you cut the Bible?"¹ Rand seems a very unpromising candidate for filmmaker — yet she wrote three films.²

Most readers of Rand are familiar with only one of these films, "The Fountainhead." But to get a sense of her struggles with the Hollywood movie, one must consider all three.

"You Came Along"

Paramount, 1945

Producer: Hal B. Wallis

Director: John Farrow

Cast: Robert Cummings, Lizabeth Scott, Don

DeFore, Charles Drake, Kim Hunter

"You Came Along" is the weakest of her films, and probably the most collaborative; Rand's screenplay was a revision of an original story by Robert Smith. The script is dominated by a basic, sentimental situation: a heroic World War II pilot is dying of some rare disease, he meets a heroic woman who marries him despite her knowledge of his impending doom, he succumbs bravely, she reacts bravely. In order to throw the grim events of the plot into sharpest emotional relief, or perhaps in order to keep the audience awake, the leading characters are forced to be comedians as well as heroes. The pilot and two happy-go-lucky buddies are travelling around the country selling war bonds, and his destined mate is assigned to travel with them as a representative of the Treasury Department. This in itself evokes humor: what a surprise that the Treasury agent is a woman! But travel provides further opportunities for comedy. The pilot arrives late at night in the wrong hotel room; he takes off his pants before discovering that his Treasury Department guide, not yet his wife, is occupying the bed; confusion reigns, etc.

Rand's humor, when evident at all — and it is frequently evident in the satirical parts of her novels — was not of this kind. It's easy to attribute the "comedy" in "You Came Along" to Robert Smith, who during his career got credits for 17 not

fellow) that comes on the screen after the movie's titles. It was Rand, however, who apparently decided to include rather than exclude these elements.

Whatever trouble she may have had with them, she clearly had no trouble with the ideology of heroic love that is implicit in the plot. That ideology becomes an ideology of heroic joy;

The courtroom scene was impressive, but perhaps not impressive enough; Gary Cooper and Rand agreed that "he didn't quite get it."

the heroine resembles the positive characters in Rand's novels when she declares that she will never grieve for her husband or feel sorry that she married him. All this conforms to Rand's idea that individuals are ultimately responsible for their emotions and that life need not be painful even if its circumstances are.

Rand's heroine is understood as rising above the very situation from which the film derives its pathos — yet this hardly acquits the script of the charge of easy, situational sentiment. "You Came Along" is a formula picture that arouses highly predictable emotions, and there is nothing in the thought process of the characters that would trouble the audience with thinking. What makes the film endurable is Lizabeth Scott's portrayal of the heroine. Scott is so poised and luminous an actress that she can make the predictable seem, for the moment, meaningful — and perhaps there is a kind of meaningfulness in this. As for Rand's other collaborator, Robert Cummings, who plays the pilot: he was apparently so pleased with his role that he used the name of his character, Robert Collins, as the name of the comic protagonist of his 1955–59 television series "The Bob Cummings Show" (syndicated as "Love That Bob"), about a fly-boy turned photographer. Popular culture, like an archaeological site, exhibits many strata of debris.

"Love Letters"

Paramount, 1945

Producer: Hal B. Wallis

Director: William Dieterle

Cast: Joseph Cotten, Jennifer Jones, Ann Richards,

Gladys Cooper, Robert Sully

"Love Letters" is a much more interesting film, if only because its central situation is more complex than the rudimentary disease-death-emotional transcendence situation in "You Came Along." The plot involves an English officer, Alan Quinton (played by Joseph Cotten), who ghost-writes love letters to another soldier's girl back home. It's essentially the Peter Keating-Howard Roark, parasite-host relationship,

Rand found it difficult to discover properties to adapt for the screen. Finally she chose "out of sheer desperation" a novel, "The Love Letters," in which she saw "at least the possibility of a dramatic situation."

very distinguished pictures, of which "You Came Along" was his first.³ It's also easy to imagine that Smith, rather than Rand, was the source of the scenes in churches and chapels and of the religious epigraph (some pretty verses from Long-

 20th Anniversary Year

and Quinton's buddy even says the Keatingish things that one would expect from a Randian second-hander:

Quinton: She's in love with these letters that you didn't write. With my letters.

Parasite: What's the difference?

Quinton: She's in love with a man who doesn't exist.

Parasite: Oh well, I'll make a good substitute.

The woman is indeed in love. According to her letters, she is seeking "a man who would look at life, not as a burden or a punishment, but as a dream of beauty which we can make real." Quinton's ghostwritten letters are so eloquent, so lyrical, so individual, that she thinks she has found her man. She marries the purported author, not knowing that he is a cad. When he returns from the war, she gradually realizes that his character does not match his words — and then he is killed, knifed to death, supposedly by his disappointed spouse, who loses her memory and cannot furnish testimony about the crime.

I need not belabor all the typically Randian concepts for which this situation provides a vehicle. They include the uniqueness of real character, the sanctity of joy and beauty, and the alacrity with which joy and beauty are despoiled by the emotional exploiters of this world. There is the possibility, too, of a typically Randian plot development designed to challenge sentimental assumptions: the development in which an act that appears "obviously" wrong (Roark's destruction of Cortlandt Homes, for instance, or in this case the murder of the offending husband) is eventually justified as proper in the terms of an unorthodox moral philosophy.

The framework of "Love Letters" is not, however, entirely of Rand's devising. While working for producer Hal Wallis, she found it difficult to discover properties to adapt for the screen. Finally she chose "out of sheer desperation" a novel in which she saw "at least the possibility of a dramatic situation."⁴ The novel was "The Love Letters," by a prolific but now totally forgotten author, Chris Massie. Massie's writing is a curious mixture of the spiritual and the clinical, of allusions to the Bible and talk of "sex starvation."⁵ His manner exaggerates the worst features of, say, H.G. Wells — the manner of the tough village atheist who has suddenly gotten his own kind of religion. Beneath it all is an uncouth sincerity, a desire to break the quarantine on every sort of emotional sickness. As his autobiography, "Confessions of a Vagabond," makes clear, Massie had been deeply traumatized by World War I.⁶ His protagonist in "The Love Letters" returns from war unfit for civilian life, and finds that he has "a nostalgia for . . . well, among other things . . . the smell of the dead. War stinks to high heaven, but it is the stink of something terribly real . . ." ⁷

Observations of this sort might lead to serious analysis of psychology, but Massie drifts in a less fortunate direction. He is not concerned with the individuality of character that Quinton's letters express: this is Rand's theme. In the novel, the heroine's marriage to the "author" of the letters fails to work because he accidentally dies, not because of his psychological flaws. She loses her memory and returns to what we are assured is a delightful state of innocence (actually of pure banality), in which she happens to meet Quinton and marries

him. In the meantime, oddly enough, she is thought to have murdered an old lady whom Massie drags into the plot for no other reason than for his heroine to be accused of murdering her. Eventually, a second old lady confesses to the killing; just at that moment, however, the innocent heroine drowns in a failed attempt to save a drowning lamb (that's right, an innocent lamb). This bizarre plot provides Massie with evidence for his final judgment that beauty is born to die, that "life is travail and disappointment and tears."⁸ If one wishes to criticize Rand's movie, one should first read Massie's book.

Rand does well to consolidate the plot, so that the killing acquires some significance, even seems poetically appropriate, and so that it becomes the direct result of the misleading letters and therefore of a denial of true identity. She does still better by removing the maudlin ending. Ever the foe of pessimism, she arranges for Quinton and the heroine not only to meet and marry but also to continue enjoying happiness after the heroine's memory is restored and she discovers that it was her adoptive mother, not she, who did away with her husband. But here one suspects a concession to conventional notions of innocence, a concession that deforms Rand's story. Her plot is about the individual self and its aspirations, not about legal innocence. From the judicial standpoint, it may be interesting to wonder if a certain amnesia victim actually slew her husband, but from the artistic standpoint it adds nothing to the script to prolong the mystery of who killed him, only to reveal that it wasn't the heroine who did so. Nothing is added, that is, but predictable sentiments. One is not unhappy when this film finally ends.

"Love Letters" is competently acted, despite the fact that Joseph Cotten does none of the special things that he could sometimes do, and Jennifer Jones (playing the heroine) has to represent too cloyingly sweet a character ever to be represented in an interesting way. Jones does not really act as if she were "hearing voices and being tickled at one and the same time,"⁹ but you get tired of her anyway. The director, William Dieterle, was a prominent practitioner of *film noir*. He could also practice other modes; he had worked with Max Reinhardt, for instance, on the wonderful film version

So formidable did Rand make herself while her film was being created that she was allowed more influence on production than any other Hollywood writer has ever acquired.

of "A Midsummer Night's Dream." "Love Letters," however, is very *noir*, or at least very shadowy, and the sets are small and few and cheap. But the camera work is exacting; the shots are well planned and framed, and camera angles are properly

expressive of emotional tones. What damages the movie is the empty sentiment of the amnesia-murder plot, a plot that Rand did not or could not make intellectually challenging.

"The Fountainhead"

Warner Brothers, 1949

Producer: Henry Blanke

Director: King Vidor

Musical Score: Max Steiner

Cast: Gary Cooper, Raymond Massey, Patricia Neal, Kent Smith, Henry Hull, Robert Douglas, Ray Collins, Jerome Cowan

In "The Fountainhead," Rand is a much more independent creator of her own film. She was working from her own book, she was attempting to realize her own ideas — not fix up someone else's — and she had every inclination to pester and cajole other people into producing her script in precisely the way she wanted it produced. In this she had a large measure of success; she was no pathetic Peter Keating being "pushed from office to office" while artistic control was lost, bit by bit.

The film's director, King Vidor, was a figure of no small importance in Hollywood, and he did not take Rand's philosophy and mythology with complete seriousness. Discussing the film's centrally important episode, Roark's dynamiting of Cortlandt Homes, Vidor wrote:

[Roark] tried in every way to restore the construction to his original idea [this isn't the way the movie goes, incidentally] but was unsuccessful. It was then that he decided to dynamite the face of each building.

To me this seemed a preposterous and impractical solution. I went to Jack Warner, the head of the studio, with the argument that if, when the picture was completed, anyone changed or edited some part of the film and I retaliated by destroying that part of the film, would he forgive my rash action. He replied that he would not but that a court judge might.¹⁰

Nevertheless, Vidor goes on to say that he admired Roark's artistic integrity.

Rand, of course, had none of her director's ambivalence, and so formidable did she make herself while her film was being created that she was allowed more influence on production than any other Hollywood writer has ever acquired. Vidor reported that "when actors wanted to change lines we had to telephone her and ask her to come over quickly and that helped stop a lot of actors changing lines."¹¹ Rand was even permitted to coach Gary Cooper (Howard Roark) for his performance in the impressive courtroom scene. Impressive, but perhaps not impressive enough; Cooper and Rand agreed that "he didn't quite get it."¹² "The Fountainhead" remained, inevitably, a collaboration — yet Rand bears most of the responsibility for its outcome.

Critics have been evaluating her achievement for the past 40 years, but it is remarkable how often they seem to have been watching some movie besides "The Fountainhead." I'm not worried here about hostile treatments, such as Bosley Crowther gave the film in *The New York Times*. Crowther's

review does sound as if it should appear in Ellsworth Toohey's "One Small Voice," but he is right about some things; for example, he correctly perceives that Gary Cooper's architecture is "trash."¹³ I am mainly concerned with misperceptions to which friendly as well as hostile critics have succumbed.

Charles Derry, who likes the book, likes the movie, and views it as an example of successfully "collaborative art," emphasizes its visual subtlety by asserting that "Ellsworth Toohey's first appearance is as a black silhouetted figure looming large in the foreground . . . Toohey, a man of shadowy ideas, is ready to try to dominate when the time is right."¹⁴ In fact, Toohey first appears as a figure walking unobtrusively across the set behind Roark. This image captures not only Toohey's sinister quality, but also the fact that Roark does not — prefers not to — notice people like Toohey.

A small misperception — there are larger ones. Kevin McCann pictures the movie's Roark as "fight[ing] to convert the public and the architectural world to his thinking." In reality, of course, Roark says that he doesn't care what anyone else thinks about architecture; he engages in ideological warfare only when he needs to gain acquittal in court. McCann also reads Dominique Francon's fake attempt at suicide as a real attempt.¹⁵ Derry and Stuart Kaminsky insist on the presence of a certain pattern of imagery, in accordance with which Roark seems to ascend in the camera's eye. "Throughout the first part of the film," Kaminsky says, Dominique "is shown physically above" Roark; "only when she becomes sexually vulnerable does she appear in a lower position on the screen." According to Derry, "Throughout the movie Roark was constantly shown close to the earth. . . . The camera was often placed above his head, emphasizing his striving to rise." In the final sequence, Derry notes, the camera angle is reversed: Roark has conquered.¹⁶ The truth is, however, that the camera normally takes a level view of Roark; even in scenes in which other characters are understood as looking down on him, literally or figuratively, the lens is normally aligned to him, not them.

About the film's ideas there are many misperceptions. Richard Combs believes that Rand's script "continually declaims against the grovelling mediocrity of the masses and their envious egalitarianism." But neither the script nor the direction has much to say about the "masses," their envies, or their isms; there may be more analysis of their apparent mediocrity in "It's a Wonderful Life" than in "The Fountainhead." When mediocrity is criticized, it is mainly the mediocrity of the intellectuals and the upper classes that Rand and Vidor seem to have in mind, and that we see on the screen. Combs also claims that the script's political philosophy, which is principally vulnerable, one would think, to the charge of single-minded rationalism, actually "conflates and confuses so many political attitudes in its drive to exalt the Superman that the narrative result is a kind of 'Wizard of Oz' nonsensicality."¹⁷ All one can say about this is that Combs didn't like whatever movie he saw. Raymond Durnat, a generally sympathetic analyst, also has difficulty in classifying the film's ideas. Although he fails to specify any very immediate influence of Vidor's populist or mystical tendencies, he nevertheless argues that "it remains unclear where Miss Rand's [ideas] end

and Vidor's begin."¹⁸ This is a curious remark to make about a film whose concept was so thoroughly Rand's own.

The Art of Cooperation

Collaboration, however, had to take place, and it did. Fortunately, Rand and Vidor agreed on the usefulness of a non-naturalistic technique. Rand liked expressionist film, and in her novels she found plenty of uses for the mythic and the mythological.¹⁹ "The Fountainhead" comes as close to mythic expressionism as a film about a rationalist architect could ever come. The mythic atmosphere is partly a matter of the directness and "urgency"²⁰ of Rand's script, which was required to reduce a very long book to its stark fundamentals. Rand was always good with an aphorism, even in her late, tedious years, and the aphoristic style helps her here: "I don't build in order to have clients; I have clients in order to build," Roark declares — succinctly establishing himself as the archetypal creator.

But myth can never be achieved simply by collecting aphorisms. The mythic is a matter of universal problems, essential conflicts, and symbolic acts of sudden, intense significance. It is Henry Cameron (played by Henry Hull) seizing a stack of copies of the New York Banner — "the foulest newspaper on earth" — and ripping them to shreds; around him, a crowd gathers and, somewhere above, the camera inspects the scene, as if from a judgment seat. It is Dominique Francon (Patricia Neal) holding a desperate Gail Wynand (Raymond Massey) in her arms and begging him, at his hour of climactic decision, "Don't give in to them, don't give in"; there is a dissolve to his boardroom, where his directors tell him, "You'd better give in" — and he gives in. And of course it is Vidor's close-up of Roark working in the quarry, seeming to express all the creative and destructive energy in the Randian world in the way in which he holds his drill.

In scenes like this last, of course, the director's insight into the script is more important than the script itself. Throughout the film, Vidor's camera almost unerringly selects the faces, gestures, and objects that are of real thematic or symbolic importance. He lights his sets dramatically so as to emphasize (as if emphasis were necessary) Rand's black-and-white moral

Rand told Barbara Branden she was "certain that it couldn't be made into a really good movie"; she had already "told the story in the proper form in the book."

contrasts, and he generally places the camera far enough from the actors to convey an impression of reserve and deep seriousness that is suitable to Rand's own seriousness.

The mythic quality of the movie, as I earlier implied, depends as much on what is left out as on what is put in. We

never see Roark cooking a meal or riding a subway or going swimming. In this respect, the movie is much starker than the novel. Until the last shot, Roark is never shown working at a construction site; after he gets out of the quarry and achieves his proper station, his work is presented as if it were entirely intellectual, a triumph of mind over matter. The sets

The mythic quality of the movie depends as much on what is left out as on what is put in. We never see Roark cooking a meal or riding a subway or going swimming.

are usually stripped of everything that lacks symbolic significance. Roark's offices and the buildings that he designs seem to consist of unnaturally large, unnaturally empty rooms, as if a mythic space were being created by the clearance of all messy, mundane detail. Roark's spaces are in sharp contrast to those of villainous or equivocal people. Toohey's office has plenty of furniture and is well decorated with 18th-century portrait prints and a picture of Creek ruins; the boardroom in which Roark is denied a commission displays "decadent" Hubert Robert-like architectural paintings; Dominique's bedroom, a pre-Roark structure, is elaborately baroque; Wynand's pre-Roark dining room is decorated in a heavy neoclassical style and overshadowed by an immense baroque picture; on the facade of the Banner building, a metal sign hangs from Corinthian columns — the architectural banner of decadence and equivocation.

One would like to say that all aspects of script and production were adequate to the goal of mythic expressionism. Regrettably, they are not. Rand's dialogue is sometimes much too "urgent" for its own good. It's not mythic but gratingly obvious for the board of directors of the Security Bank to try to make Roark compromise by telling him, "You realize, of course, your whole future is at stake. This may be your last chance." And the expressionist sets are often not mythically stark but vacant or dull or shockingly bad. Rand failed to get Frank Lloyd Wright as designer of Roark's buildings; he wanted too much money and too much control.²¹ The studio's designer, Edward Carrere, took over, with fear-inspiring results. The film does well at showing the various ways in which bad architects can ruin buildings; the Cortlandt project that Roark blows up richly deserves to be blown up, as discontented mutterings from the audience normally testify. But the Cortlandt that Roark designs looks like nothing more than a typical government project. The house he builds for Wynand is even worse; it's a hard, ugly, moronic lump — something like a square space-ship filled with cement. Its principal interior embellishment is a lamp with goldfish swimming inside

it, lovingly placed in the foreground by King Vidor. In general, Roark's buildings go out of their way to deny his doctrine that "form must follow function."

The film's musical decoration is slightly more successful than its architectural decoration. The score is by Max Steiner, usually regarded as one of the best Hollywood composers; he

Certain elements of myth defy naturalism so boldly as to make literal versions of them appear grotesque.

provided music for "Gone with the Wind" and "Casablanca." Steiner's "Fountainhead" music tries to be romantic and sparsely modern at the same time; it ends up being over-stylized and repetitive, a theme without real variation. It's simple enough to avoid serious embarrassment, however, and the final few bars provide a climax of what must be called religious feeling.

The cast, of course, is more than decoration; its members are, perhaps, Rand's most important collaborators, and it has to be said that as a group they fail to attain mythic status. One can hardly object to the presence of actors as talented as Gary Cooper, Raymond Massey, and Patricia Neal, but their talents are not necessarily in Rand's line. Only Massey is capable of realizing the compelling strangeness, the uncanniness of myth, and Massey seriously mars his performance by overacting, as Rand recognized.²² His arresting voice and manner make him, potentially, the right man for the part, and he skillfully captures the sardonic quality of Wynand's personality. But he is too often on stilts; he neglects Wynand's toughness in favor of his self-conscious theatricality. Neal overacts much more flagrantly; she plays her part with an hysterical intensity that fits the character of Dominique all too well and exaggerates the movie's expressionist style to the point of absurdity. She constantly appears to be posing for some slightly deranged portrait-painter residing in the Berlin of 1925. Her interpretation of Dominique merely deepens the mystery of why Dominique is considered a heroine.

Another mystery is Rand's curious idea that Gary Cooper was Howard Roark: "From the time she had begun writing 'The Fountainhead,' when she had first considered the possibility that it might one day be made into a movie, Gary Cooper was the one actor she wanted for the role of Howard Roark. His physical appearance strongly suggested Roark to her; she saw him as the archetype of the American hero."²³ Like other people who have gotten their wishes, Rand lived to regret it. Cooper wasn't entirely up to the role, though not being up to it allowed him to mold Roark a little in his own attractive image, "humanizing" him, as many people have said. For examples of good acting, one should look at Cooper's sensi-

tive treatment of Roark's shifting feelings in his scenes with Massey, or in his fine little scene or two with Ray Collins, who plays Roger Enright. (Collins, who had performed as Boss Jim W. Gettys in "Citizen Kane," is himself an excellent actor, as is Jerome Cowan, perfect in the role of Alvah Scarret.) The crucial objection to Cooper is his age; he is much too old to play Roark the beginner — just as Kent Smith is much too old to play the neophyte Keating. It is very surprising that Rand thought of Smith (who does turn in a memorable performance of Keating the has-been) as the right "physical type" for his part.²⁴ Is this the "pale, dark haired, and beautiful" Keating of the novel, the Keating who has a "classical perfection" in his looks, whose eyes are "dark, alert, intelligent"?²⁵ Not exactly.

Surprising also is Rand's judgment that Robert Douglas, playing Toohey, "was too forceful," not "slippery and snide" enough.²⁶ The splendidly developed Toohey of the novel is powerful as well as conniving. He is both a small, twisted figure and an immensely forceful presence. And who wrote the script in which Toohey says to Keating with disgust, "Of course I'm your friend. I'm everybody's friend. I'm a friend of humanity. Now, why did you come here? What do you want?" Rand herself made Toohey forceful, as he should be if he is to enact his prominent part in the myth. Perhaps no actor could capture Toohey's complexity, but Douglas does a striking, more-than-naturalistic job with one side of him. The fact that Rand wanted the other side to be emphasized probably reflects her embarrassment at having created a splendid villain who acts as more than a "foil" or "contrast" to the good people — the role in which her later aesthetic theory would cast a villain.²⁷

The Authorized, Abridged Version

The major problem in "The Fountainhead," however, lies not in its cast, its direction, or its production; it lies in a conflict of media. Rand's great difficulty was that of transforming a complex philosophical novel into a series of mythic scenes, scenes that nevertheless depend on a certain amount of philosophical elaboration if they are to be understood. The process of condensation that helps to bring the mythic elements into sharp focus also helps to deprive them of meaning. Rand was thinking of the conflict of media when she told Barbara Branden that she was "certain that it couldn't be made into a really good movie"; she had already "told the story in the proper form in the book."²⁸

It is this problem that makes some of the movie absurd. The romantic scenes of the book, for instance, are supposed to symbolize and develop the relations among certain complicated ideas. The romantic scenes of the movie are just romantic scenes, rendered with an intensity which they do not seem to deserve. True, Rand is willing to compromise by getting rid of some of the sexual intensities: Dominique gets married twice, not thrice (thank God — three times would look simply terrible on film), and Roark's role in wrecking the Wynands' marriage is somewhat obscured, as McCann notes.²⁹ But the scene in which Roark conquers Dominique in her bedroom remains, and it is a ridiculous scene. Certain elements of myth defy naturalism so boldly as to make literal versions of them appear grotesque. No one wants to see Homer's battles represented literally, and no one wants to see Daphne literally

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transformed into a tree while she is trying to escape from Apollo. An elaborately philosophical treatment may, perhaps, demonstrate that the Roark-Dominique romance is human and explicable, but without this treatment, it all looks like a dance of rather awkward bodies. To represent a myth is often to diminish it.

Other parts of "The Fountainhead" are a great deal better than the scenes to which I refer. But the ironic thing is that this "controversial" film is really not capable of stirring up much significant controversy. It can confirm and enhance pre-existing values — or, when viewed by unsympathetic audiences, it can leave these values quite untouched. But it has relatively little power to advocate new values, because it lacks the ability to argue very effectively for them. Compare the laughter that usually greets the romantic scenes with the disgust usually produced by the shots of Cortlandt Homes as redesigned by Toohey's friends. Rand's script is insufficient to convince people that they ought to dislike Cortlandt: how much does the script actually say about architecture, or even about Rand's opinions on the subject? Cortlandt just looks bad. Rand's script is also insufficient to teach anyone not predisposed to such a view that Roark and Dominique's heroic love ought to be respected. It just looks bad. Rand, we are told, arranged for the first preview of the movie to be held in a working-

class community, and she was delighted by its enthusiastic reception. She felt that the audience understood all her ideas: "That's why I like the common man." Yet she herself said, "I didn't even like the script; they wanted the movie to be under two hours, so the script was too short, it wasn't right."³⁰ So how much did her audiences understand?

"The Fountainhead" is not an intellectually challenging film, though it is certainly better in this respect than Rand's other efforts in the medium. Neither individualists nor anti-individualists are likely to be set thinking by an evening spent with "The Fountainhead" cooking in the VCR. Further, knowledge of the movie's intention to be intellectually challenging, and of its failure to achieve this purpose, detracts even from a purely aesthetic appreciation of its technique. If easy sentiment is one danger to the art of film, unrealizable philosophic ambition is another. But at least "The Fountainhead" has ambition, and its ambition involves not just an attempt to present iconoclastic ideas but an attempt to affect its audience's perceptions in daring and distinctive ways. As Stuart Kaminsky says, its anti-naturalistic method makes it "one of the most noteworthy of American films . . . a strange and courageous effort, rather like a building by Howard Roark."³¹ Rand's courageous strangeness deserves a large share of the credit. □

Notes

1. Bennett Cerf, "At Random: The Reminiscences of Bennett Cerf" (New York: Random House, 1977) 253.
2. A fourth film was produced, but without her collaboration — a version of her novel "We the Living" released in Italy in 1942. It was given an English version by Henry Mark Holzer and Erika Holzer, and has been distributed widely.
3. Leonard Spigelgass, ed. "Who Wrote the Movie and What Else Did He Write? An Index of Screenwriters and Their Film Works: 1936–1969" (Los Angeles: Academy of Motion Picture Arts and Sciences, 1970) 163.
4. Barbara Branden, "The Passion of Ayn Rand" (Garden City, N.Y.: Doubleday, 1986) 192.
5. Chris Massie, "The Love Letters" (New York: Random House, 1944) 7.
6. Chris Massie, "The Confessions of a Vagabond" (London: Sampson Low, 1931).
7. "The Love Letters" 33.
8. *Ibid.* 289.
9. Bosley Crowther, review of "Love Letters" (August 27, 1945), in "The New York Times Film Reviews" (New York: Times, 1970) 3.2078.
10. King Vidor, "King Vidor on Film Making" (New York: David McKay, 1972) 231–232.
11. Joel Greenberg, "War, Wheat and Steel: King Vidor Interviewed," *Sight And Sound* 37 (1968) 197.
12. Branden 209; Stuart Kaminsky, "Coop: The Life and Legend of Gary Cooper" (New York: St. Martin's, 1980) 155.
13. Crowther, review of "The Fountainhead" (July 9, 1949), in "The New York Times Film Reviews" 4.2346.
14. Charles Derry, "The Fountainhead as Film," *Reason* 6 (Oct. 1974) 29.
15. Kevin McCann, "Ayn Rand in the Stockyard of the Spirit," in "The Modern American Novel and the Movies," ed. Gerald Peary and Roger Shatzkin (New York: Ungar, 1978) 331, 334.
16. Kaminsky 157; Derry 29.
17. Richard Combs, "King Vidor," in "Cinema: A Critical Dictionary: The Major Filmmakers," ed. Richard Roud (New York: Viking, 1980) 2.1034.
18. Raymond Durnat, "King Vidor" (Part 2), *Film Comment*, 9 (Sept.–Oct. 1973) 31.
19. John Cody, "Ayn Rand's Promethean Heroes," *Reason* 5 (Nov. 1973) 30–35; Stephen Cox, "Ayn Rand: Theory versus Creative Life," *Journal of Libertarian Studies* 8 (1986) 22.
20. Durnat 31.
21. Branden 208–209.
22. *Ibid.* 208.
23. *Ibid.* 206.
24. *Ibid.* 208.
25. Ayn Rand, "The Fountainhead" (New York: New American Library, 1971) 28–29.
26. Branden 208.
27. Ayn Rand, "The Romantic Manifesto: A Philosophy of Literature" (New York: World, 1969) 167.
28. Branden 185.
29. McGann 229–30.
30. Branden 211–12.
31. Kaminsky 156.

I Married an Alien

by Sandy Pierre

How I found love, libertarianism, and a
shotgun wedding, courtesy of Uncle Sam.

Dec. 31, 1999 — It was Millennium Eve and I was holed up in my apartment, nursing a bad cold and surrounded by a mountain of freeze-dried food, a water-filtration kit, and gold bullion. I was watching the news for word of the Y2K Bug and TEOTWAWKI. In between sneezes, I watched people all over the world enjoying fireworks and apparently having a great time. After several hours of this, I realized I'd been had. Y2K was a bust and I was missing the biggest party of my lifetime! I slammed a bottle of DayQuil, put on a black dress and a pink feather boa, and staggered off to a party at a friend's house. My plan was to make an appearance at the party then head to downtown San Francisco to watch fireworks.

At the party, I struck up a conversation with an attractive young man I hadn't seen before. He turned out to be a French university student doing an internship in the Bay Area. He had only been in the U.S. for two weeks, but spoke excellent English. He had met friends of mine in a bar, and they invited him to this party. His introduction to my country had been less gracious; he had been strip-searched at the airport and detained for two hours, despite the fact that all his papers were in order. Customs officials also stole the bottle of wine he had brought as a gift for his new boss.

We chatted for a while, then I prepared to leave; I didn't want to miss the fireworks. The hostess pulled me aside and encouraged me to stay a little while longer. "Don't you like my little French friend? You two look good together." I lingered and missed the fireworks, while romance blossomed with the stranger from France.

Sept. 11, 2001 — It was a Tuesday. I was taking the day off work to go camping with my dad up north. My French boyfriend's visa had expired five months after we had met and he had had to leave the country; but, after a full six months of effort, Alex had managed to obtain a second internship and a renewal on his visa. Now he was living with me.

I turned on the morning news while gathering my camping gear together and was greeted with the sight of the local news guy telling me that the Twin Towers had fallen down. Both of them. I was in shock, like the rest of America. But I got little sympathy from the Frenchman; he clearly didn't grasp the enormity of the situation. To be honest, I'm not sure he even knew what I meant by "Twin Towers." I wasn't sure it was appropriate to go ahead on vacation. But my dad, a native of New York City and rattled by very little, saw no point in not going.

I think now it was the best thing we could have done. We spent the next three days in the woods and the fog, not glued to a television set watching destruction like everyone else.

As shocked and horrified as I was by the terrorist act 3,000 miles away, I had no idea how much it would affect my own life. My boyfriend worked at a hotel in downtown San Francisco that catered to an international clientele. After Sept. 11, the hotel's business plummeted. The employees sat around bored and depressed, with little to do but process cancellations. Two weeks later, the hotel laid Alex off.

It's bad enough to lose your job but, without his internship, Alex no longer had any legal excuse to be in this country. We had to make a choice and make it fast: go our separate ways or get married in order to stay together. We decided to get married. Two weeks later, we took our vows at San Francisco City Hall. We were surrounded by my local family and a lot of strangers, but not my grandparents from the East Coast nor any of his family from France.

If you think it's straightforward to get a green card for your spouse, you have never lived the adventure of marrying a foreigner. Or an *alien* as the U.S. government calls them. We had to gather together about an inch of documentation to prove that our marriage was *bona fide*. I had to submit my tax returns for the previous three years. I had to prove that I made a certain amount of money, so that I could support my husband financially if necessary. I was making well over the financial minimum; I was a 31-year-old college graduate working in a high-tech industry. If I'd been a few years younger, I would have needed to get my parents to sponsor my husband financially, which would have required *them* to provide three years' worth of tax returns, records of all their financial assets, etc. Most disturbing of all, I had to swear to the U.S. government, in writing and before a notary public, that I would be financially responsible for my husband for no less than 10 years . . . even if we split up! Oh yeah, and I had to pay the feds around \$400 to process my paperwork.

Speaking of paperwork: I gained a new appreciation for Robert DeNiro in his final scene in the movie "Brazil," where he's enveloped in flying sheets of paper and disappears beneath them. The green card application required vital statistics on me, Alex, my parents, and his parents. I was very concerned about the fact that his father was born in Algeria, one of the *pieds-noirs* ("black feet") who moved back to the motherland as part of the mass exodus of 1962 when Algeria regained its independence from France. Considering that Algeria is now a terrorist breeding ground, I shuddered to think what sort of red flags his family history may have placed on Alex's green card application.

The paperwork had to be submitted in triplicate. I made a couple extra copies, one for my own records and one to allow for the possibility of the feds losing one. Laying the stacks out on the living room floor to compare and collate left little room to walk. I had read that it's recommended to include photos, so we included glossies of our wedding ceremony. We labeled each person in the photos: my mom, my dad, my brother, his wife, my best friend . . . by the time I was finished, I felt guilty for having invited them!

I took time off from work so that we could drop off the paperwork together at the local Immigration and Naturalization Service (INS) center. Standing in line and watching those in front of us being served, I was pained to see the impatient and disrespectful tone the government employees took with the hapless applicants whose only crime was not having been born on U.S. soil. However, Alex and I had no

trouble. We were treated courteously and our application was reviewed and stamped without a hitch. I'm sure it helped that he's Caucasian and fluent in English and I'm the kind of anal-retentive who has every possible receipt and ticket stub neatly filed away for later retrieval. Nolo Press' "Immigrate to the U.S. through Marriage" had been my bible. That application must have been perfect. If there was an Academy Award for Best Performance in a Submission of Bureaucratic Paperwork, I definitely would have been a contender.

Once the paperwork was submitted, there was nothing to do but wait, agonizingly, for months. The green card became the stick with which I'd beat my husband about the head for any bit of bad behavior. "Don't drive so fast . . . you might not get a green card!"

The day of our interview arrived. May you never have to spend a day in an INS regional service center; they must be architecturally designed to instill a feeling of nausea, fear, and humiliation. As we waited in the lobby, another couple was called in for their interview; when they emerged a few minutes later, the woman was weeping. I had a Russian-born coworker who had married an American and had had her interview a few weeks before. She had told me it was a terrible experience and that the INS agent seemed unfriendly and suspicious — despite the fact that my coworker was pregnant with her husband's child! I was concerned because I am several years older than my husband; would this be viewed with suspicion? Luckily, I was relatively young and fit-looking, while my husband inherited male-pattern baldness and maintained the timeworn French tradition of smoking hand-rolled cigarettes since pre-school. So I think it worked out. Our interview seemed to go fairly smoothly.

Months and months of more waiting passed. Finally, the magic card arrived in the mail . . . and it had a two-year expiration date. It was my understanding of immigration law that this should not have been the case, based upon the rapidity with which we had filed the initial application after our marriage. But what were we supposed to do, argue with the U.S. government?

We resigned ourselves to submitting another application two years after the first one. You are required to submit it 18 to 24 months after the issue date of the temporary green card

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— no more, no less. And woe betide you should you forget. This arrangement must be designed to trip applicants up, because the government sends you no reminders. You simply must write yourself a note along the lines of “Don’t let spouse be deported” and send off the necessary stack of documents, and money, at the appropriate time. It’s also helpful to retain all of your utility bills (to prove that you have continued to live where you claim you do) and to take photos of yourselves on vacations together.

As we did make a trip to France during this period, Alex and I were able to submit fresh photos of family members, duly labeled (“uncle,” “grandmother,” “lake at Villefranche-sur-Saone”). Regrettably, there was no sign in front of the lake underscoring the fact that it was, in fact, in France and the people in the photos were blood relatives and not homeless people we’d paid to pose with us. We had better luck on a romantic getaway to Seattle, though; we asked a stranger to photograph us with the sign that says “SEATTLE PIER” in clear view behind us. The experience was sullied in my mind, though, because I knew full well I was doing it more for the green card than to create a souvenir of the trip.



Nov. 11, 2004 — It had been almost five years since the night I met my husband. We’d been married for over three years. And I still didn’t know whether or not the U.S. government would allow us to stay together. I wouldn’t know for certain for two more years.

It’s difficult to make any sort of long-term plans with your partner when you’re not quite certain that he won’t be evicted from the continent. I mailed the second green card applica-

tion that day, and had to write another check, for only \$200 this time, and no longer made out to the “Immigration and Naturalization Service”; now it was the “U.S. Department of Homeland Security.” I guess the government needed to make sure that my gainfully employed, highly educated, multilingual spouse from one of our oldest ally nations wasn’t a terrorist. I knew it was hard to find a good man; but I had no idea it would be so hard to keep one.

Six years ago, I was a fairly typical politically alienated American who voted each election for whichever candidate turned my stomach less. I had never been a Democrat or a Republican, although I had flirted with the Greens briefly in my youth. But this experience opened my eyes. Perhaps more importantly, it pissed me off!

Aside from the sheer idiocy and waste of making it so difficult for American businesses to hire my husband, there is something deeply offensive and embarrassing to me about having to jump through so many hoops and expose so many details of my personal life in order to be with the man of my choice. How dare Uncle Sam push me into a marriage! And then remain entangled in it for years, like a mother-in-law from hell who insisted on examining my bank statements, my utility bills, my tax return and demanded to see a paper trail of where her son and I were living, working, and going on vacation.

I’ve been a good girl all my life, with not even so much as a speeding ticket. But, over the past six years, I’ve joined the Libertarian Party, the Free State Project, started reading various books and magazines that I wouldn’t have touched in the past, marched in my first antiwar protest, learned to shoot a gun, and “threw away” my vote on a third party candidate for president. I’m tired of my dirty, old peeping tom of an Uncle; I want him off my back. □

Orwell meets Kafka at the immigration office

— In 2002, the Department of Homeland Security (DHS) was created out of the pieces of more than 20 different federal agencies. One of the least accessible of these was the Immigration and Naturalization Service (INS), which had been part of the Department of Justice.

The DHS reorganized and renamed the INS, calling it the Bureau of Citizenship and Immigration Services (CIS). But the new name didn’t change much. CIS has earned a reputation on Capitol Hill for being unresponsive to citizens, immigrants, and even congressmen and senators.

Why? *Bureaucracy*. Here’s the CIS explanation of marriage visas from the FAQ page on its website:

The Legal Immigration Family Equity Act and its amendments (LIFE Act) established a new nonimmigrant category within the immigration law that allows the spouse or child of a U.S. citizen to be admitted to the United States in a nonimmigrant category. The admission allows the spouse or child to complete processing for permanent residence while in the United States. . . .

For the part of the law concerning K-3/K-4 nonimmigrants and their process of applying for permanent residence status, please see INA § 214 (nonimmigrant status). . . . The specific eligibility requirements and procedures for qualifying as a K-3/4, obtaining that status and applying for permanent residence are included in the **Code of Federal Regulations** at 8 CFR § 214. . . .

Okay. Let’s take a stab at the CFR. Here are the relevant things that Section 214 says:

214.2(k) Spouses, Fiancees, and Fiances of United States Citizens

. . . To be classified as a K-3 spouse . . . , the alien spouse must be the beneficiary of an immigrant visa petition filed by a U.S. citizen on **Form I-130**, Petition for Alien Relative, and the beneficiary of an approved petition for a K-3 nonimmigrant visa filed on **Form I-129F**. The petitions with supporting documents shall be filed by the petitioner with the director having administrative jurisdiction over the place where the petitioner is residing in the United States. . . .

Period of admission for K-3 status. Aliens entering the United States as a K-3 shall be admitted for a period of 2 years. . . .

Extension of stay for K-3 status. . . . A K-3 alien may apply for extension of stay, on **Form I-539**, Application to Extend/Change Nonimmigrant Status, 120 days prior to the expiration of his or her authorized stay. . . . Extension will be granted in 2-year intervals upon a showing of eligibility pursuant to section 101(a)(15)(K)(ii) or (iii) of the Act. . . .

We’ve simplified and abridged the thickest jargon here. And it’s *still* pretty hard to decipher. Imagine if you’re an immigrant who’s new to the English language. Even your English-speaking partner may have difficulty making a good-faith effort at compliance. — Jim Walsh

Gun Control: The Logical Fallacy

by Eric Neigher

All right. Let's get beyond the polls, the lobbies, the pressure groups, and the political platforms. There must, after all, be some logic to this thing.

Following the shooting at Virginia Tech, I had a conversation with a friend about gun control, one that I'm betting was typical of conversations occurring across the country around that time. We agreed that criminals and psychopaths break the current gun laws. We also agreed that, short of draconian punishments (automatic death penalty for the possession of a bullet, for example), criminals would continue to break more stringent gun laws. What we didn't agree on, though, was a fundamental point about what happens when non-criminal types have access to guns.

The argument my buddy made is one you've probably heard before from gun-control advocates. It runs like this: "If someone has access to a gun, even if he's just a regular Joe, he's more likely to use that gun — if he wants to defend himself, or perhaps if he simply loses his temper or has a misunderstanding — than if he didn't have the gun at all." Typically, people who make this argument take it as self-evident. And you can't blame them. Like many fallacies, it seems commonsensical on its face: "no guns = zero likelihood they will be used." Therefore, "guns = higher than zero likelihood they'll be used."

I must admit that, at the time my friend made it, I couldn't come up with a good reason why this might not all be true.

Leaving aside issues like the 2nd Amendment or empirical evidence, my friend's argument seemed — in terms of pure reasoning — irrefutable: if you're more concerned about saving lives than high-minded constitutional issues, you've got to admit that reducing the number of guns on the streets would reduce the instance of shootings.

It took some thinking to piece out what was bothering me about the "guns are available, so people will use them" argument. In fact, it was more than a week later, while I was driving home from work, that I realized what the fallacy was. The error in my friend's argument was that he mistook *possibility* for *likelihood*. While these concepts are related, they are crucially distinct from one another. At the most basic level, the critical distinction is that *possibility* is a binary state, while *likelihood* is a continuum.

The intricate ivy of confusion that interweaves these terms grows, I think, from two seeds: (1) our way of using the terms “possible” and “likely” interchangeably in our everyday speech, and (2) a common formal-logic fallacy called the “necessary-sufficient” fallacy. I’ll deal with each of these in turn.

Possible and *likely* do not mean the same thing; but we often talk about them as if they do. Like many linguistic connotations, this is dangerous because it tricks us into believing that, since the terms are used in the same way, they refer to the same concepts. That is not true in this case. Something is either possible or it isn’t; but *likelihood* runs along a hierarchical axis.

There are no “degrees” of possibility. When we say something is “very possible” in our everyday speech, what we really mean is that it’s very *likely*. If someone tells you that something is possible, you cannot properly ask the question “how possible?” any more than, if someone tells you that a TV has been turned on, you could properly ask, “How on?” In short, you’re dealing with a binary situation.

On the other hand, *likelihood* is a sliding scale. At the high end of the scale, things are nearly certain to occur; at the low end, they’re nearly (but not totally) impossible. And there is an infinite number of in-betweens.

Now, *likelihood* is related to possibility in a crucial way — and it’s this relationship that’s largely responsible for the muddling of the two terms.

In order for something to have any level of *likelihood* at all, it must first be possible. That is, possibility is an *independent prerequisite* for *likelihood*. If something is impossible, if that binary state is zero, then its *likelihood* is obviously going to be zero. However, *it does not therefore follow that because something is possible, its likelihood increases beyond zero*. In other words, while it is *necessary* for an activity to be possible in order for it to be likely, the existence of possibility in and of itself is not *sufficient* to make the activity any likelier.

For a helpful demonstration of this distinction, take a look at the way a person might determine the existence, first of the *likelihood* and then of the possibility of a given occurrence. In order to determine its *likelihood*, you’d need to evaluate data, look at past performance, understand logical and scientific

Reducing the number of available guns to zero will reduce the likelihood of their use to zero. However, reducing their number to something other than zero will not have a proportionally related effect.

principles that bear on the occurrence, and ultimately come to some predictive conclusion. In the end, all you can do is make an educated guess.

Possibility, on the other hand, does not involve guesswork. You simply need to evaluate the basic facts as you know them, and you can determine *for certain* whether or not something is possible. Now, this doesn’t necessarily mean your analysis is

objectively correct — you could be wrong in your assessment of the facts. But the form of the conclusion that you’ll be left with after you’ve determined the possibility of an occurrence is fundamentally different from the form of conclusion you’ll

The critical distinction between possibility and likelihood is that possibility is a binary state, while likelihood is a continuum.

come to when you’ve determined *likelihood*. *Possibility*, at its basic level, is a matter of fact. *Likelihood* is a matter of opinion. Or, stated another way: possibility speaks to what *is*, whereas *likelihood* speaks to what *may be*.

To illustrate, let’s say I come across a man and I want to determine whether or not it’s possible he will go bald in the future. This requires little factual analysis: if I see that he is already hairless, I’ll know that it’s *impossible* for him to go bald in the future — you can’t get any baldier than bald. However, if I see that he has a full head of hair, I know it’s possible that he may go bald at some point. However, the mere fact that he has a full head of hair — the possibility of baldness — has no bearing whatsoever on how likely it is that he will go bald in the future. If I know nothing else about this man — his genetic predispositions, family history of baldness, stress level in his life, general healthiness, etc., then I have no means at all of determining the *likelihood* that he may lose his hair.

If I were selling lifetime barbershop coupons for a flat fee — gambling that my customers would go bald before they got to make much use of them — anyone can see that I would be acting illogically if I sold one to this man merely because he has a head of hair. All I know is that it’s possible — that there’s *some chance* — that he may lose his hair at some point in the future. But that’s not a good bet.

I can also illustrate this concept syllogistically.

This syllogism is true:

- A) Married men may abuse their wives.
- B) I’m a married man.
- C) Therefore, it’s possible that I — an otherwise average Joe with no criminal intentions or history — may beat up my wife at some point in the future.

This one isn’t:

- A) Married men may abuse their wives.
- B) I’m a married man.
- C) Therefore, it’s more likely that I — an otherwise average Joe with no criminal intentions or history — will beat up my wife if I get angry with her.

Neither is this one:

- A) Married men may abuse their wives.
- B) I’m a married man.
- C) Therefore, it’s unlikely that I — an otherwise

average Joe with no criminal intentions or history — will abuse my wife if I get angry with her.

I hope it's obvious that neither of the second two syllogisms makes any sense: you can't draw the same kinds of conclusions about *likelihood* — a continuum — as you can about *possibility* — a binary state. And I hope it's just as obvious that the same reasoning is true when it comes to the availability of guns. This doesn't make any sense, either:

- A) Gun owners may shoot people.
- B) I'm a gun owner.
- C) Therefore it's more likely that I — an otherwise average Joe with no criminal intentions or history — will shoot people.

More likely than what? Determining *likelihood* requires a holistic analysis of a large number of empirical factors; so no one can say that, because a man possesses a gun, he's *more likely* to use it in any given circumstance. Nor, for that matter, can anyone properly say that he's *less likely* to use it. Those statements are illogical. All anyone can say is that such a man has the *possibility* of using a gun — that the binary prerequisite for likelihood has been switched from "zero" to "one."

A crucial corollary arises here. It's true that reducing the number of available guns to zero will also reduce the likelihood of their use to zero. However, it is not true that reducing their number to something other than zero will *have a proportionally related effect*. This is, again, because likelihood exists independent of possibility. Once possibility is established — once the prerequisite is satisfied — the argument must shift from possibility to likelihood, and that is a wholly separate question.

In a practical sense, then, enacting laws that would reduce the number of guns available to anything other than zero would be, at best, irrelevant. And, since it's impossible to write any law that has any hope of reducing the number of guns available to zero (or anything even close to zero, for that matter), our legislature is wasting time and money debating about it. Indeed, even gun laws, which purport to be about reducing the numbers of guns on the streets, have obviously been ineffective.

As I stated above, criminals break gun laws. If someone is engaged in illegal activity, and therefore cannot count on state-sanctioned force to protect him, he will want a means to protect himself — especially from other people who are breaking the law. To that end, current gun laws discourage ownership of guns by law abiding citizens, and encourage illegal, untraceable ownership of guns by criminals — a classic perverse incentive. Because of this, gun laws should be repealed, as they cannot possibly be relevant to the goal they were written to achieve, and indeed are achieving the opposite.

The same logical fallacy I've described in the context of gun control — what I'll call the "possible-likely fallacy" — is something you can spot in all sorts of arguments. It can work in reverse. For instance, we can observe the inverted version of the fallacy in a common argument that religious literalists give in defense of the historicity of the Bible. When confronted with the fact that there is little to no physical evidence for many of the stories laid out in the Bible, even large-scale occurrences for which we would expect a great deal of evidence to be left — such as the Hebrews' alleged 40-year sojourn in the Sinai desert — literalists often respond by saying something like "absence of evidence does not mean evidence of absence."

This type of statement is one of many permutations of the

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“anything is possible” argument, but it is often effective at stopping (or at least redirecting) debate about an issue because the person on the other side of “anything is possible” must admit that it’s true: many things are possible.

If I’ve expressed myself cogently here, you’ll now see that the “anything is possible” argument is totally irrelevant to virtually any debate about what will result from a decision or piece of legislation, or to any analysis about what may have happened in the past. That is, it’s irrelevant to any kind of *speculative* conclusion. “Anything is possible” does not mean “anything is likely.”

Proving that an event is possible is not a strong argument that the event actually happened; it only means that a prerequisite has been met. Proving that something is likely makes a stronger argument that it happened. (And proving that something is *unlikely* makes a stronger case that it didn’t happen.)

If we look back at the historicity of the Bible, we’ll see that “absence of evidence” does exactly that — it proves that some major events for which one would expect there to be archaeological evidence are less likely to have occurred, which is really what the debate is about; it’s not about possibility. (As I’ve suggested, this reasoning does not apply to events for which we would not expect to see archaeological remains, or to events that have been corroborated by other historical sources; but it makes a case against the big, Charlton Heston stuff.)

Of course, the possible-likely fallacy — like all logical fallacies — should never be used to make an argument, only to point out a false one. For example, you might bring up the fact that no country has ever fired a nuclear ICBM at another country, despite many years of such ICBMs’ existence and plenty of bad blood between nations. You might therefore argue that we should be indifferent to such countries as Iran and North Korea acquiring ICBMs and nuclear warheads: the mere possibility that these states have such weapons does not prove a greater likelihood that they will use them.

However, the fact that possibility and likelihood are separate concepts does not nullify our responsibility to determine likelihood as a separate question. To do this, we need to look at the evidence: the history, politics, and social norms of specific nations. From there, we can determine whether we think it’s likely that they’ll use those weapons, if they acquire them.

If we determine, again as a separate question, that it *is* likely they’ll use them, we should try to prevent their acquisition — or we should try to find a way (i.e., regime change, diplomacy, espionage, or other means) to make it less likely that the weapons will be used if they are acquired.

Theoretically, this is also true of guns. If we think it’s likely that people will be using guns to do bad things, we can either try to stop them from getting guns or make it less likely that the guns will be used to do bad things. The difference is that Iran and North Korea are nations; and nations, especially really dangerous ones, are few and fairly easy to track and evaluate. We can deal with nations and their WMDs on a case by case basis. We can offer incentives for nations not to use weapons, or disincentives for using them. But we cannot possibly do the same thing with the panoply of individuals in the world, each with his own temperament, desires, fears, and motivations. We know this because we’ve tried: we’ve enacted legislation restricting the ownership and use of firearms, to no avail. If people want guns, they’re going to get them. That’s why the war with international terrorism is so tough: unlike states, terrorist organizations are made up of many independently interacting individuals.

I’ve digressed from the original issue. But I’ve done so to demonstrate the power and pervasiveness of the possible-likely fallacy. Still, before I end this little disquisition, let me bring it back around. I hope it’s now obvious that the core argument against average citizens possessing guns is based on a logical fallacy. And I assume that most reasonable people can agree that restriction is ineffective against criminals. Therefore, if it’s illogical to regulate non-criminals and ineffective to regulate criminals, we should understand that gun-control regulation is doomed.

Instead, why don’t we try liberty? After all, none of the other arguments I touched on earlier has been damaged by my logical analysis: the Constitution still protects the right to bear arms. That right was created by the founders to allow citizens to protect themselves from crime, tyranny, and the government monopoly on violence that tends to lead to violent governments. The government cannot regulate or influence individuals in the way it influences other governments. But individuals can regulate themselves. The great French economist and philosopher Frédéric Bastiat put it best:

It seems to me that this is theoretically right, for whatever the question under discussion — whether religious, philosophical, political, or economic; whether it concerns prosperity, morality, equality, right, justice, progress, responsibility, cooperation, property, labor, trade, capital, wages, taxes, population, finance, or government — at whatever point on the scientific horizon I begin my researches, I invariably reach this one conclusion: The solution to the problems of human relationships is to be found in liberty.

Since we know that regulation, legislation, and mandate must end in failure, why not start down a new road — one that might well lead to success?

Oh, I have one final question: How many of you were smiling when I was going after gun control, but turned on me when I went after the historicity of the Bible? And vice versa? I hope you’ll note that my argument highlights the faulty reasoning of both conventional liberal *and* conventional conservative positions. Perhaps you would like to reevaluate the group you’re standing with? □



“Hey — did you buy that gun *legally*?”

Reviews

"The Road to 9/11," by Peter Dale Scott. University of California Press, 2007, 423 pages.

Prelude to Disaster

Jon Harrison

Two events in the 20th century transformed the American way of life. The first was the Wall Street crash of 1929 and the economic depression that followed it. This led to the election of Franklin Roosevelt and the tremendous expansion of federal interference in both the economy and the day-to-day lives of individual Americans. Despite some rollback on the tax front under Ronald Reagan, and on the regulatory front under Reagan and others, the power of Washington continues to loom large over every state, community, business, and citizen. There seems little hope of our ever returning to the balanced federalism that existed before 1933.

The second event was the Cold War with the Soviet Union, which led to the creation of the national security state. The National Security Act of 1947 gave statutory existence to the Defense Department, the Joint Chiefs of Staff, the National Security Council, and the Central Intelligence Agency. In the following year, peacetime conscription was introduced. In 1950, the National Security Council issued NSC-68 (written by Paul Nitze), an alarmist document that may justly be called

the blueprint for the military-industrial complex. Approved by President Truman shortly after the outbreak of the Korean War, NSC-68 began the process of militarizing American society. If we have not quite become another Prussia as a result, we are today far from the republic that existed until the mid-20th century, with its relatively small defense establishment and overseas commitments.

Despite the end of the draft in 1973, and the temporary paring of defense spending that followed the collapse of the Soviet Union in 1991, the military-industrial complex lives on, warping our politics, our economy, and our engagement with the rest of the world. One is sometimes tempted to wonder whether the current terrorist threat is the creation of nefarious forces here at home, designed to keep the national security state in being.

One would be wrong to believe that, or rather to believe that it was done *deliberately*. Some of the so-called "truthers" maintain that the U.S. government (or alternatively, the Israelis) carried out the 9/11 plot, or at least stood by and allowed it to come to fruition. These people are conspiracists, nothing more. No real evidence exists for their fever-

ish formulations. Nevertheless, that the U.S. government had a hand in the creation of al Qaeda and Islamic extremism generally is by no means a far-fetched idea. This is one of the many provocative themes that run through Peter Dale Scott's latest book, "The Road to 9/11" (subtitled "Wealth, Empire, and the Future of America").

Before delving deeper into Scott's thesis, I will say a few words about the man himself. Born in Canada, he served in the Canadian diplomatic service before taking up a teaching post at Berkeley in 1961. He remained there until retirement. Now nearing 80, and a professor emeritus, he has the intellectual energy of a man half his age. He is also a poet of some repute, though I confess I have not read his poetical works.

Scott is a man of the Left. In a remarkable preface to the book, he contrasts the America of 1961 with the America of today, maintaining that we as a nation have lost our way. Libertarians will perhaps bristle at some of his conclusions. It may be possible to refute him on some particulars, but I fear the broad picture he paints is all too accurate.

I found particularly resonant his comparison of present-day America,

awash in unneeded consumer products and mindless diversions, to the simpler life he and his wife discovered in Thailand, where they recently spent

Brzezinski, through his support for the Afghan mujahedin, set in motion a process that eventually led to the 9/11 attacks.

some 18 months. Similarly, my wife and I came to rural Vermont to find a less cluttered life — a slower pace without the material obsessions of the suburban world we left behind. Whether most libertarians will identify with this critique of materialism, I couldn't say.

But this is not a book about political economy or cultural malaise in the United States. Rather, it tells of the bitter fruits of empire — the price we have paid for the continued existence of the national security state. The book's focus is on the period from the partial breakdown of the Cold War consensus in 1968 to the present day, when we are suffering both at home and abroad from the consequences of al Qaeda's successful attack on the Twin Towers.

This is not a standard narrative such as academics have been producing since the 19th century — that is, a presentation of generally agreed upon facts that are analyzed according to the author's ideological predilections. Rather, it is an attempt to reveal the *deep politics** of the period — the stories that never make the newspapers (or are misreported), the facts that are somehow left out of the standard academic works.

Let me stress that we are not here entering the world of conspiracy mongering. This book, like all of

Scott's prose works, is meticulously researched and sourced. His formulations are grounded in the evidence. His conclusions may be disputed, but not on evidentiary grounds. In short, the scholarship is excellent.

Libertarians and some leftists can perhaps agree that the increased size and power of the state have provided cabals both inside and outside of government with the means to pursue their own ends, often (though not invariably) at the expense of the commonweal. Scott sets out to expose these cabals in action, and to my mind, he sheds much light on them.

We see an American establishment conflicted first in its approach to conducting the Cold War (at least in its later stages), and then to the sharing out of the spoils of victory. A willingness to maneuver around public opinion and the law itself is a shared characteristic of virtually all the major players. Among Scott's more startling revelations are:

- That in 1971 Lewis Powell, the future Supreme Court justice, composed a confidential memorandum for the U.S. Chamber of Commerce, outlining a program for the survival of the free-enterprise system in the United States. After 1968, the establishment apparently believed that the system was in dire peril. This failure of nerve created an atmosphere that allowed the Pentagon to undertake serious planning for the imposition, if necessary, of martial law.
- That Zbigniew Brzezinski, Jimmy Carter's National Security Advisor, through his support for the Afghan mujahedin, set in motion a process that eventually led to the 9/11 attacks (an assertion supported by the British defense publication "Jane's," hardly a left-wing rag).
- That Brzezinski, David Rockefeller, and Henry Kissinger were able to secure the deposed Shah of Iran's entry into the United States, despite the opposition of President Carter.
- That in 1980 William Casey, Ronald Reagan's presidential campaign manager and future

CIA director, intrigued to prevent the preelection release of the U.S. hostages in Iran, thus assuring that Carter would not pull off an "October Surprise" that might have carried him to victory. The events of 1980 closely resembled those of 1968, when Republicans and Democrats intrigued either to prevent or to promote negotiations to end the Vietnam War.

- That in the mid-1980s Vice President George H.W. Bush, Rep. Dick Cheney, and Donald Rumsfeld (then out of government) worked with Oliver North on plans to suspend the Constitution and intern thousands of U.S. citizens in the event of a "national emergency."
- That Ali Abdelsaoud Mohamed, while a member of the U.S. Army's special forces, trained al Qaeda members in hijacking techniques (including how to smuggle box cutters onto airplanes), and later helped plan both the 1993 World Trade Center and the 1998 East African embassy bombings. Mohamed was also a U.S. intelligence asset, *even while he was planning attacks on U.S. citizens*. Despite his role in thousands of American deaths, he has continued to receive special treatment from the U.S. government. Some of these facts were suppressed by the 9/11 Commission, for reasons as yet unknown (though the desire to avoid political embarrassment seems, to me at least, likely).
- That Vice President Cheney has consistently lied about his role on September 11, 2001, particularly during the crucial time period from 9:00 to 10:30 a.m., even in his testimony under oath before the 9/11 Commission.

Not a pretty picture, is it? And not one, assuredly, that will be found in future textbooks or conventional histories of the period (or for that matter, in popular works such as the movie "Charlie Wilson's War"). One is repelled by the Byzantine quality of it all. One

*"Deep politics" is Scott's own neologism. For discussion, see his "Deep Politics and the Death of JFK" (Berkeley: University of California Press, 1993) 6 – 10. In the work under review, he contrasts the "deep state" to the "public state" in almost Manichean terms.

almost understands how some people's minds can be warped into thinking that U.S. leaders are capable of murder, even of their fellow citizens. For the actions taken by our leaders are so often contrary to what a normal American would perceive as the national interest that bizarre conspiracies almost seem necessary to explain them. On the other hand, perhaps we are merely witnessing the fruits of greed and stupidity. Occam's Razor teaches us that this is the most likely explanation.

Yet — it is known that during the Cold War the U.S. government, or parts of it, supported terrorism and the killing of civilians in places like Italy and Central America, in order to advance American interests. Even the killing of U.S. citizens was contemplated, though it appears no such plans were ever implemented. (I refer here only to the deliberate murder of American citizens at the behest of the U.S. government, as outlined in the Operation Northwoods documents from 1962. Some American leftists — Black Panther Fred Hampton, for example — died under questionable circumstances at the hands of state and local law enforcement, backed by the FBI. The deaths that occurred at Ruby Ridge and Waco, despite federal involvement, cannot be said to involve the deliberate slaughter of innocent civilians. The key word as regards these latter cases is "deliberate.")

Should we then consider, after all, the possibility that our own government may have had foreknowledge of the 9/11 plot, and allowed it to go for-

This book tells of the bitter fruits of empire — the price we have paid for the continued existence of the national security state.

ward? Scott does not make this quantum leap, but he insists that many important questions about 9/11 remain unanswered; that a cover-up (the rea-

sons for which we can only speculate about) occurred. His arguments in this regard are persuasive.

The book also provides interesting sidelights on past scandals, such as Watergate and the activities of the Bank of Credit and Commerce International (BCCI), neither of which has been fully plumbed to this day, despite the efforts of capable scholars and journalists.

Almost no one comes off well in this book. Even Patrick Fitzgerald, often seen as a future attorney general in the United States, is revealed to have feet made partly of clay. This is not the result of a hypercritical attitude on the part of the author. Rather, it is simply (sad to say) a reflection of how America functions on a political level today.

One of Scott's ideas that I find little basis for is his conception that a major cause of the problems highlighted in his book is the growing disparity of wealth in America. To my mind, the immense and continuing growth of governmental power is what sets the stage for battles over resources and policies between competing interests, and leads to imperial ventures like the war in Iraq. A major reduction in the size of government would mean, ipso facto, that there would be that much less for cabals to fight over. Given fewer resources, the American government's capacity to make mischief around the world would be greatly reduced.

In his introduction to the book, Scott says:

This increasing articulation and institutionalization of secret power corresponds to an increasing subordination of public power to the private realm. Many Americans have become inured to the fact that major policy decisions, ranging from defense strategies to the initiation of preemptive war, are no longer formulated by the public state. Rather, these decisions are now imposed on it from the outside.

Quite so. But how do we fix this problem? By leveling incomes? By increasing taxes on the rich, or on corporations? The problem will not be solved by legislation. Only if we reduce dramatically the means that lie open to those who wish to subordinate "public power to the private realm" can we hope to put an end to the mischief. If there are no vast wheels of public power for the evildoers to grasp, then their capac-

ity to harm us (not to mention the rest of the world) is greatly diminished.

This is not an easy book. One must make a commitment to see it through. There is a wealth of information that

We are not here entering the world of conspiracy mongering. Scott's conclusions may be disputed, but not on evidentiary grounds.

will be new to many readers. The prose, however, is precise and clear. Scott is a very fine stylist. I found no errors of any significance (Scott places the Palmer raids in 1918; they actually occurred in 1919).

Scott's hope is that in time we will see a Velvet Revolution here in America. Drawing on the examples of the American Civil Rights movement, Solidarity in Poland, and the end of apartheid in South Africa, he foresees a similar "soft victory" over the "Vulcans" who presently rule us.

In an email exchange a few months ago, I urged upon Scott a pet idea of my own: that an alliance of libertarians, traditional conservatives, and what I call "sound progressives" is needed to combat the Bush-Cheney foreign policy, as well as the domestic agenda of the evangelical Right. He replied that he saw promise in this conception. He went on to say the following: "These efforts will not succeed at first. But to many people independently these contacts seem necessary for the sake of the Republic. I keep saying that if the Poles could oust their Soviet occupiers, the American people should be able to prevail over the military-industrial complex."

I didn't bother to point out that on its own (that is, without America behind it), Solidarity would have been squashed like a bug. In response, I merely said to Scott, "I don't believe you will see a Velvet Revolution here. Too much bread and circuses for that."

To this he made no reply. □

“Eco-Freaks: Environmentalism Is Hazardous to Your Health,” by John Berlau. Nelson Current, 2006, 250 pages.

Death by Environmentalism

Gary Jason

For the last half century, the environmentalist movement has been a dominant influence on the cultural and political scene. This is widely viewed as a blessing, whose progressive result has been without exception the improvement of our society. John Berlau has written a book aimed at kicking that smug sense of green achievement smack in the teeth.

Berlau makes a sharp and vigorous presentation of the view that the environmentalist movement has had some very unfortunate consequences. He begins by reviewing the history of the successful campaign by environmentalist organizations to demonize DDT and other pesticides. DDT was first discovered in the 1870s and found to be a potent insecticide in the 1930s. But it was the U.S. military that pushed its mass production at the outbreak of World War II. With the troops facing both malaria and typhus — which had killed millions in World War I — the army knew it had to find some way to combat the vectors, i.e., the disease-carrying insects (lice and mosquitoes). It gave the assignment to Merck, and one of Merck's top chemists (Joseph Jacobs) was able to set up a plant to mass produce DDT. Starting in 1943, DDT was widely used; it stopped a number of wartime typhus epidemics.

It was then used worldwide in the 1950s and early 1960s to stop malaria,

which it almost eliminated. But after Rachel Carson's popular book “Silent Spring” (1962), in which she alleged that DDT and other pesticides were killing wildlife and hinted that they were causing cancer in people, DDT was banned. As Berlau notes:

In 1948, Sri Lanka had 2.8 million cases of malaria. By 1963, after years of DDT use, that number had dwindled to 17 cases. But then in 1964, U.S. environmentalists and world health bodies convinced Sri Lankan officials to stop spraying. By 1969, the number of malaria cases had shot back up to pre-DDT level of 2.5 million. (41)

Since then, Sri Lanka has used other pesticides to control the disease, including — ironically, given the environmentalist alarm about it — malathion.

As to the worry (voiced by Carson and repeated to this day) that insects will just rapidly develop resistance to DDT, Berlau makes several points. First, if we introduce an antibiotic like penicillin, yes, bacteria will become resistant. But that takes a fair amount of time, during which people's lives are being saved.

Second, DDT causes less resistance than most other pesticides, because it repels bugs before killing them. Indeed, even resistant bugs continue to be repelled, as the World Health Organization noted recently when it advocated reintroducing DDT for limited indoor use.

As if defending DDT weren't

enough, Berlau argues at length that the banning of asbestos as a fire retardant has been a major cause of deaths, because no other substance even comes close to its ability to halt the spread of fire. He argues in particular that the lack of asbestos fireproofing was a major contributor to the collapse of the World Trade Center buildings after the 9/11 attacks, and urges that asbestos be used again in military shipbuilding (with appropriate worker protection).

Berlau covers in detail a number of other issues, with arguments that are sure to rile environmentalist tempers. He argues that cars are a Godsend and that big cars save lives. He suggests that environmentalists (especially such people as “population guru” Paul Ehrlich) have a not-so-hidden agenda of stopping people from having children, viewing children as a kind of pollution. He supports the view that far from there being a shortage of trees, “There has never been a better time for forests and wildlife” (155). He argues, indeed, that because we have fossil fuels, we don't have to chop down trees for fuel.

Moreover, he holds that the biggest threat to forests is the environmentalists themselves, because they fight the harvesting of old growth, leaving forests more prone to disastrous fires. He also makes the case that far from the Bush administration's being to blame for the high death toll from hurricane Katrina, it was the environmentalists who are to blame for this also. In 1977, the Environmental Defense Fund and the Louisiana-based environmentalist group Save Our Wetlands stopped the

As if defending DDT weren't enough, Berlau argues at length that the banning of asbestos as a fire retardant has been a major cause of deaths.

construction of flood-control gates (like the ones used in the Netherlands) that likely would have saved New Orleans from the flooding.

Finally, Berlau argues that the so-called mainstream environmentalist movement covertly encourages ecoterrorist groups such as Earth First! and the Earth Liberation Front.

Berlau's book is nothing if not provocative; it is certainly an enjoyable read. You are compelled to at least a grudging admiration for an author saucy enough to have chapter titles such as "Rachel Carson Kills Birds" and "Hurricane Katrina: Blame it on Dam Environmentalists." But there are some areas in which I find the book lacking.

For one thing, I'm surprised that Berlau didn't explore some other areas of dubious environmentalist action, such as the push for ethanol and the often bizarre and useless recycling schemes that have been foisted upon cities across the nation. I would have loved to see him review the decisive role of the environmentalist movement in killing off the American nuclear power industry, something that has cost us dearly in lost lives and treasure. It is ironic to hear environmentalists pontificate about global warming, after having helped increase our reliance on (foreign-produced) fossil fuels.

Also, Berlau's book is a little too tententious. Have the environmentalists done nothing right? I mean, nobody would hold that all or even most of what environmentalists have done has been bad for people. And while Berlau doesn't say that the environmentalists have done nothing good, he might have noted some of the cases where they clearly have. For example, their push for cleaner air clearly was crucial in helping improve air quality in many cities. More to the point, he should have explored in more depth the central problem here, namely, the lack of balance shown by environmentalists. Nobody denies that we need to protect our environment, that unbridled business activity can create negative externalities such as pollution and other environmental damages. Certainly Berlau doesn't deny this.

As he points out, most people, by far are conservationists — they fervently desire a clean and protected environment. But they balance that desire against other values, such as the health and safety of their fellow human beings. That is the difference between normal respect and concern for the ecosystem,

and the sort of unbalanced and fanatic desire for a completely untouched environment that motivates many of the movement's leaders.

For instance, it would be one thing to oppose the routine use of DDT, say, for commercial agriculture, if there is scientific evidence that it is harmful to animal life. Killing off species to save a few pennies on the cost of a pound of apples is unconscionable. But it is quite another to ban it altogether, even barring its use for disease vector control, and routinely oppose all other pesticides for that use, knowing that hundreds of thousands of people — who are animals just as much as are other species — will die in consequence.

Again, stopping the widespread spraying of structures with asbestos by unprotected workers (who later develop horrible lung diseases) was clearly the sane thing to do. But that's not the same as demanding that every last trace of asbestos be ripped out of buildings on the chance that someone *may* develop lung disease late in life, knowing that as a result thousands may die in fires who would have been spared if asbestos, carefully produced and controlled

the audacity of truth

Terror, war, health care and drugs. Who are the special interests lurking behind the bad policies, and how are these policies related? In this thoroughly documented book, analyst W.J. Malan covers an astounding amount of ground with clarity and a dose of humor.



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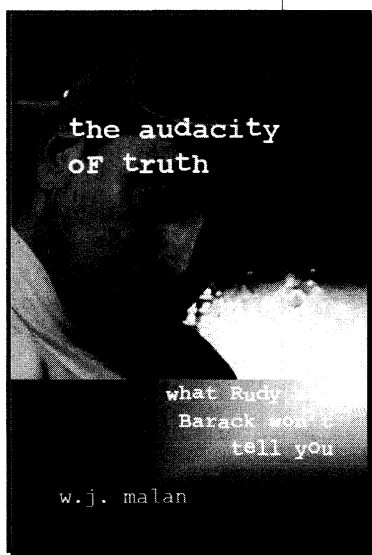
Linda Zappa, artist

Malan presents a provocative and thoughtful alternative to the war on drugs that is worthy of consideration.

Hon. Peter D. McDermott,
District Judge

As a Chicago cop for over 30 years I saw the damage caused by the war on drugs. Malan's book shocked me though, connecting the dots between "the medical monopoly," the high cost of health care, and the drug war.

Henry Leja, retired policeman



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The Competition

Barack Obama's *The Audacity of Hope* panders to his base, lulls the wobbly and is devoid of substance. *The Audacity of Truth* hits foreign policy, health care, and drug war special interests head on and makes the case for principled, practical alternatives.

Michael Moore's *SICKO* presents a distorted view of health care in Cuba and the U.S. Read *The Audacity of Truth* to separate fact from the Potemkin village fantasy of *SICKO*.

Dick Morris' *OUTRAGE* hits members of Congress who have relatives working as lobbyists. Morris is a stranger to principle, and as a result *OUTRAGE* is little more than a windy gripe that some Congressmen make room for the rest of us on *The Titanic*.

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(as it is abroad), had been used in ships and skyscrapers.

Berlau might have devoted some analysis to asking why such an unbalanced approach to the vital aim of conserving the environment exists in the environmentalist movement. I would suggest that there is a major strain of pagan or secularist religion, Gaea worship, that informs the movement. This strain of thought, a weird sort of neo-

Romantic pantheistic nature cult, has been prevalent since Rousseau in the Enlightenment era, but it exploded throughout the culture in the 1960s. Not all environmentalists share this worldview, but it is the one that drives the movement. And it is one that often downplays the value of people — devalues them and, indeed, de-animates them. That is a topic I would love to see explored in depth. □

“The Politics of Inequality: A Political History of the Idea of Inequality in America,” by Michael J. Thompson. Columbia University Press, 2007, 249 pages.

Liberty and Inequality

Bruce Ramsey

Here is a book by an enemy of libertarians. It is not addressed to them, but it portrays their theory — and accurately, as far as it goes. It also gives that theory a big political role in contemporary America. The author wants to eliminate that role, and get the country back on the happy track charted during the New Deal.

The author is Michael J. Thompson, an assistant professor of political science at William Paterson University in Wayne, NJ, and founder and editor of the academic magazine *Logos*. It seems he is a Marxist. Anyway he is opposed to capitalism on the Marxist ground that the wage earner is not equal to the employer, and therefore is not free. Thompson cites, with approval, the

early socialists' claims that “it was not possible for an individual to be in any way free or possess any kind of substantive liberty if he was dependent upon another person or institution for wages — or, in any other way.”

Thompson doesn't really define freedom. One wants to ask: freedom from *what*? Nor does he rebut the idea that capitalism gives a wage earner a valuable freedom — from the bureaucracy if not from necessity — because it allows him to quit and find a better job, or to accumulate capital and start his own enterprise.

This book is about the idea of *inequality*, meaning some people having more property than others. This is not a word libertarians much use; to them, the fact that some have more than others is not a problem. To Thompson, it is. It makes people politi-

cally unequal. Modern capitalism may offer Americans big-screen TVs, but Thompson says it has “dispossessed them of their autonomy and robbed them of substantive social and political liberty in the sense that they would be subject to domination, live according to the interests and power of others, and cease to be self-sufficient — and therefore cease to be free.”

One wants to ask him where and when, by his definition, mankind has ever been free. Not in the socialist countries, surely; but then, he hardly mentions them.

Anyway, that is his view. His forte is equality, and the purpose of his book to track the idea of *inequality* through American history and offer to fight it. His goal is, in short, to shift the political dialogue so that John Edwards might be considered a moderate. It is to revive the leftism of the 1930s — and, in his view, the egalitarianism of the Founders.

Yes — the Founders. In his view, the Founders were revolting against an aristocracy. He has to admit that they were for liberty in the classical liberal (not the modern leftist) sense, but he says they also assumed that without aristocratic privilege, people's holdings would reflect their labor and would therefore be roughly equal. In this sense “the political tradition of economic egalitarianism . . . was foundational to the understanding of the American political project since its inception.”

But there were divisions. The Jeffersonians fought the Hamiltonians. Jefferson wanted his countrymen to be farmers, and be roughly equal;

Thompson doesn't really define freedom. One wants to ask: freedom from what?

Hamilton wanted a commercial republic of unequals. The Cato people who take Jefferson as their icon have, in

Thompson's view, the wrong guy. Libertarians are apologists for inequality, and therefore are descendants of Hamilton.

Some Americans from the early days of the republic did resent capitalism, and made egalitarian argu-

How does Thompson propose to manufacture cars and passenger jetliners without wage labor? He is an academic guy writing an academic book. He doesn't worry about it.

ments against it. Thompson quotes a number of them: Theophilus Fisk, Orestes Brownson, William Gouge, John Pickering, David Henshaw, Stephen Simpson, William Leggett, and Thomas Skidmore. I had never heard of any of them, but Thompson assures his readers they were men of their day, and speak for an important strain of American thought.

He also includes a chapter on American arguments for inequality. Here I recognized the authors, either because they are more prominent or because I am in that tradition myself. There is, for example, John C. Calhoun. Thompson quotes his "Disquisition on Government" (1851):

Now, as individuals differ greatly from each other, in intelligence, sagacity, energy, perseverance, skill, habits of industry and economy, physical power, position and opportunity — the necessary effect of leaving all free to exert themselves to better their conditions, must be a corresponding inequality . . . The only means by which this result can be prevented are, either to impose such restrictions on the exertions of those who may possess [ability] in a high degree, as will place them on a level with those who do not, or to deprive them of the fruits of their exertions. But to impose such restrictions on them would be destructive of liberty — while to deprive

them of the fruits of their exertions, would be to destroy the desire of bettering their condition . . . and effectually arrest the march of progress.

I read that paragraph, stopped, and read it again. I agreed with it — all of it. Clearly Thompson does not. He does not try to refute it, but presents it, holding his nose.

He does this again with William Graham Sumner, someone otherwise very different from John C. Calhoun. He quotes "What Social Classes Owe to Each Other" (1883) on why an entrepreneur might be worth big money:

Some have said that Mr. Stewart made his fortune out of those who worked for him or with him. But would those persons have been able to come together, organize themselves, and earn without him? Not at all. They would have been comparatively helpless. He and they together formed a great system of factories, stores, transportation, under his guidance and judgment. It was for the benefit of all; but he contributed to it what no one else was able to contribute — the one guiding mind which make the whole thing possible.

I agreed with that, too. Thompson doesn't — but again, he just reports it.

After presenting Calhoun and the classical liberals, Thompson goes on to the egalitarianism of the Progressives and socialists, which underpinned the New Deal. But Thompson believes that Franklin Roosevelt's "reforms did not go far enough in remaking a new socioeconomic order." Even after the New Deal, the American system still "would preserve a liberal notion of property and a liberal work ethic." Then, in the late 1970s, this part-finished project of equality "went into crisis" and was "derailed."

Who did the derailing? It was Ludwig von Mises, Friedrich Hayek, and Milton Friedman.

These free-market economists, in Thompson's view, are the crucial thinkers behind the "great

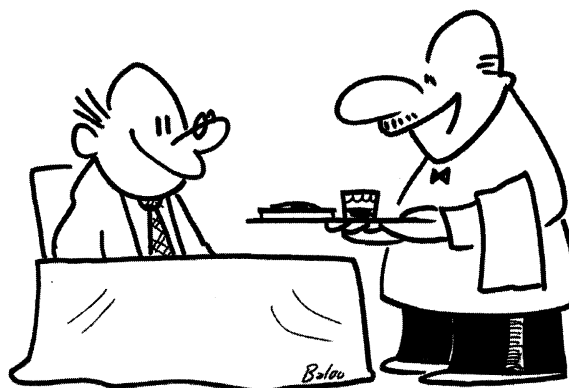
reaction against the welfare state," the revival of "hedonic individualism," the "free" market, and the spread of an "economistic and libertarian notion of 'liberty.'"

After touching on the arguments of Mises and Frank Knight, another important economist, Thompson quotes Hayek in "The Constitution of Liberty" (1960) opining on that privileged topic, inequality:

From the fact that people are very different it follows that, if we treat them equally, the result must be inequality in their actual position, and that the only way to place them in an equal position would be to treat them differently. Equality before the law and material equality are therefore not only different but are in conflict with one another; and we can achieve either one or the other, but not both at the same time.

It is Calhoun all over again — except that this time, the argument is more sophisticated. There is, for example, the theory of subjective value, which allows the defenders of capitalism to sidestep the question of whether their system offers a fair distribution of income. By what standard is the labor of a baseball player worth 100 times the labor of the janitor who cleans up after the game? The answer, free-market economists said, was the value of the player *to other people*.

Then there was Hayek's theory of spontaneous order, which not only showed why the market works better but also seemed to show that it was a system with no central commander — therefore conducive to freedom.



"Your businessman's lunch, sir — raw meat and whiskey."

Amidst the bubbling of Hayekian spontaneity, economic inequality would be a permanent feature. But Milton Friedman argued that it need not be a permanent condition for any family or individual. People could move up and they could move down. It all depended on how well they satisfied the economic demands of others.

In Thompson's view, the shift in public policy toward the market in the late 1970s traces back to the academic victory of these (false) economic ideas. And those ideas did, in fact, gain territory. Free-market economists — Hayek, and also the Chicago economists — won Nobel prizes and gained territory in the academy and government. Their views did affect the political discourse. But the reason they prevailed was not only the quality of their argument, but also the fact that their opponents were pinched by reality. In America the Keynesian, government-interventionist policy led to stagflation. Abroad, socialism worked as a kind of economic formaldehyde.

There is no sense of this in Thompson's book. That capitalism works or does not work, that socialism works or does not work, that in one system wages are higher than in the other, and workers' choices are more varied and interesting — all this makes no impression on him. He simply believes that wage labor leads to inequality, and inequality is bad.

Well, how does Thompson propose to manufacture cars and passenger jetliners without wage labor? What ethic would he put in place of a "liberal work ethic"? Who knows? He is an academic guy writing an academic book. He doesn't worry about it.

Anyway, Thompson credits fellow academics Mises, Hayek, and Friedman with establishing a defense of inequality that has become the new orthodoxy in America. It is because of *their* influence that in contemporary America "laissez faire individualism . . . has made a triumphant return in contemporary American politics." As a result, "poverty is rarely seen as the result of cumulative causation, but of paucity of effort or laziness." And "market outcomes are tolerated as final."

Such is America as viewed from the halls of William Paterson University. It is a delightful view, and it lifts me up. □

The Oscars That Should Have Been

by Jo Ann Skousen

This wasn't the best year for studio blockbusters, but it was a great year for independent films that focused on unusual plot developments, artistic production values, and virtuoso performances. The Academy selected five great films as nominees for Best Picture. Two of them ("There Will Be Blood" and "Michael Clayton") are reviewed in this issue; two others ("Juno" and "Atonement") were reviewed last month. But were these truly the best movies of the year? Which movies are worth another look — on DVD?

This month I revisit some of my favorite films from 2007 and my reactions to them, with some help from my earlier reviews in *Liberty*.

Best Picture

"Into the Wild." Sean Penn's hauntingly exceptional film about a young man's journey into the Alaska wilderness was grossly overlooked by the Oscar committee. The beauty and joy of living in the wild is apparent in this film, along with its dangers and loneliness. Fittingly, the scenery is a dominant character. We are treated to gorgeous vistas of Alaskan skyline, Arizona canyons, South Dakota plains, and a wild kayak ride down the Colorado River. The gentle folk songs of the Michael Brook soundtrack add to the spirit of the film. Though few of us would ever attempt to imitate the adventurer Chris McCandless, a young man who headed out on an extended road trip across the country without a phone or a forwarding address, we can at least understand what drew him to the wilderness.

As a mother, I was overwhelmed by the portrayals of parental loss. Almost everyone in this film suffers from the

pain of families torn apart. Chris spends several weeks in a campground with a hippie couple who have not heard from their own son, about Chris' age, for two years. The mother (Catherine Keener) clearly sees Chris as a substitute for her own lost son, and implores him to call home. He does not. Another man who gives Chris a ride (Hal Holbrook, in one of the most moving performances of his illustrious career) feels the same way toward the charming and gregarious young man, advising him, "When you forgive, you love. And when you love, God's light shines." Nevertheless, Chris still does not call home. The agony felt by his parents (Marcia Gay Harden, William Hurt) as they wait and wonder and finally learn the truth is excruciating. Penn handles it all with beauty, poignancy, and restraint. Without question, this is the best film of the year. (December 2007)

"Rescue Dawn." This harrowing story of Dieter Dengler, a German-born American flyer who, on a mission over Laos, was shot down, captured, imprisoned and tortured, and then organized a prison break to rival "The Great Escape," stays with you long after the credits roll. My respect for the craft of acting grew as I watched gaunt, wild-eyed men waste away in scene after scene. A filmmaker's film, "Rescue Dawn" works on every level. Director Werner Herzog pulls every ounce of strength from his actors, his script, his crew, and his location. He expects the best, and he gets it. (October 2007)

"3:10 to Yuma." I went to this film expecting to write about libertarian issues like property rights, private secu-

rity companies, and eminent domain. But within minutes I was thoroughly caught up in the story itself. Director James Mangold returns to the classic western's long, luxuriant shots of dusty men on horseback, moseying into town. His action shots are full-bodied and intense without being gruesome. The film's title refers to the train that will take notorious outlaw Ben Wade (Russell Crowe) to the Yuma state penitentiary — if the posse, led by Pinkerton man Grayson Butterfield (Dallas Roberts), can get Wade aboard the train before his gang can free him. The most determined member of the posse is Dan Evans (Christian Bale, still gaunt from filming "Rescue Dawn"), an accidental hero who needs the \$200 reward to pay off the mortgage on his ranch before he loses it to the railroad. Almost as important, Evans needs to show his 14-year-old son, William (Logan Lerman), that he is not the cowardly weakling William sees him as. This father-son relationship is the heart of the film. William is 14, on the cusp of manhood, deciding who he will be. Will he follow his father's retiring, somewhat cowardly footsteps, or will he emulate the dashing, courageous outlaw chieftain? Both men compete for the admiration of this son. With William, outlaw Ben Wade seems to stand at the crossroads again and look down the path he might have taken, if he had had a father like Dan Evans. (November 2007)

"Live Free or Die Hard." Okay, I know, this is neither artistic nor socially relevant. But the Die Hard films are so entertaining! "Die Hard" was the one studio blockbuster that really delivered the thrills this year, with nonstop over-the-top action sequences, a believably menacing uber-villain, an Everyman sidekick, and Superman Bruce Willis with his wry smile, sardonic wit, reluctant heroism, and borderline insanity. I can't get enough. (September 2007)

Best Actor

Christian Bale, "Rescue Dawn." Strong and robust when his character is shot down over Laos, Bale gradually loses weight until by the end of the film his cheeks are hollow, his face is haggard, his sanity is on the brink. But the light never goes out in his eyes. He is a problem solver. What keeps him

going is his determination to escape. (November 2007)

Russell Crowe, "3:10 to Yuma." After his shameful attack on a hotel clerk, Crowe will probably never again

be nominated by the Academy. But fortunately for us, he will continue to deliver amazing performances. Crowe captures the complexity of the outlaw Ben Wade, who is ruthless, demanding,

Notes on Contributors

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David T. Beito is an associate professor of history at the University of Alabama, and author of *Taxpayers in Revolt* and *From Mutual Aid to the Welfare State*.

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Jacques Delacroix is a former professor of management and a sociologist by training. He lives in Santa Cruz with his wife, the artist Krishna Delacroix.

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Richard Kostelanetz has written many books about contemporary art and literature.

Bob Marcus is a longtime reader of *Liberty*, an entrepreneur, CEO, world traveller, and libertarian living in San Francisco.

Bill Merritt is a sometimes-novelist living in Gaborone, Botswana. If you are offended at what he has to say, you are welcome to try to pursue him through the Botswana legal system.

Fred Mora is a French engineer and writer who is now happily living the American Dream in the U.S., complete with house, green card, and barbecue.

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Randal O'Toole is an adjunct scholar at the Cato Institute.

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Patrick Quealy may be found in his natural habitat, a Seattle coffee shop.

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Environmental Religion in the Schools • Author *Jane Shaw* explores how schools indoctrinate children in the New Religion of Mother Earth. (CD: A-404, Cassette: B-404, VHS: V-404)

The Liberty Privacy Panel • *R.W. Bradford, Fred Smith, David Friedman, and Doug Casey* explore the privacy issues of the 21st century. (CD: A-405, Cassette: B-405, VHS: V-405)

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Contracts and the Net • The internet will reshape contract law, argues *David Friedman*, at the expense of judicial power. (CD: A-411, Cassette: B-411, VHS: V-411)

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Urban Sprawl, Liberty, and the State • Learn why environmentalists want you caged in cities, and how they plan to do it — with *Jane Shaw, Richard Stroup, Fred Smith, and Randal O'Toole*. (CD: A-414, Cassette: B-414, VHS: V-414)

My Dinner With James Madison • *Scott Reid* views modern America through the eyes of a Founding Father. Our Madison discusses some little-known alternatives at the Constitutional Convention, and why they would have been better for freedom. (CD: A-415, Cassette: B-415, VHS: V-415)

The New Liberty and the Old • *R.W. Bradford* explains how fundamental changes are reshaping the libertarian movement, and forthrightly takes on the advocates of the non-aggression imperative. (CD: A-416, Cassette: B-416, VHS: V-416)

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deeply masculine, and brutally just, yet also charming, humorous, intelligent, and artistic. (November 2007)

Emile Hirsch, "Into the Wild." Dialogue is easy; acting when you are all alone and making it look effortless takes genuine skill. But maybe Hirsch was too good at making it look effortless, because the Academy snubbed both him and Sean Penn. As Chris McCandless, Hirsch portrays a loner who can be gregariously social, a mountain man who is woefully unskilled. Although Chris was at odds with his parents for a variety of reasons, Hirsch shows that he was not just escaping from the anger of their house; he was escaping to something, heeding the call of the wild that resonates with so many young men at that age. (December 2007)

Johnny Depp, "Sweeney Todd." Probably the best actor of this generation, Depp deserves an Oscar for just about every role he takes. Depp was nominated this year for his brilliant performance in "Sweeney Todd," Stephen Sondheim's lyrically sublime musical about a barber who is wrongfully convicted of a transportable crime and returns to London with a lust for

"Die Hard" was the one studio blockbuster that really delivered the thrills this year.

throat-slashing. Instead of infusing this barbaric barber with maniacal ravings, Depp portrays him as a man stiffly devoid of feeling and emotion, perfectly controlled and totally corrupt. As always, Depp's instinct is superb.

Best Actress

Amy Ryan, "Gone Baby Gone." As the spaced-out, coked-up unmarried mother of a missing toddler, the

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normally beautiful Ryan is as mousey, plain and foul-mouthed as any coke addict who might be seen emerging from a low-class bar in the seedier parts of Boston. If the Academy is still giving out the Nicole Kidman "uglier is better" award, Ryan has it locked up.

Ellen Page, "Juno." A precocious 16-year-old who has sex on a whim and ends up getting pregnant, Juno cracks wise while deciding what to do with her inconvenient lump of "fingernails" and potential life. To me, the character is a bit too casual and nonchalant about the situation, her sardonic quips reflecting the language and sexual maturity of a 25-year-old more than a high school student. But Page also offers glimpses of Juno's private uncertainties and emotional innocence, indicating that the comedic bluster masks the insecurity and fear she feels inside — quite an emotional feat for such a young actress to communicate. Ellen Page is a talented actress with a tremendous career ahead of her if she can survive the Hollywood night life.

Amy Adams, "Enchanted." Adams shines in this charming, cartoonlike musical about a Disney princess who is propelled from her animated kingdom of Andalusia to flesh-and-blood New York City. The danger in such a role is that you are always just one twinkle away from falling into camp. But no fear! Fresh-faced, dewy-eyed, and full of princess-like optimism that everything will end up happily ever after, Adams has an effervescence that never bubbles over the top. As our reviewer Jon Harrison described her performance, "I didn't need anything from the concession stand. Amy Adams was eye candy enough." (March 2008)

Best Supporting Actor

Steve Zahn, "Rescue Dawn." Known for his lightweight roles as the wisecracking sidekick in such films as "Sahara," "Bandidas," and "Employee of the Month," Zahn reaches an emotional depth never before plumbed in his body of work. His innate sense of humor remains intact, but without the wisecracks. He delivers a taut, gripping performance, particularly with his eyes. These prisoners of war are in a deadly serious situation, and his character never loses sight of it. (October 2007)

Hal Holbrook, "Into the Wild." Holbrook is the master of turning small parts into pivotal roles. Who can forget his shadowy "Deep Throat" in "All the President's Men"? As the lonely man

Sean Penn's hauntingly exceptional film "Into the Wild" was grossly overlooked by the Oscar committee.

who befriends the doomed wanderer in "Into the Wild," Holbrook delved into his own heartache to deliver the most emotionally powerful performance of the year. In interviews, Holbrook revealed that his own son spent two years literally on the road, living in a sleeping bag alongside the highway. "You spend a lot of years repairing something like that," he told Entertainment Weekly, and it shows. Holbrook is the Academy's "sentimental favorite," and mine, too.

Ben Foster, "3:10 to Yuma." Foster plays Charlie Prince, the partner and second-in-command to Russell Crowe's Ben Wade. Prince is flamboyant, stylish, and intense — watch for his "coat trick" when he rides into Bisbee with a message for the town. (November 2007)

Best Supporting Actress

Vanessa Redgrave, "Atonement." As the oldest of three actresses playing Briony Tallis, the girl whose false witness condemns a man to prison and then to the front lines of war, Redgrave delivers a knockout performance that seems to come, like Holbrook's performance in "Into the Wild," from somewhere deep within her own regrets over past transgressions. And also like Holbrook, she manages to make her small part the standout role of the entire film.

Tilda Swinton, "Michael Clayton." As the cold, but not so cool, attorney who must save her clients from a class-action suit exacerbated by the mishandling of her manic-depressive

colleague, Swinton displays an obsessive compulsion for detail and preparation that borders on madness itself. Wonderful in every way.

Best Artistic Production Values

"Atonement." Led by supervising art director Ian Bailie, it is the production crew that makes this film soar. Like many other period pieces, "Atonement" luxuriates in its gorgeous setting (northern England, with a handsomely appointed country mansion — castle, really — where the first act takes place). The elegant lines and beautiful fabrics of the costumes also fill the audience with a sense of grandeur and romance. A film based on bringing a secret to light, "Atonement" is exquisitely lit, both in its interior and exterior scenes. Camera angles and panoramas seem to have been meticulously planned and executed by cinematographer Seamus McGarvey, adding to the mystique of the story.

Perhaps the most creative artistry is in the lush, romantic soundtrack by Dario Marionelli, who incorporates the story into his music in imaginative ways. As the film opens, he turns Briony's typewriter into a percussive instrument; he returns to its motif throughout the film. When a distraught woman pounds on a police car that is taking her son to jail, Marionelli uses her pounding to form the driving rhythm of the music. During one orchestral passage a harmonica is highlighted, just before we see a soldier in the distance, play-

Probably the best actor of this generation, Johnny Depp deserves an Oscar for just about every role he takes.

ing the harmonica. In another, a piano key is struck repeatedly, ending with a "plunk" as a petulant girl pulls the string of the family piano. Each intrusion is an unexpected delight, drawing attention to the music without distracting from the film. (March 2008)

So why isn't this film on my list of best movies? The story (as translated to film) is seriously flawed, and most of the acting is merely adequate. Kiera Knightley is beautiful and elegant, of course, and her accent is perfection. The same can be said of James McAvoy. But there is a reason that neither the director nor the actors were nominated for their work in this Best

Picture nominee; it soars above the acting, not because of it.

So there you have it, my favorite films and performers of 2007. Add these movies to your Netflix list if you haven't already seen them, and watch for the independent films and documentaries screened at the 2008 Sundance Film Festival that are reviewed for you in the companion article below. □

Docs Rock at Sundance '08

by Hayley Skousen

I've attended the Sundance Film Festival (in Park City, Utah) three times now, so when I learned that my school, the University of San Diego, offers three units of upper division credit for screening films at the festival, I couldn't wait to register. Gaining a better appreciation for independent film, bonding with other students, speaking to filmmakers in Q&A sessions, and, yes, snowboarding on the greatest snow on earth — sign me up!

Planning ahead is essential to enjoying the Sundance experience; the most anticipated films are sold out within minutes of tickets going on sale in October. To ensure access to the sold-out films, my fellow students and I bought the \$400 Adrenaline Pass, which guarantees admission to all films starting before 10 a.m. and after 10 p.m.. Now, I'll admit that I love to attend opening-night midnight showings of the biggest Hollywood blockbusters. In fact, on the festival's opening night, I ditched celebrity-stalking in Park City in order to see the 11:59 p.m. premiere of "Cloverfield" (the monster-eats-New-York-City horror flick filmed on victims' camera phones a la "Blair Witch Project"). But

how was I going to handle a full week of back-to-back late night and early morning showtimes? I guess that's why they call it the Adrenaline Pass: the rush from seeing high-quality, unconventional, even life-changing films fueled my ability to stay awake.

Over the first two days we attended ten hours of class lecture and read from Emmanuel Levy's textbook, "Cinema of Outsiders: The Rise of American Independent Films" (1999, 650 pages). "Indies," of course, are films made without big studio money and big studio control, giving directors the freedom to make artistic breakthroughs but also giving them the disadvantage of having to beg for money. Robert Redford's vision of a festival where these non-studio films could be showcased and attract potential distributors has given indies enough capital to return filmmaking to the art it once was.

In addition, before arriving in Park City our professors required us to screen past Sundance entries from four categories — recent features, older features, women directors, and documentaries — to help us see what sets Sundance films apart. I chose to screen "Once"

(2007, a musical love story between two buskers, set in Dublin); "Pi" (1998, a black and white Kafkaesque film about a math recluse who believes numbers

Planning ahead is essential; the most anticipated films are sold out within minutes of going on sale in October.

can explain everything); "Whale Rider" (2002, a powerful film about a Maori girl who deals with tradition, rejection, and destiny); and "Murderball" (2005, a documentary about paraplegics who play wheelchair rugby).

Of the four, "Murderball" was my favorite, reflecting my preference for documentaries. The documentaries I saw were consistently better than films from any other category at Sundance.

My first '08 film was "In Bruges," an action comedy about two hit men who interact with bizarre locals while hiding out in Bruges, Belgium. The best aspect of the Sundance Film Festival is the opportunity to hear from the film makers themselves during the Q&A sessions before and after the screenings. Even at 9:15 a.m., co-stars Colin Farrell and Brendan Gleeson showed up to talk about the film before it started. (My classmates who met Farrell on Main St. the day before pointed out that the actor showed up in the same clothes he was wearing when they met him. I doubt that any of the celebrities get much sleep on opening night at Sundance.) That first day I also attended the world premiere of "Sunshine Cleaning," a dark comedy about a woman who starts a biohazard waste disposal company to fund her son's private-school tuition; the film starred fresh-faced actresses Amy Adams ("Enchanted") and Emily Blunt.

It didn't take long for me to split up from my classmates, however, and discover the appeal of seeing movies on my own. In line I chatted with the editor-in-chief of Advocate, and I sat

next to a film lawyer from New York. Whoever meets film lawyers? Some of the best moments I experienced at Sundance took place when I met strangers on the bus, in line, at screenings, or in the hotel, and we advised each other on what films were the best and what local restaurants were delicious.

As I've said, docs rocked Sundance '08 — with stories that were funny, tragic, eye opening, and purely entertaining. One of the best was "Young @ Heart," a documentary that follows the riotous gigs of a senior citizens' chorus called by the same name. It's hilarious to see these white-haired oldsters performing the music of rock bands from The Clash to Coldplay. To my surprise, the film also provided one of the tender moments of the festival; I noticed that nearly every audience member was sniffing by the end of the film. What a treat it was to meet three members of the Young @ Heart chorus in the post-screening interviews. After watching their remarkable journey, meeting them was like visiting my own grandparents.

"Stranded: I Have Come From a Plane that Crashed in the Mountains," a film about the Uruguayan rugby team that crashed in the Andes in the 1970s, was another powerful documentary. When I told my brother that I planned to see this film, he sarcastically replied, "I don't know if you know this, but it already came out. It's called 'Alive' and it stars Ethan Hawke." He was, of course, referring to the 1993 fictionalized film directed by Frank Marshall. But the documentary is far more poignant than any Hollywood movie based on the tragedy could be. "Stranded" director Gonzalo Arijon, who grew up with some of the survivors, brought them back to the site of the plane crash, where they reminisced about the 72 days during which they were stranded. These exclusive interviews, still raw after more than 30 years, yielded exciting, touching, and virtually unbelievable tales of triumph in the face of adversity, surpassing any sensationalized, exaggerated version created by previous filmmakers.

Another documentary that caught my interest was "Up the Yangtze," about the government-sanctioned dam on the Yangtze River that is gradually flooding out riverside communities in China, leaving hundreds of thousands

homeless. Two years ago I spent three days cruising up the Yangtze through the famous Three Gorges, where I saw these villages and their residents firsthand. I went through the locks at the dam and viewed the magnificent scenery. Imagine my delight when I discovered that the documentary was filmed on the same ship I'd been on, the *Queen Victoria*, and featured the same hilarious cruise director.

Three other documentaries I enjoyed were "American Teen," a sometimes hilarious, sometimes poignant look at students attending a Midwestern high school; "Man on Wire," about aerialist Philippe Petit's daring 1974 tightrope walk between the Twin Towers; and "Anvil! The Story of Anvil" (think about Christopher Guest's rockumentary "This is Spinal Tap," except that this story, about a Canadian metal band, is true).

As a group, documentaries may have been the most engaging films at Sundance this year, but my favorite single film came from the World Dramatic Competition category. "The Wave," a riveting story about German high-schoolers who become alarmingly enthusiastic about fascism, is based on a true story, a detail that haunts the audience throughout the film. As the film built to a dramatic climax, it was creepy to see how quickly and easily students could become desperately controlling and militant. This stunning film, with its focus on violence in the classroom, brought back memories of horrific

It's hilarious to see a senior citizens' chorus performing the music of rock bands from The Clash to Coldplay.

events that took place at Columbine and Virginia Tech. Watch for it in art houses.

Of course, life can't always be lived in the highbrow lane. My last day in Utah was also the opening day of

"Rambo," Sylvester Stallone's bloody return to Southeast Asia to rescue missionaries from Burmese terrorists, and my brothers dragged me to see the midnight opening that night. As I dozed on and off during the plotless bloodbath, I reflected on the 20 films I'd seen at Sundance. The difference between them and the one I was trying not to watch was startlingly clear. Those independent films boasted artistic value, thought-provoking storytelling, and sensational acting. The audiences at Sundance responded to them like no other audi-

ences in regular movie theaters, laughing out loud at each joke and shedding a tear at each tender moment.

When I woke up during the credits of "Rambo," I realized that my taste for film had changed. No, I have not become too snooty to anticipate the midnight showing of the next "Batman" installment, nor will I miss the next Will Ferrell comedy. But I eagerly anticipate seeing as many independent films as I can when they come to my local theaters, especially the ones I regretfully missed at Sundance '08. □

"There Will Be Blood," directed by Paul Thomas Anderson. Paramount, 2007, 158 minutes.

Blood for Oil

Jo Ann Skousen

With its misleading portent of terrifying violence, "There Will Be Blood" is a terrible title for what is in fact a terrific film — and one I almost passed up as a result. After enduring the bloody bashings and slashings of "Gone Baby Gone," "The Departed," "Eastern Promises," and the melodious but malicious "Sweeney Todd" in recent months, I simply didn't have the stomach for a movie whose title seemed to promise buckets of blood amid wanton, ruthless violence.

Yet how could I call myself entertainment editor of this magazine if I was too squeamish to view a film nominated by both the Academy and the

Golden Globes for Best Picture and Best Actor of the Year? So I finally bought my ticket and entered the theater, prepared to cover my eyes for most of the three-hour bloodbath.

To my surprise, the film is hardly bloody at all. There is heart-pounding tension, enhanced by the remarkable musical score of Jonny Greenwood (Radiohead). There are some eye-squinting accidents associated with mining and drilling, and some nasty fights. But the moments of impact take place just offscreen, Hitchcock style, blunting the visual image but not the emotional punch. The title, I learned, is mostly metaphorical, not literal.

Based on Upton Sinclair's novel "Oil!", this movie is an epic tale chronicling the early years of oil development

in the Southwest. In a gutsy move, director P.T. Anderson ("Boogie Nights," "Magnolia," "Punch-Drunk Love") films the first 20 minutes completely without dialogue as prospector Daniel Plainview (Daniel Day-Lewis) struggles by the sweat of his brow to wrest silver and then oil from the ground. This wordless exposition might have failed with a lesser actor, but Day-Lewis pulls it off magnificently, portraying the indefatigable will and physical determination of the protagonist.

The film is a subtle, if unwilling, paean to capitalism. When his silver mine plays out and oil suddenly oozes up, Plainview adapts, designing oil derricks and drilling devices to bring oil to the surface. He travels from area to area, leasing land from homesteaders and pumping the oil out from under their feet. He is straightforward in admitting that he will make more money than the landowners will, but that's because he has the knowledge and the skill to remove the raw material and send it to a refinery where it can be transformed into a usable product. Without him (or someone like him), the oil would remain underground and worthless.

But the homesteaders, too, will profit, not only from the royalties Plainview will pay for leasing their arid, infertile land but also from the infrastructure his company will create. In a profound speech (apparently improvised by Day-Lewis), Plainview explains that his company will build schools, irrigation, and roads. Their land will at last produce grain. In short, the capitalist-developer will earn the most, but his employees will earn a good wage and the landowners' standards of living will rise. Everyone wins.

In direct conflict with the oil man is Eli Sunday (Paul Dano), a self-appointed preacher whose family's mineral rights Plainview has leased. As in the biblical story of the twins Jacob and Esau, Eli is contrasted with his twin brother Paul, who has sold out the family's rights for a "mess of pottage." Eli wants Plainview to contribute money to his church and, more importantly, to be an example of piety to the community. When the town's first well is about to come in and Plainview invites the community to celebrate the first gusher, Sunday insists on being allowed to bless the well first, ostensibly to ask for

God's protection but actually to reinforce the town's dependence on him, not Plainview.

The "blood" in the film's title symbolically emphasizes the conflict between Plainview's blood of the earth — oil — and Sunday's "blood of

To my surprise, the film is hardly bloody at all. The title, I learned, is mostly metaphorical, not literal.

the Lamb." While Plainview drills the earth for oil, Eli "drills" his parishioners to cast out devils, with histrionic sermons that are downright scary. Early in the film, a father dabs oil from a new gusher onto his baby son's forehead in a gesture of baptism, foreshadowing the conflict between two transforming powers — money and faith. This conflict continues throughout the film, particularly when Plainview's son suffers an injury that Sunday's brand of faith is unable to heal.

But Plainview is no saint. In fact, director Anderson claims his character is modeled on Count Dracula (another reference to blood). Although Plainview can demonstrate acute tenderness toward his son and his workers, he can just as quickly turn violent. In a critical scene in front of a burning oil rig he appears to have descended into Dante's *Inferno*, a psychological condition from which he never escapes. The final two words of the film reinforce this religious allegory.

Blood also enters the story metaphorically through the introduction of an adopted son and a half-brother. Emotionally powerful issues emerge: Is blood thicker than water? Do blood relations matter? Is one's character determined by one's blood?

And then, just when we begin to accept that the title is simply an abstract metaphor, it suddenly becomes a literal promise.

There will be blood. Oh yes. After all, there will be blood. □

"Michael Clayton," written and directed by Tony Gilroy. Warner Brothers, 2007, 119 minutes.

Fixer Upper

Jo Ann Skousen

As "Michael Clayton" opens, we see a boardroom full of office workers frantically shredding documents, a sweat-drenched woman (Tilda Swinton) frantically rehearsing a speech, and George Clooney frantically running from a Mercedes that has just blown up. We don't know why any of this is happening, but we are certainly hooked. The film then flashes back to the events leading up to this climax, and the intertwining stories begin to unfold in a fast-paced thriller about corporate corruption, "debt enforcement," blackmail, and even murder.

Clayton is a "fixer," a middle-aged attorney who cleans up dirty cases and personal problems for corporate clients. He's good at it, but it isn't exactly what he had in mind as a career choice when he went to law school. In addition, he needs some fixing himself: he's a divorced father, he has a gambling addiction, his restaurant business is going under, his deadbeat brother has pushed him deeply into debt, and a nasty loan shark is after him. Clayton has so many enemies that even he doesn't know for sure who is after him.

Now his firm is trying to defend a client facing a multimillion dollar class-action suit; and Arthur Edens (Tom Wilkinson), the senior partner who has been conducting the case for eight years, is spiraling deeper into manic-depressive illness. His bizarre actions could lead to disaster for both the law firm and the client. While attorney Karen Crowder (Swinton) uses every

legal maneuver to avoid a costly settlement, Clayton must "fix" the growing problem caused by the mental breakdown and guilt-ridden angst of Edens.

Usually films like this are carried by suspenseful plot twists, and this film has plenty of surprises. In particular, the story's overlapping timelines allow the reader slowly to make sense of the plot; they gradually add layers of understanding while withholding the most critical information until the climax, which features one of the most satisfying film confrontations in recent memory. Gilroy's nomination for best screenplay is well deserved.

Clooney, Swinton, and Wilkinson deliver knockout performances, and all three have been nominated for acting Oscars. (In fact, "Michael Clayton" is the only film this year to receive more than one Oscar nod for acting.) Not since Peter Finch's role in "Network" have we seen such mental brilliance and breakdown combined in one character as we do in Wilkinson's Arthur Edens. Complementing his performance, Tilda Swinton's cold, yet far from cool, Karen Crowder is almost as manically obsessive in her attention to detail. Watch for the scenes where she prepares for court. Eerily compulsive.

Leading the pack is Clooney himself. After enduring his recent forays into political haughtiness ("Syriana") and activism (headline on my computer screen today: "Actor George Clooney told by UN to shut up") as well as the unfortunate overcrowding of his Ocean's 11 franchise, I was delighted to see him return to what he does best: classy, sassy, and brassy. □

Washington, D.C.

The unexpected cultural horizons of CIA chief Mitch McConnell, from a write-up in *The Wall Street Journal*:

McConnell, a South Carolina native, fancies himself a fabulous dancer.

Lewisville, Texas

Setback in the War on Germs, in the *Dallas Morning News*:

Denton County prosecutors decided to wash their hands of a case against a Lewisville middle school student accused of trying to get high by sniffing his teacher's hand sanitizer. In the view of school officials, the boy "inhaled heavily," according to the boy's father, Richard Ortiz, who said his son sniffed the cleanser "because it smelled good."

Joni Eddy, assistant police chief in Lewisville, said that hand sanitizer has become a popular inhalant. "That is the latest thing to huff," she said.

San Antonio

Doing Cincinnatus one better, from the *San Antonio Express-News*:

A candidate for Kerr County treasurer is making a single campaign promise: Elect me and I won't serve. Ed Hamilton is challenging incumbent Treasurer Mindy Williams for the Republican nomination. No Democrats are seeking the office.

He said the job is redundant and costing the county money it doesn't need to spend. The duties should be assigned to another county office, Hamilton said. "I don't plan to do the job," he said. "I won't accept a paycheck."

Williams, who was appointed last spring to the \$46,000-a-year post, said the job shouldn't be eliminated.

Guangdong, China

Marital precaution, from the *Asian Times*:

Chinese doctors have warned moviegoers not to try some of the more ambitious sexual positions featured in the uncut version of the Ang Lee film "Lust, Caution." Most of the sexual maneuvers in "Lust, Caution" are in abnormal body positions, said Yu Zao, a deputy director at a women's hospital in southern Guangdong province. "Only women with comparatively flexible bodies that have gymnastics or yoga experience are able to perform them."

Vatican City

Curious protocol for probing the mysteries of faith, noted in *La Repubblica*:

A Vatican official suspended after being caught on hidden camera making advances to a young man says he is not gay and was only pretending to be gay as part of his work.

Monsignor Tommaso Stenico said he frequented online gay chat rooms and met with gay men as part of his work as a psychoanalyst. He said that he pretended to be gay in order to gather information and "to better understand this mysterious and faraway world which, by the fault of a few people — among them some priests — is doing so much harm to the church."

Rio de Janeiro

Curious commemoration of a historical event, from the Reuters wire:

A Carnival float with a pile of model dead bodies commemorating the Holocaust is causing unease before the lavish parades in Rio de Janeiro.

"Really, it makes no sense addressing this theme with drums and dancing girls," said Sergio Niskier, president of the Israelite Federation in Rio de Janeiro state, referring to the slaughter of Jews by Nazi Germany in World War Two.

Paulo Barros, artistic director of the Viradouro samba organization, said the Holocaust float would be the only one without dancers on top. "If we had people dancing on top of dead bodies that would indeed be disrespectful."

West Scranton, Pa.

Unacceptable bathroom habits, chronicled in the *Scranton Times-Tribune*:

Dawn Herb could face up to 90 days in jail and a fine of up to \$300 for allegedly shouting profanities at an overflowing toilet while inside her Luzerne Street home.

Herb, whose potty mouth caught the attention of an off-duty police officer, was charged with disorderly conduct.

Scranton Public Safety Director Ray Hayes said if Herb feels she has been unjustly accused, she can address it before a judge. "At

the end of the day, the opinion that counts is of the magisterial judge. It may be something open to interpretation. The officer has his own and this person had the opposite opinion."

Ocala, Fla.

Novel theory of tax litigation, from the *Miami Herald*:

"People who do it openly and notoriously, you've got to go after them," said Sheldon Cohen, who was IRS commissioner and general counsel in the 1960s. "Not because he's that important or the amount of money is that important, but because there are others who may be foolish enough to follow."

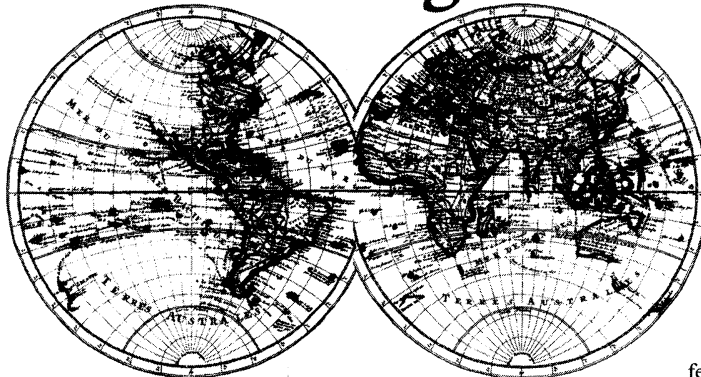
Cohen said trials like that of actor Wesley Snipes are important to discourage potential tax scofflaws from defying the government. "Locks are important on windows to keep honest men from becoming thieves," Cohen said. "Because a thief can get into a window even if it's locked, right? But you do that as a deterrent."

London, England

The lofty concerns of the Peerage, from *The Bolton News*:

The House of Lords has been listening with interest to a call for thick slices of bread to be cut down to size. Thick bread equals thick waistlines, according to Baroness Gardener of Parkes, who told the Lords of her concern that the width of a standard slice was getting thicker. "Surely there should be more pressure from the Food Standards Agency to take us back to normal-sized bread instead of these super-sized sandwiches."

Terra Incognita



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(Readers are invited to forward news clippings or other items for publication in Terra Incognita, or email to terraincognita@libertyunbound.com.)

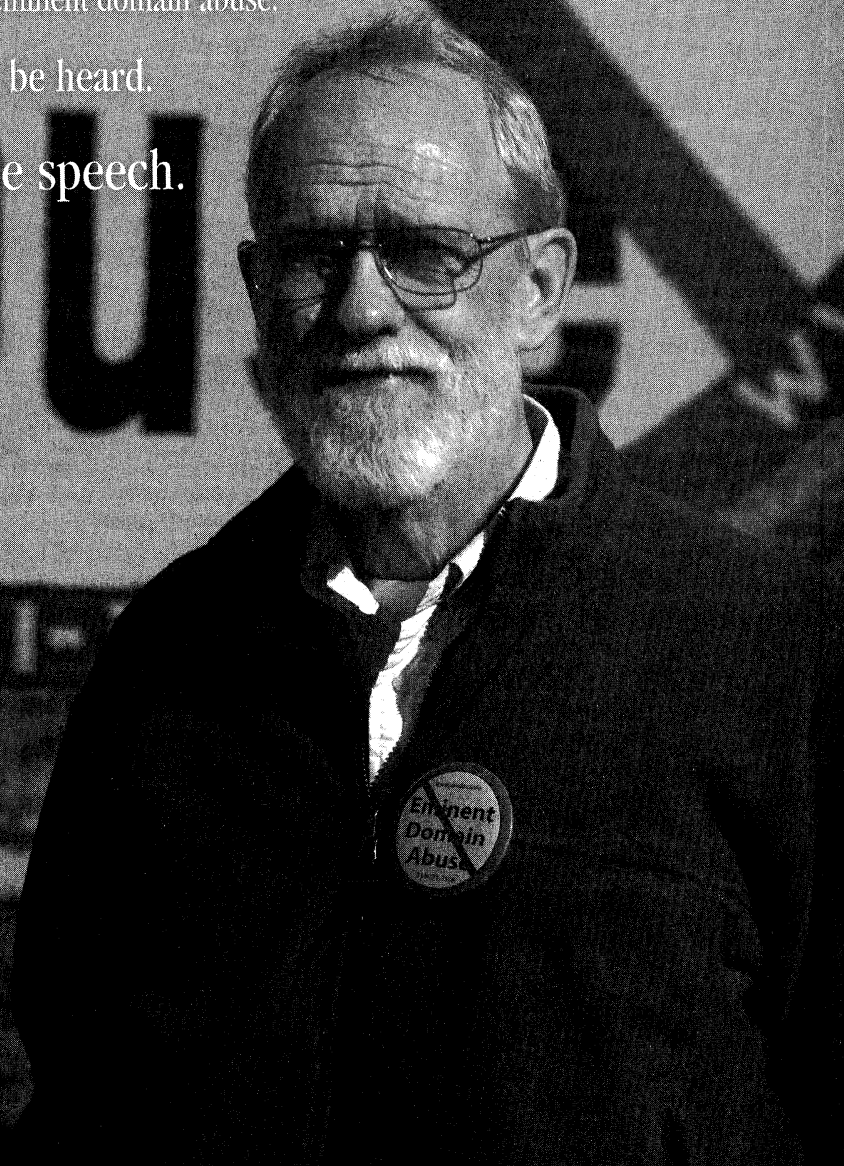
Domain

St. Louis wants to take my property for private development
and censor my mural protesting their eminent domain abuse.

But I'm fighting for my right to be heard.

I am today's face of free speech.

I am JJ.



Jim Roos
St. Louis, MO

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