

# Liberty

# A New Trek

August 2009

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*by Bruce Ramsey*

## The State vs. The Economy

*by Leland B. Yeager*

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*by Michael Stahl*

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# Letters

## Farm, Yard

Stephen Cox refers to "the origin of 'the whole nine yards,' an expression no one has been able to explain" (Word Watch, June). We Air Force veterans did not know it was inexplicable. The guns of the P-47 fighter, the famous "Thunderbolt," were loaded, it is said, with nine yards of belted .50 caliber ammunition. To give something the whole nine yards was to shoot everything you had, a maximum effort.

If you Google the expression (see [straightdope.com](http://straightdope.com) in particular), you'll find several other explanations, so the "common knowledge in the Air Force" explanation may be as flawed as other Air Force pronouncements. Has anyone established when the expression was first evident? If it was in use before World War II, I'm wrong.

On a related topic, there seems to be no consensus on the origin of "bought the farm," meaning crashed. Several "authorities" say it's an American expression, dating from 1955, but I suspect it goes back to World War I. Since service-specific slang was believed to enhance morale, such expressions were encouraged.

Erik Buck  
Liberty, MO

**Cox responds:** I appreciate Mr. Buck's response about these continuing mysteries. On "bought the farm": I believe that when people find alternative expressions for death, especially comic ones, they signal an inner triumph over the event.

## Giving the Business

In the Reflections section of the June Liberty, Gary Jason wrote "business doesn't pay taxes; taxes are passed on to the consumers in the form of higher prices." I disagree with this statement. The rest of Jason's piece is well written, germane, and helpful.

A business is not a person and does not pay taxes, but the owner of a business is a person and money is, to put it kindly, taken (to put it accurately, stolen) from him by the politicians and bureaucrats in Washington for U.S. government taxes.

If the manager of a business could pass taxes along to the consumers by raising the price, the price that was being asked was too low. As a general rule, if you raise the price of something fewer people will buy. What happens when taxes are imposed or raised is that there is less profit for the owners.

The consequences of taxes on business owners affect not only the people being taxed but also most if not all of the rest of us. If business is less profitable that means there will be fewer businesses, which means that we will have fewer choices of what we can buy and where we can buy it, as well as fewer opportunities for employment.

We are faced with a choice. We may have rich and powerful politicians and bureaucrats in Washington, DC, and the taxes they bring. Or, we may have a rich and powerful people and the peace, prosperity, and progress that liberty brings.

### Letters to the editor

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

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I ask that we remember some words of Albert Jay Nock: "In proportion as you give the state power to do things for you, you give it power to do things to you."

Jim Burns  
Beatty, NV

**Jason responds:** I thank Mr. Burns for his letter, and I accept his correction, at least in part. Near as I can determine, the current consensus among economists is that the corporate tax falls not on consumers, nor on owners alone, but on the workers and owners, with the burden being higher on the workers. Economist Rob Norton (in his "Concise Encyclopedia of Economics" article on corporate taxation) cites a survey of public finance economists that reports the average estimate of the share of the burden falling on owners as 41%, with the rest falling on workers and other groups. But I believe Burns and I agree that the corporate tax has harmful consequences, which he has spelled out nicely. I suspect this is behind the recent moves by many of the industrialized countries to reduce corporate tax rates.

### To Breathe as One

I am afraid that Richard Sinnott (Letters, June) is absolutely right: you guys are most definitely guilty of being lily-livered wimps — or stupefied denial masters — take your pick — with regard to the "fishiness" of the events of 9/11. Both Pilots for Truth and Architects and Engineers for Truth point out huge discrepancies and ask very probing questions. I realize that many libertarians may take a kind of perverse pride in being "above" conspiracy theories, but the fact is that human history is riddled with conspiracies — both successful and unsuccessful. Caesar's assassination, the Russian Revolution, and Rommel's attempt on Hitler are just a few that immediately come to mind.

Most conspiracies come into being because of two enormously powerful and literally unstoppable forces of human nature, greed and the lust for power — Lord Acton's two dicta are well-known today because of their un-failing accuracy. In connection with the first force, greed, it is certainly worth asking the famous question about 9/11:

*continued on page 54*

### From the Editor

Recently I had an interesting experience. My state, California, held a referendum on several propositions largely designed to ensure that our incompetent government remains well funded. All the propositions lost, except one vaguely intended to limit the salaries of state legislators. On the morning after, I visited the webpage of the California Secretary of State and clicked on the map that showed how each county had voted. For every proposition but one, all the counties were colored the same; every single county had voted against taxes and for limitations on legislative salaries. The sole exception had to do with a gimmicky proposition favorable to public school funding. That lost in every county but three.

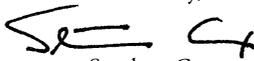
Is there vitality in the limited-government movement? Oh yes, there is.

Now, this movement isn't like the county map of California, reporting yes-no decisions by the people who vote in elections. The movement takes many shapes.

The mother who won't put up with the public school's plan to indoctrinate her children. The factory worker who won't support his union's political causes. The scholar who won't ignore evidence, even when ignoring it would make him politically correct. The judge who points out that, yes, the Constitution really does use certain words, and those words have certain meanings. The libertarian activist who spends his free time supporting "hopeless" political causes. The scientist who contests the state's influence on her field of research. These people are all part of the movement, and the list could be expanded till it filled the rest of this magazine. They have different motivations and a lot of different ideas. But they are standing for liberty.

So does this journal. No matter what the election returns may be.

For Liberty,

  
Stephen Cox

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# Reflections

**Drowning pool** — The radio talk show host Mancow now concedes that waterboarding is indeed torture. He had been trying to prove otherwise.

"It is way worse than I thought it would be, and that's no joke," Mancow reluctantly admitted after undergoing the experience. "I got voted to do this, but I really thought 'I'm going to laugh this off'" (NBC Miami News, May 22, 2009).

So far only two defenders of Bush's (and increasingly Obama's) policy of perpetual war, Mancow and Christopher Hitchens, have been waterboarded. This firsthand experience led both to classify the procedure as torture. Apparently, this is the only way to convince pro-war conservatives, or their fellow travelers, of the obvious.

Stunningly, Mancow still thinks that the government (now led by his nemesis Obama) should be able to use waterboarding. Perhaps it is time to try something else. Let's bribe Mancow and his pro-torture allies to skip the next episode of "24" and devote the time to reading what Lord Acton wrote about power.

— David Beito

**Nukes for thee but not for me** — I read a short news report in The Wall Street Journal (May 21) that simply amazed me. It announced that Obama has officially endorsed a nuclear power program. At last, I thought, our environmentalist wunderkind has grasped reality: the need to develop more nuclear power, and not just shovel money at limited or failed "alternative energy" sources such as wind, solar, and ethanol.

But the joke was on me. Obama had come out in favor of our government's developing nuclear power in the *United Arab Emirates*, not in the United States of America. Yes, we will share our nuclear power technology with the UAE, which has promised not to enrich uranium or reprocess plutonium, supposedly guaranteeing that it won't develop nuclear weapons. Obama will send this proposal (which the State Department proposed during the waning days of the Bush administration) to Congress. Congress will then have 90 days to amend or kill it.

So Obama will help *others* develop their nuclear power. During his campaign he promised to consider increasing its use domestically, but he has refused to make good on that promise. His hypocrisy and dishonesty are simply breathtaking.

— Gary Jason

**Populist pandering** — Congressman Eric Cantor, one of the rising stars in the Republican Party, seems to think that the way to reinvigorate the Republican Party is to hold

Town Hall meetings and take polls. This is precisely the reason that the Republican Party is in the tank. Eric, if you really don't know what positions to take regarding ethics and virtue, then I suggest you read the Bible or the Koran or Bhagavad Gita or any of the other works of the world's great religions. And if you really don't know what positions to take regarding political and economic issues, then I suggest you read the works of Milton Friedman, Friedrich Hayek, William Buckley, Ayn Rand, Barry Goldwater, Ronald Reagan, and the many other philosophers of liberty. Let the Democrats take polls to determine their philosophy. The precepts of our philosophy are eternal.

— Roy Miller

**Lemon aid** — Which of the following headlines is true?

"Chrysler To Begin Selling Car Company Assets To Fiat"  
"Obama To Begin Selling Car Company Assets By Fiat"

Answer: Both.

— Ross Levatter

**Auto asphyxiation** — George Will recently accused Obama's token Republican, Secretary of Transportation Ray LaHood, of being the "Secretary of Behavior Modification." Rather than making our transportation systems work better, says Will, LaHood's goal is forcing people to drive less.

An outraged LaHood responded by confessing that Will is exactly right. "About everything we do around here is government intrusion into people's lives," said LaHood, as if that justified even more intrusion. Admitting that Obama's policies are, in fact, "a way to coerce people out of their cars," LaHood commented, "The only person that I've heard of who objects to this is George Will."

Apparently, LaHood has never heard of the Cato Institute, Reason Foundation, Heritage Foundation, Liberty magazine, or (from the state LaHood used to represent) Heartland Institute.

Will's article focused on the inappropriateness of government's doing anything more than "defend the shores, deliver the mail and let people get on with their lives." For many, a little behavior modification would be tolerable if it actually produced some benefits. Yet all the evidence shows that Obama's plans will impose huge costs on people without producing any significant benefits.

— Randal O'Toole

**Nocking about** — I recently finished reading Albert Jay Nock's "Our Enemy, the State" (1935). I can think of few works so appropriate for navigating what's currently going on in our country. I recommend it to everyone, as a re-read or new read. It's chilling to realize the extent to which Nock is



"Why, I don't exactly know —  
how long *have* we been here, Bobo?"

writing about today, as much as he is about the “progressive” era. It’s equally chilling that despite all our self-perceived modern sophistication, so many citizens remain ignorant about the nature of the state.

An illustrative passage:

It is a curious anomaly. State power has an unbroken record of inability to do anything efficiently, economically, disinterestedly, or honestly; yet when the slightest dissatisfaction arises over any exercise of social power, the aid of the agent least qualified to give aid is immediately called for. Does social power mismanage banking-practice in this-or-that special instance — then let the State, which never has shown itself able to keep its own finances from sinking promptly into the slough of misfeasance, wastefulness and corruption, intervene to “supervise” or “regulate” the whole body of banking-practice, or even take it over entire.

I need not say more, but I will — just a little.

Not only does Nock’s work predict our future from the past, it is one of the best discussions of the distinction between state and government I have read. So, being a government and politics Ph.D. candidate, I did a quick search to see whether it graced any syllabi that I’ve had or that may be easily accessible online.

No. It didn’t.

In undergraduate and graduate classes, I’ve had to read a pile of literature on the nature of man and the nature of the state. I’ve had to read (among others) Aristotle, Plato, Hobbes, Locke, Dewey, Nietzsche, whole hosts of Marx and of Lenin — even the Marquis de Sade and Rimbaud. No Nock.

Given this conspicuous absence of Nock’s work and other libertarian-flavored literature, ignorance about the real difference between the state and government is unsurprising. It’s no wonder our society is poised to repeat the mistakes of the past, no wonder that Nock might as well be writing about the current administration. To borrow the words of a famous icon of academia, even the most educated among us, by virtue of that education, operates under a “false consciousness” about the nature of the state.

— Marlane White

**Hainted hill** — It’s amazing how close Marx came to getting it right: “There is a Specter haunting Congress . . .”

— Ross Levatter

**Enemies list** — You have to hand it to Obama — he is nearly as bold as Nixon when it comes to using presidential power against his real or imagined enemies. He dealt with Chrysler’s creditors who were holding out for a better deal by threatening to publicly pound them as greedy hedge fiends. The creditors caved. They had seen the relish with which he bashed Limbaugh and others.

Especially noteworthy was the release of the Department of Homeland Security’s report to law enforcement agencies warning them about right-wing terrorism. Cheerfully entitled “Rightwing Extremism: Current Economic and Political Climate Fueling Resurgence in Radicalization and Recruitment,” it went out to the country’s police and sheriff’s departments.

Apparently, the people who are especially worrisome to

## Word Watch

by Stephen Cox

Recently I had the pleasure of explaining an old expression to my young friend Liam Vavasour. We were discussing electoral predictions, and I mentioned that 40% of the electorate will always vote Democratic, no matter what, because these people are *yaller dog Democrats*. Liam wasn’t familiar with the phrase, so I was the lucky person who got to tell him what it means: yaller dog (or, more properly, *dawg*) Democrats would even vote for a yellow (yaller) dog, so long as the animal ran on the Democratic ticket.

Liam was duly appreciative. He knew he would be able to use that expression, and teach it to his descendants. Possessing a phrase like that, and being able to share it, is one of life’s great, unalloyed pleasures. Picture an old, toothless, moth-eaten, mangy, scruffy, dirty, nasty, yellow dog. Now picture it running for office, and 40% of the populace revering it as a statesman. Isn’t that a wonderful image? It’s too bad that a similarly pungent expression hasn’t been invented about people who insist on voting Republican, no matter what. There is one expression — related, but on the other side of the fence — that isn’t bad: RINO (“Republican in name only”). It suggests that these folk have all the intelligence and wit of rhinoceroses, or even rhinoceri. But it doesn’t get right down in the dirt like *yaller dawg*.

Some expressions should never be allowed to die. Start with some words about death. Isabel Paterson cherished the African-American saying, “The only thing I *gotta* do is die.” She took it as

metaphysically accurate; she also took it as a banner of freedom. She saw its relationship to one of her favorite book titles, the name of a collection of essays and aphorisms by Frank Moore Colby: “Imaginary Obligations.” Get a pad and pencil and make a list of your own *imaginary obligations*. After you do that, you’ll find yourself starting to shed them. Then you’ll have much more time for your friends.

Now, every pair of friends — real friends — treasures certain phrases that are shorthand terms for their shared understanding of life. Paul Beroza and I have a ton of them. One originated in the ancient movie musical “Forty-Second Street,” where a young actress’s bad behavior receives the following review from an onlooker: “In a star, it’s temperament, but in a chorus girl, *it’s just bad taste*.” You can imagine how often Paul and I have occasion to use that phrase in commenting on the performances of contemporary Republican and Democratic politicians.

Another expression for which we find many uses is *she’s probably been murdered*. There’s a scene in “Citizen Kane” in which the protagonist, a newspaper publisher, is trying to make a scandalous story out of the rumored disappearance of one Mrs. Silverstone, an otherwise unknown resident of Brooklyn. “Now,” he says hopefully, “she’s probably been murdered.” He expresses irritation when reminded that there’s no evidence that any murder has taken place. When Paul and I encounter a media scare campaign, we know how to respond. Global warming? The death

Obama's administration are pro-lifers, gun rights supporters, military veterans, immigration opponents, and of course white supremacists. Since according to the Gallup poll pro-lifers alone are now a majority, Obama's list targets rather a large majority of Americans. Conspicuously missing from the report was longtime Obama friend Bill Ayers, who actually did bomb federal buildings before he got tenure in an Illinois institution of higher learning.

DHS Secretary Janet Napolitano issued a half-apology for some of the language in the report when some veterans groups (such as the American Legion) expressed anger at its focus on vets as potential recruits, using Timothy McVeigh — who blew up a federal building, but was executed before he could get tenure — as an example. The vets pointed out that there are tens of millions of people like them who haven't blown up anything (on American soil, at least). But the DHS apparently thinks that the sight of an African-American president will drive veterans into the hands of the domestic jihadists.

I confess that I am now a bit nervous. While I am moderately pro-immigration and pro-choice, I am also a devout believer in gun rights. Worse yet, I'm a skinhead — though not by preference, I hasten to add. My hair fell out of its own accord when I was relatively young.

Still, I guess it is just a matter of time before the DHS puts me on an enemies list. At least I will have lots of company.

— Gary Jason

**Delivering opacity** — Hope has failed. The man who strode into office on the promise of “transparency” has

made one thing perfectly clear: big government doesn't work. Burqas are more transparent than this administration. Why did anyone think differently? You don't expect openness from a man who refused to show his birth certificate.

According to the Washington Post, President Obama spent \$84 million assembling a team empowered to create a website for tracking stimulus spending. The verdict? The money will probably be gone before the website is up and running. It is the equivalent of needing a photo finish for the Preakness Stakes, and having the flash go off sometime next January. Or finally finding the security tape from the Lindbergh baby kidnapping.

Meanwhile, Onvia, a private company, has produced Recovery.org, a stimulus tracking website, with their own resources. The information available there on stimulus spending has already surpassed the government website, Recovery.gov. The government website has been a black hole for taxpayer money, producing little or no results, while the private sector did a better job, with no taxpayer stake. Why does anyone believe in government promises anymore?

They blew it again with the multibillion-dollar bailout of GM and Chrysler. It was supposed to prevent both companies from entering bankruptcy, and both companies are still entering bankruptcy, only now Americans have lost close to \$30 billion on them. Certainly, if the Treasury wanted to blow 30 billion, they could have come up with more imaginative ideas. How about passing out hundred dollar bills to every American, so we could have lit cigars with money? Imagine

of the middle class? Swine flu? “Well,” one of us says to the other, “she's probably been murdered.”

It's the truth, and I don't mind saying it: many Americans, including me, would find it virtually impossible to think if it wasn't for the expressions they've acquired from movies. I mean, can you really get through a day without recurring to “The Wizard of Oz”? Even the witch standing there screaming “Fly! Fly!” to her winged monkeys — can you really picture Richard Nixon without thinking of that? When you're scheming with your pals at work to do something that will really upset your nonpals at work, don't you always think, “But it has to be done *delicately, delicately*”? And as for *the Lollipop Guild*, what political party or advocacy group doesn't remind you of that?

What we want from language isn't just a reproduction of life. We want *more* life — life with intensity, life in abundance. We want life as it is and as it's emphasized, criticized, satirized in interesting words, life as it's made gaudy and mysterious, threatening and comical by every intense expression we can bring to it. When someone says, “The only thing I gotta do is die,” she's laughing at death. When I hear the old song “East is east, and west is west — *and the wrong one I have chose*” (from “The Paleface” [1947]), I recognize Kipling's lines, “East is east, and west is west / And never the twain shall meet,” which are themselves a concise critique of life. But the song makes them more dramatic, more critical. And it makes them funny. It's bad to make a bad choice in life, but the illiterate descent to *chose* makes all the wrong choices in this world seem consolingly laughable. It's not logical, but it happens. I can hardly give east-west directions to someone who stops me in the street, without thinking, “And the

wrong one I have chose.” And laughing at it. The same phrase recurs when I'm ruing any wrong directions I have given my own life. Comedy is transcendence.

But speaking of transcendence, what about all those pungent expressions that come to us from religious traditions? Once basic to our language, most of them are now unknown even to Christians. (I know about this; I often teach literary courses on the Bible, and half of my students are evangelical Christians. They don't regard their Chemistry texts as incomprehensible, but they do have that opinion of the King James Bible.) Nevertheless, how can we do without *the quick and the dead*? Enshrined in the old-language version of the Book of Common Prayer, in its translation of the 4th-century Nicene Creed, the phrase means simply “the living and the dead.” But the Old English “quick” acquired more than a literal significance. Picture the dead. They are *still*. Now picture the living. They are *quick* with life and movement. Who would want to forfeit that expression?

And who would want to forfeit expressions that enshrine the inchoate economic understandings of our linguistic ancestors? One of particular value is *the game isn't worth the candle*, meaning that the profits you anticipate from whatever game you're playing won't be worth the price of the candle that sheds light on the game. It's a phrase that Henry Watson Fowler, author of the formidable “Modern English Usage,” uses for verbal techniques that may be worth a little something but aren't worth . . . *the powder to blow them up with*. That's another way of putting it.

The other great expression of this kind is *that's what makes horse races*. I've commented on this expression in these pages before — and I'm still trying to keep it going. Its proper use is as

how much fun that would have been, and at least we'd have the memory of a big cigar party in exchange for our grandchildren's debt. — Tim Slagle

**Expect in one hand . . .** — There is, *really*, a federal government website called "expectmore.gov." The Office of Management and Budget set it up so that the public could determine whether the government programs it pays for are "effective."

I think there's another way to interpret expectmore.gov.

— Ross Levatter

**Leveraged flameout** — In February the Obama administration announced a \$75 billion program to keep homeowners who are either behind or in danger of falling behind on their mortgages from landing in foreclosure. The idea was to provide incentives for the mortgage holders to modify the loans, essentially reducing monthly payments to affordable levels. The Treasury Department grandly announced that as many as 4 million homeowners would obtain relief under the program.

A May 25 New York Times article quotes a Treasury spokesperson as saying that "more than 10,000 but fewer than 55,000" homeowners have actually been helped by the program. A far cry from 4 million! In fact, the mortgage companies are playing a game of chicken with the government. As the number of foreclosures continues to rise, the companies are betting that the government will be forced to do another bailout. Why write down mortgages when Uncle Sam can be counted on to pour billions into your coffers to avert a financial meltdown? That this is the mortgage companies' game plan I am virtually certain, based on what I have heard from people who have sought relief from their mortgage holders, plus the paltry number of mortgages modified so far.

When will we learn that public-private partnerships invariably yield the worst of both worlds? Fannie Mae, Freddie Mac, AIG, General Motors (and let's not forget the Postal Service): how many examples do we need? The American financial system, despite gains in the stock market and an apparent return to something like normalcy, is an Aegean stable that awaits its

Hercules. In this case we need someone who will stand aside and let the system wash itself out. But who among the political-bureaucratic elite has the courage simply to let it happen?

— Jon Harrison

**Anything goes** — As I write, America's chattering classes are wondering, worrying, and waiting with bated breath to see whether President Obama's pick for Supreme Court Justice, New York City's Sonia Sotomayor, will be thought fit by the Senate to replace retiring Justice David Souter, the man best known as the private-property seizing ogre of *Kelo* fame.

Our country's media outlets have been in overdrive, pouring out a torrent of information regarding Sotomayor: her upbringing in a Bronx housing project, her love of the New York Yankees, favorite color, food, movies, ethnic background, everything, in fact, but her view of the Constitution that she will ostensibly protect from political assault. Luckily, there is no need to rely on the news media to learn her view about what W is said to have called "a goddamn piece of paper."

Mr. Obama spelled out his main requirement for the job in his book, "The Audacity of Hope"; to wit, "the Constitution . . . is not a static but rather a living document, and must be read in the context of an ever-changing world" (p. 90). Any new justice must, in order to pass Obama's interview, adhere to the same blase attitude towards the law. Doubtless, Sotomayor does, else she would not have been chosen.

An "activist" president, whether of the left or right wing, must have as an ally a court that does not take a hard view that A means A. He requires a court that says A means A, unless our "ever-changing world" (meaning the whims of the powerful) wishes it to mean something else.

This reactionary view, deeply popular with America's political elite, leaves a hole in the law that any sort of mischief can be driven through. What sort of law changes and morphs with "an ever-changing world"? What sort of protection does that afford the working masses from the endless predations of the political class?

This lack of a solid legal foundation allows Mr. Obama's "I support freedom of speech" on page 4 to morph, by page 90,

a conciliatory riposte when somebody disagrees with you, but it expresses two important truths: (1) opinions can be expected to differ, (2) differences of opinion are valuable, because without them, there would be no contests, about horses or anything else, and life just wouldn't be very entertaining.

I recently mentioned the expression to a friend, complaining about the difficulty that most people have in understanding it. "But the phrase is perfectly clear," she said, "if you've ever been to a horse race." Then she laughed at all those people who've never taken the trouble to do that. It's an unfortunate fact: the obsolescence of a phrase often indicates the obsolescence of an experience. I'm not concerned about the shrinking prestige of *Equus*, but I don't want experience to be limited to the kind of thing that goes on inside the ordinary shopping mall or condo complex. No, more than that: I'm unhappy about the obsolescence of interest in gaining new kinds of experience — new to modern people, anyway.

My students at the University of California have no trouble

rattling off the nine-syllable Greco-Latin words they learn in Bio class, but they're stumped by *agora*, *Absalom*, *Alcibiades*, and the other fascinating syllables of ancient civilization. Even when these students are Christians, *thee* and *thou* intimidate and depress them. How will they ever find the beauty of *whither thou goest, I will go*? My grandmothers, though by no means intellectual, and not much closer to the ancient world than my students are, suffered from no such disabilities. Their literary — and perhaps their emotional — experience was incomparably richer.

Or consider a much less intellectual experience. Consider farming. The families of the vast majority of people in this world left the farm three or four generations ago. Their descendants have no conception of how the soup gets into the can, or the hamburger into the *supermercado*. This may account for the decline of such useful expressions as *that dawg won't hunt*, *I haven't heard anything like that since the old cow died*, and even *quiet as a hole in the ground*.

It certainly accounts for the popular mistranslation of a

into “it [the Constitution] doesn’t tell us what such freedom means in the context of the internet.” A reading of his book put to rest my wonder as to how Obama, a former professor of constitutional law, can support the destruction of our right to trial by jury, not to mention toleration of domestic spying on Americans, and the Bush doctrine of preemptive war.

Each and every lawless act, certain to be followed by others yet unknown, will find in the Obama administration as familiar and friendly a home as it did in W’s, doubtless fully endorsed and supported by Sotomayor. — C.J. Maloney

**Overcaste** — The results are now in from India’s general election. It was widely believed that the outcome would be a hung parliament. Instead, Sonia Gandhi’s Congress Party has obtained a virtual majority.

Several good things happened.

Communists lost a lot of seats. In the last government, they created many problems, sabotaging reforms; and people seem to have punished them. Now that Indians have voted against communism, liberalization will be much easier politically.

The coalition of Hindu fanatics has lost a lot of seats, meaning that Indians have voted against fundamentalism.

The party of Mayawati, Chief Minister of Uttar Pradesh, who was starting to be seen as a possible candidate for the prime ministerial post, is down to 20 seats from the earlier 35. Her sole competency is to win votes from the lower caste by creating caste conflicts; so with respect to her, the election means that those from the lower caste have decided not to be tribal in their voting patterns.

A large section of Indian parliamentarians are known criminals. In the last parliament, one out of four members faced serious criminal charges. Some are serving prison sentences (hence, in this election, they fielded their wives). Yet even in dirt-poor Bihar, whose GDP per capita compares with that of North Korea and Zimbabwe, the electorate ousted many dons and their dummies. Even there, the people may be awakening.

Yet not all the signs are favorable.

I see the current prime minister, Manmohan Singh of the Congress Party, as spineless. Given that he has no personality

of his own — a descendant, as it were, of Ellsworth Toohy — he was seen as malleable by Sonia Gandhi, who herself could not become the PM because of her Italian origin. Singh was made PM to keep a place for another Gandhi, Rahul. He will likely be made the PM at an opportune time within a couple of years. He is naive, inexperienced, and badly lacking in any comprehension of the realities of Indian life.

In the end, the reasons cited above for why Congress won and the communists, fundamentalists, and “casteists” failed could all be wrong. The people may just have voted for the continuation of the Gandhis’ dynastic rule. After all, as La Rochefoucauld said, “It is not always from valor that men are valiant, or from chastity that women are chaste.”

But whatever the real reasons may be for the Congress Party victory, people have certainly voted for stability. Will Congress, with its virtual majority, bring reforms? Like the outcome of an Indian election, this is too risky to predict. But would Congress really want to take politically risky reforms when they are grooming Rahul for the PM’s post?

— Jayant Bhandari

**Divine prerogative** — I glanced at Fox News on May 8, 2009, coming across Sean Hannity’s new format, specifically his panel discussion segment. They were talking about the torture memos and whether or not legal sanctions should be pursued. I heard Democratic pollster Doug Schoen say, “The real problem we’re facing as a country is because we’re having these debates the hands of the president — whether he be Democrat or Republican — are necessarily tied. It hurts our country because the president shouldn’t have to play politics with our security.”

And there you have it. Obeying his oath of office to defend the Constitution and support the laws of the land, including the ones outlawing torture, is tying the president’s hands. Insisting that evidence of torture should be investigated and if credible should be prosecuted is “playing politics with our security.” This from a Democratic pollster.

Truly, it makes no more sense to consider punishing major political figures today than it would have made sense to consider punishing the Olympian gods in Roman times. Both

*tough row to hoe as a tough road to hoe.* People don’t know what a *row* is, and they aren’t interested in finding out. They’d rather just change the word. It never occurs to them that it would be ridiculous to go out and start hoeing a *road*. Maybe they don’t know what a *hoe* is, either, unless they listen to hip-hop, where they discover quite a different usage. Commenting on this sort of ignorance, my friend who goes to horse races predicted that *he’s just a broken record* will soon be misunderstood as meaning something about shattering records in the Olympics.

Yet obsolescence doesn’t just come from ignorance. Part of it comes from fear. No one in our polite, politically correct modern society wants to describe the notes emitted by a bad opera singer — or, a hundred times worse, a bad “Christian contemporary” songster — as *a sound I ain’t heard since the old cow died*. If anybody did, he would be denounced for gross incivility, if not impiety to animals — although no one will criticize you if you use the drably polite, drably ignorant, language of the modern age. By the way, when was the last time you heard someone actu-

ally denounced as *ignorant*? Today, our fellow citizens may be *insensitive, selfish, unprofessional* — but *ignorant*? That word never comes to mind.

Suppose you *hauled off* and used an expression that nobody in your audience could immediately *cotton to*? Would any of those people think that *they* might have something to learn or experience? Not likely. Many don’t want to have any particularly vivid experience of language. They cherish a settled irritation, the form of ill will that people used to call a *scunner*, against words and meanings that don’t conform to the lowest common denominator. In our time, *amazing grace*, a crucial theological concept for generations of Americans, has come to mean (A) that song you hear at funerals, the one that makes you cry; (B) a quality manifested by top sports stars, as described by daily newspapers.

Ignorance, resentment, boredom; boredom with words, boredom with thoughts . . . I suppose it was predictable. In this state-guided and state-educated world, children are fed two decades of verbal mush and conclude that words are largely unappetizing. In this world of the wordless, Obama is king.

groups are fickle and control power without limit, but they're all we have to protect us. We cannot tie their hands. *Quod licet Jovi non licet bovi.*

— Ross Levatter

**Up to their necks** — Even before Ben Bernanke and Ted Geithner were born, the great libertarian economist Ludwig von Mises explained the causes of the boom-bust trade cycle and how to avoid economic crisis. See, for instance, Mises' "Monetary Stabilization and Cyclical Policy," 1928 (translated in "On the Manipulation of Money and Credit," 1978). But Bernanke and Geithner are like plumbers who, called on to stop the bathroom sink from overflowing, pay little or no attention to the fact that the water is flowing briskly. Instead of turning the faucet off, they turn it on still further to make the water run faster and harder. It is as if they wanted the water outside the sink to come up to the level of the water in the sink. Their bailout schemes and stimulus packages will inevitably result not only in fantastic increases in the number of dollars (inflation) but will distort prices and make it impossible for market participants to calculate an enterprise's potential income and outgo with any degree of certainty.

The economy, we must remember, is not a consolidated "thing," a single entity that can be pushed, pulled, prodded, and controlled. Instead, it is the outcome of countless actions and interactions of individuals buying, selling, speculating, saving, consuming, and investing, each in accordance with what he considers his own best interest, under the circumstances. And the economy is always in flux; all economic conditions and all aspects of the economy are always changing. The mechanics of our banking system have changed, but the principles remain the same.

— Bettina Bien Greaves

**No-hoper** — President Obama promises that his health-care plan will be efficient and save money. Exactly what in his past gives anyone the assurance that this is possible? His resume is quite lean in the administrative experience department. During the campaign, critics were quick to point out that he lost \$150 million administering the Annenberg Challenge, a program designed to improve Chicago schools that had no measurable effect.

Chicago schools would be the worst in the nation were it not for the DC public school system. Half of Chicago public-school students never graduate. Not only did we reward an administrator who failed to make any difference with the White House, the administrator of those schools was rewarded with the Department of Education. Yes, Chicago School Superintendent Arne Duncan is now the national cabinet-level secretary of something he proved incapable of providing for even half of Chicago's children. Clearly this president is more interested in rewarding political buddies than in hiring the best or the brightest.

In fact, Chicago public schools were so miserable that Obama would not let his daughters attend them (as he holds them out of DC public schools now). Kind of strange isn't it? Why would you give such an important position to someone you couldn't even trust with your own children? (This is nothing new for Chicago Democrats: birthday clown John Wayne Gacy, was once a Chicago Democrat precinct captain.)

Who will be in charge of the Department of Universal Health Care? Well if his appointment of Duncan was any indication, I think Dr. Kevorkian might make a good candidate.

Since Kevorkian spent the majority of the last seven years in the custody of the federal government, it is unlikely that he would have any tax problems to embarrass His Presidency during confirmation. And let us not forget, doctor-assisted suicide is a great way to reduce healthcare costs; it is one reason why suicide is such a popular home remedy for terminal illness in those countries already blessed with socialized healthcare.

— Tim Slagle

**Big rock candy mountain** — Since I have reported quite often in these pages about the many government pension and health benefit liabilities this country faces, it is always a surprise when I stumble across a new problem in this area. But I recently read two articles written by Walt Bogdanich for The New York Times, surveying an obscure federal agency that is yet another example of the liability crisis we face.

It turns out that railroad workers have their own version of Social Security. It is overseen by a federal agency called the Railroad Retirement Board, located in Chicago. It was established in the 1930s. While the railroad industry has declined over the decades, this board still administers benefits to over 600,000 people. There are three board members, all paid \$150,000 a year, and all presidential appointees. Bogdanich (and his co-researcher Nicholas Phillips) have uncovered some interesting facts about this little fiefdom.

First, the board almost never meets. When the president of the Long Island Rail Road, Helena Williams, asked to sit in on its next meeting, she was told that it hadn't had a formal one in two years — and no meetings were scheduled! The members "telecommute." It seems that 150K a year doesn't quite cover a car in Chi-town.

Now, the reason why Ms. Williams wanted to sit in on one of the meetings of this shy little board was to find out why the yearly approval rate for Long Island Rail Road employees' disability and early retirement fees is so high. By "high" I mean in the mid-to-high 90% range. Last year the board approved 98% of *all* the disability claims it received, no matter what the rail company was or where the employees lived.

Indeed, the long-term approval rate for disability claims by the Railroad Retirement Board is 70%, compared to 55% for the already generous Social Security disability program. Nine years ago, an internet audit by two doctors — one appointed by labor, one by business management — estimated that 20% of the disability awards granted by the board were unjustified. That was almost identical to the estimate of 21% unjustified disability grants given by the General Accounting Office in 1984.

Apparently, the labor member of the three-person board, and labor leaders generally, view disability as just another benefit due the workers, and have resisted bringing it under fiscal control. Labor fought updating the archaic categories of disability (such as "middle-class moronism," or having a "repugnant scar") that are used as bases for disability benefits. It has also fought independent medical screening tests for disability applicants.

The money we are talking about can be quite high. For example, one married couple, both members of which are retired and disabled, draws \$280,000 in yearly benefits, and will do so until they die. In another case, an engineer, by using

the work rules negotiated by his union, was able to pull down \$277,000 in one year — five times his base salary. He then retired and got disability, at age 56. Yet another engineer, age 60, is getting \$170,000 a year in disability and retirement payments, and will get them for life.

By the way, many of the “disabled” are white-collar workers. Quite a few can be found on the golf course.

The fund that pays all the disability, retirement, unemployment, survivor, and sickness benefits is supported by taxes on railroad workers and companies. So the attitude of labor, expressed by the United Transportation Union’s legislative director is, “If labor and management put the money in the pot and we decide how our money is distributed, and the only role government plays is to be the holder of that money — what is the problem?”

The problem, you clown, is that these taxes are ultimately paid by consumers in the form of higher prices. Moreover, because of a 1951 law, most of the liability for all these retirees (disabled and regular) falls under the regular Social Security program, so any unfunded liabilities come out of the pockets of every other retired person. (For 2007 alone, Social Security had to cough up \$3.6 billion.) God, talk about suffering from middle-class moronism!

— Gary Jason

**Neo-bootlegging** — Times are hard for capitalism right now. With the state taking over more and more aspects of our economy, less and less innovative activity will stay aboveboard. And with more and more behavior-restricting legislation, and higher taxes, citizens are less and less free to enjoy what used to be life’s simple pleasures. Liberty and other journals have chronicled the state’s many legal encroachments, demonstrating that the busybody spirit of the temperance movement is alive and well. And it’s not just the federal government: states are only too happy to enact “well-meaning” restrictions of freedom.

Since so many in our midst seem so ready to repeat history, the entrepreneurial among us ought to get a jump on the next booming sector. With the current administration’s growing stranglehold over the economy, there may be only one sector poised to actually turn a profit.

Speakeasies.

Not simply the stuffy, beer-in-a-pail speakeasies of the Prohibition era. Prohibition only covered alcohol. That left little room for diversifying one’s opportunities. Because the contemporary heirs of temperance and their statist partners really mean business, today’s daring entrepreneurs can serve a much wider customer base.

The choices for today’s speakeasies and their clients are almost unlimited. As the state keeps intervening more and more, there will be something for every taste. The more traditionally-minded can experience the old days by drinking alcohol in amounts that will register .08 or lower on the breathalyzer; they’ll just need to walk home afterward. More adventuresome risk-takers can feast on hamburgers and cheeseburgers, nonorganic fruits and vegetables, trans-fat laden donuts, cream-filled snack cakes, and other delicacies that were once commonplace in restaurants and cafes. Patrons can smoke cigarettes — filtered or not! They can even dare to be comfortable with BMI indexes of more than 25%.

This is a guaranteed moneymaker! So plan now: you can

be the first in your neighborhood to ride out the economic crisis by exploiting the latest round of state-created forbidden fruits.

— Marlane White

**Tomato? Tomahto? Nazi** — Have you ever argued with any people on the public payroll? I vaguely recall something that Mencken wrote, appropriate to the situation. I cannot find his clever words, but I’ve created an updated version of his thinking:

You say you’re opposed to excessive taxation, and they explain you hate children and oppose education.

You say only those who benefit from particle accelerators and space exploration should pay for them, and they explain you’re a Luddite.

You say businesses should be allowed to fail rather than get taxpayer money, and they explain you want to destroy the capitalist system.

You say you think adults should not be forced into a government retirement system against their will, and they explain you want old people to die in the cold.

You say you are against the drug war, and they explain you just want to get high.

You say they should bring our soldiers home now, and they explain you do not support the troops.

You say charity should be voluntary, and they explain you hate the poor.

You say you oppose coercion, and they explain you are a danger to all mankind.

You say that perhaps they should stop suckling at the taxpayer’s teat, and then they really get mad. . . . — Ross Levatter

**Don’t grease the squeaky wheel** — There’s not much question that North Korea, as headed by Dear Leader Kim Jong-il, is a reckless and irresponsible regime whose abuse of its own people is exceeded only by its self-defeating recklessness toward its neighbors. But from Kim Jong-il’s perspective, it must also be amusing to see just how predictable the United States can be, regardless of what president is in power. He has definitely figured out how to pull our chain.

Whenever the leader of the Hermit Kingdom is feeling unduly ignored, he tests a rudimentary nuclear weapon, fires off a missile or makes a few irresponsible statements, and suddenly he finds himself at the top of everybody’s agenda once again. So in one week he did all three, and sure enough, President Obama blustered that “North Korea’s nuclear and ballistic-missile programs pose a great threat to the peace and security of the world,” while Secretary of State Hillary Clinton huffed that there would be “consequences” and trotted off to gather votes for an even sterner UN Security Council resolution than the previous one, which North Korea ignored, and the world forgot.

It would be preferable to step back and view the situation a little more cold-bloodedly. North Korea is a pitiful, isolated, near-irrelevant failure of a country. It has had the wherewithal to build a rudimentary atomic weapon, though not to deliver it, and fire off missiles for years. The recent tests and threats don’t change the strategic balance one bit.

North Korea can bluster, not because it has taken a few steps toward a nuclear weapon, but because it has thousands of artillery guns and conventional missiles aimed at Seoul,

South Korea's capital, less than 35 miles from the north-south border. For that reason, although the infinitely richer and more capable South Korea could probably defeat the North in a war, eventually, it is unlikely to start one. And for the same reason the United States is unlikely to take military action against the North. Because it understands the correlation of forces, North Korea is unlikely to do more than bluster, since it knows that if war came, even though it could wreak great damage on the South, it would be obliterated.

Especially because the United States can do little or nothing to affect North Korea's behavior, it would be smarter to *underreact* than *overreact*. The country with the best ability to influence North Korea is China, which seems more upset at its erstwhile satellite than at other recent provocations. Our best course is to let the Chinese know we are looking to them to handle the problem of that tinpot dictator. — Alan W. Bock

**Start the presses!** — Before the mid-1800s, the inability to pay one's debts could land one in prison. For the next century, bankruptcy laws progressively tended to favor the debtor. This trend reached a peak in the late 20th century with Chapter 11 reorganization-type "bankruptcies" becoming alternatives to complete liquidation.

In 1998 the trend began to reverse itself. During the Clinton administration, the bankruptcy discharge of student loans was significantly restricted. Ten years later, under the Bush and Obama administrations, corporations deemed "too large to fail" (AIG, GM) were "saved" from bankruptcy, at least temporarily, at taxpayers' expense. For the benefit of whom, you might ask? Hard to say.

Now, under the Obama administration, creditors' rights have been trashed extrajudicially for the benefit of workers. Bankruptcy divides a shrunken pie according to heretofore well-established rules. All claims are not equal: secured creditors rank above shareholders and employees. On April 30, those well established rules were ignored when Chrysler entered a "modified, prepackaged" Chapter 11 that promises bondholders 28 cents on the dollar for some \$7 billion in claims, while giving an employee health-care trust run by the United Auto Workers union 43 cents per dollar on its \$11 billion-odd claims, as well as a majority stake in the restructured firm.

Is anyone objecting to this new workers' paradise? As *The Economist* reports, "The many creditors who have acquiesced include banks that themselves rely on the government's purse. . . . The objectors have been denounced as 'speculators' by Barack Obama."

So much for our president's much vaunted intelligence. The TARP was set up to grease the cogs of a seized credit system. (Never mind that instead of lending more money with TARP funds, lenders used them to shore up their bottom line.) Now the president has thrown a wrench directly into the gears. He can't see that undermining confidence in the credit markets is no way to loosen credit.

Meanwhile, back here in Arizona, the Tucson Citizen, a 138-year-old newspaper, is trying to go bankrupt responsibly. In a small step for legal theory but a giant leap in sophistry, Arizona Attorney General Terry Goddard filed an antitrust lawsuit in federal court to force the state's oldest continuously published daily to keep publishing. Yes, you read that right:

*antitrust*. Brace yourself for the reasoning.

Sometime back, in order to save costs, the Citizen and its one competitor, the Arizona Daily Star, agreed to a joint operating agreement through which they share profits and losses, and a subsidiary operates all noneditorial functions. This arrangement passed the Attorney General's muster. Now, the AG's suit alleges that closing the Citizen would "substantially lessen competition."

What's next, affirmative action quotas for failing businesses? Sagely, U.S. District Judge Raner Collins threw out both the lawsuit and the motion for a temporary restraining order. But the respite is only temporary. Terry Goddard is the Democrats' front runner for Arizona's next gubernatorial election.

— Robert H. Miller

**On boiling frogs** — Despite its having been instituted back in the summer of 2005, New York City's policy of permitting the police to rifle through any would-be subway rider's bags has never ensnared me — until this week. As I was walking into the entrance for the 7 trains a heavily armed officer politely directed me to move over to a table and allow another heavily armed officer to rifle through my bag.

I turned around and walked out. You do not have to consent to the search (not yet), but you may not enter that station if you don't. Neither officer really cared. It's as if everyone knew what a brainless farce it all is. With the easy availability of alternative entrances to every subway platform, it's a quick walk, half a block usually, to re-enter through another portal for the same station. How hard would it really be to sneak a bomb onto a subway? Not very.

It is not so much the obvious impossibility that the searches will keep the populace safe from terrorist attack that riles me; it is the principle behind the policy. To see, day in and day out, heavily armed police officers randomly selecting an unarmed subway rider so that he or she may be searched will, over time, inure New Yorkers to the danger to liberty that is inherit in arbitrary searches. And as time goes by, the right of a would-be passenger to refuse to be searched will be taken away, and instead of simply walking to another entrance and being on my way, I will feel a taser shot, followed by a knee in my back.

My New York ancestors would have taken any politician infected with the power-lust necessary to call for such an odious policy and thrown him, tarred and feathered, into the Hudson River. Those days are gone, thinks I, as I walk to the subway amidst all the police loitering about, their machine guns slung across their Kevlar encased bodies, ready, waiting to be used.

— C.J. Maloney

**All the news that's easy to print** — I have enjoyed many an hour reading newspapers, but I have also been enormously frustrated over the years. I don't wish to malign the professionalism of newspapermen, but they have a remarkably narrow viewpoint, and it shows. I once asked my Colombian boyfriend his impression of America. He replied "It's so peaceful here." I asked him to explain. He pointed to the umpteenth rehash of the shootings at Columbine High, which had been covered nonstop for two or three weeks. "In Colombia, that story wouldn't last four hours; we'd have another bombing, shooting, kidnapping, or assassination." By reciting stock phrases about "industrialized

nations," the media avoids ever noticing that there places in the world far more violent than the United States.

I would turn to the paper for coverage of an event where I had been — for example, a gay pride parade. The coverage would be snotty, and would mention only the half-dozen drag and leather queens, not the thousand participants who would have been inconspicuous in any shopping mall.

I come from Pittsburgh, which had a big "stadium tax" proposition some years back. All the media and all the corporate bigwigs were behind it. The corporations threw \$6 million into a glitzy no-holds-barred campaign, which was slavishly covered. Meanwhile, the opposition had a budget of less than \$50,000, a few allies on talk radio, and enormous grassroots support. The proposition was slaughtered, by a margin of two to one. You would think the media would be all over us, wanting to find out what had happened. Nope. Grassroots people don't buy enough ad space to matter. Our research was careful, accurate, and thoughtful. The media chose instead to cover inaccurate speculation emitted by CMU at the behest of the sports teams as if it were factual.

People turn to the internet because they want more information than the media are willing to give. People want to read the stuff that isn't supported by powerful corporate interests. They want to read about today's financial crisis, but not from the folks who created that crisis, who have a vested interest in obfuscating the issues. Today's newspapers are not providing those alternative viewpoints; they are too wed to their corporate advertisers, who usually want more corporate welfare. Thomas Jefferson would rather have newspapers and no government than government and no newspapers; I certainly agree, but newspapers which are mere apologists for the government might as well not exist, for all the good they do. Press releases make a poor substitute for news. — Terry McIntyre

**Chinese econ drill** — As our country continues in its government-induced recession, we would do well to reflect on China's continuing economic success.

China has passed some important milestones recently. Last year it overtook Germany as the world's third largest economy. Earlier this year it overtook the United States in domestic car sales. Now, according to The Telegraph of London, China has just surpassed the United States as Brazil's largest trading partner: monthly total trade between Brazil and China has hit \$3.2 billion, exceeding by almost half a billion dollars that between Brazil and the United States. Considering that the United States was Brazil's biggest trading partner for upwards of eight decades, this is a big change.

The Telegraph also notes that China is now Chile's biggest trading partner. And China is naturally close to the four leftist regimes of South America (Bolivia, Ecuador, Peru, and Venezuela).

In sum, it would appear that China has been moving steadily towards replacing the United States as the primary foreign power in Latin America. Given our trajectory and theirs, this is not apt to change any time soon. — Gary Jason

**Pinko Cadillac** — I'm frustrated by President Obama's takeover of General Motors. Not for the obvious reasons, either.

I've long argued against state mandates for health insurance. One reason so many people can't afford basic health

insurance policies are these government mandates, which basically say, "If you want to sell anyone health insurance in this state, the policy has to include . . ." followed by a laundry list that varies from state to state depending on the relative power of various lobbying groups, but includes such things as pregnancy coverage (even in policies for single men), chiropractic and acupuncture, alcohol rehabilitation programs (even if you're a teetotaler), and in some states even hair transplants. All these mandates, of course, increase the cost of insurance, leaving more people choosing to go without.

What does the government takeover of GM have to do with this? Well, one of my strongest arguments against health insurance mandates was, "It's like passing a law saying that if you want a car you have to buy a Cadillac." Now they might actually pass such a law.

— Ross Levatter

**One small step** — Susan Lefevre, the fugitive from "justice" who spent 30 years on the lam as a California housewife, has been liberated from the clutches of the state.

I first wrote about Lefevre on these pages in July 2008. She had been convicted of possessing drugs back in the 1970s and, though only a teenager at the time, sentenced to a long prison term in Michigan. She managed to escape and began a new, utterly respectable life in the San Diego area, where she and her husband raised three children.

In April 2008 she was discovered and arrested. At the time it looked as though she might be spending a very long time in prison. Michigan authorities indicated they would make her serve out the old drug sentence, and were planning to prosecute her for the escape.

Reason, however, has prevailed in this case. In January the Michigan parole board voted to release her from the old drug charge. And the escape charge too has been dropped. Unfortunately, the state could not quite let it go at that. Lefevre was placed on probation. She is barred from owning firearms or drinking alcohol.

But at least, on May 19, she was freed to return to her family. When will Leviathan set free all the other human beings it holds for possessing drugs?

— Jon Harrison

**Brain food** — I greatly enjoyed reading the article in the April Liberty by Charles Barr ("Freedom vs. Fairness"). I couldn't agree more with the article's basic point, that there are probably more Americans concerned about issues of fairness than of freedom and, hence, libertarians must do better at understanding how the bias toward "fairness" causes people to make antifreedom collective political choices and to overcome these biases, to the greatest extent possible.

My particular interest is in following scientific research that explores neurological mechanisms that may underlie decisionmaking that promotes fairness, regardless of how expensive that may be in terms of other values, such as freedom. The findings of neuroeconomic game theory that people will frequently, if not usually, reject an offer of \$20 in order to prevent somebody else from taking \$980 in an "unfair" division of \$1,000 between two people, is a good example of what would seem to be an irrational bias. Twenty dollars is a whole lot better than nothing and I wouldn't turn it down, even though the other guy gets to keep \$980. But then, that only shows that I do not highly value "fairness."

A newly published scientific study provides a clue.

The study's authors hypothesized that low serum levels of omega-3 fatty acids, having been associated in prior studies with increased hostility and decreased impulse control, might have a measurable effect on the willingness of people to accept offers made to them in the ultimatum bargaining game.<sup>1</sup> As you may recall from my article in an earlier *Liberty* ("Libertarian Like Me," July 2008), in the ultimatum bargaining game, two players negotiate over the division of a given amount of money. The proposer (who initially has the money) offers a split with a responder. If the responder accepts the offer, they make the division and both keep their share. If the responder rejects the offer ("unfair"), neither proposer nor responder gets any money.

In this new study, the researchers measured fasting serum levels of omega-3 fatty acids (alpha-linolenic acid [ALA], eicosapentaenoic acid [EPA], and docosahexaenoic acid [DHA]), as well as linoleic acid (an omega-6 fatty acid) and arachidonic acid (a product of omega-6 fatty acids) in 60 undergraduate economics students. The results showed that the ratio of serum omega-3/omega-6 fatty acids was significantly lower in individuals who rejected "unfair" offers as compared to those who did not. There was a significant depletion of ALA, EPA, and DHA in the rejectors of "unfair" offers.

What can we do with this information? For saving the world, perhaps nothing much at the present time. However, this may be a useful "secret" in matters of individual-level negotiation. I make no guarantees concerning the outcome of your negotiations, but the results of this study suggest that it is possible that you could reduce the likelihood of irrational rejections of perfectly reasonable offers on the basis of biases concerning "fair" and "unfair" by feeding those with whom you are negotiating a leisurely cold water fatty fish meal (rich in EPA and DHA) at a good restaurant before you get down to business. (The question of whether a large enough acute dose of omega-3 fatty acids would do the trick or whether it would take chronic ingestion of increased levels of omega-3 fatty acids was not answered by this single study.)

Political Implications: interestingly, the ingestion of omega-3 fatty acids in supplements has been increasing for years, especially among older people attracted to the protective effect of omega-3 fatty acids against sudden death heart attacks. (References available upon request.) A new breed of hogs has even been developed which has meat enriched in omega-3 fatty acids and omega-3 fatty acids are being fed to farmed salmon to allow them to achieve the same high tissue levels as in wild salmon. The FDA has approved a "qualified health claim" for omega-3 fatty acids: "Supportive but not conclusive research shows that consumption of EPA and DHA omega-3 fatty acids may reduce the risk of coronary heart disease. One serving of [name of food] provides [x] grams of EPA and DHA omega-3 fatty acids." This weak claim (far weaker than justified by the scientific literature) was achieved after two petitions, two courtroom victories

1. Emanuele et al, "Serum omega-3 fatty acids are associated with ultimatum bargaining behavior," *Physiology & Behavior* 96 (2009), 180-183.

2. Hagen, "The Power of a Qualified Health Claim," *U.S. Canola Digest* Nov./Dec. 2006, 6-8.

against the FDA, and encouragement from the FDA commissioner who said that this was the largest body of evidence the agency had ever received for a claim.<sup>2</sup> Few supplement manufacturers actually use this claim, though, because it is not only weak but wordy, thus hard to fit on a label. But this is typical of the FDA's approach to health claims for natural products, which would otherwise compete with products sold by the FDA's big pharma "clients."

Could a change in diet or the ingestion of important dietary components eventually alter the political landscape? Why not? It's happened before.

— Sandy Shaw

**Not so currency** — The U.S. Treasury offers would-be buyers a beautiful Liberty Walking silver "Eagle" coin, clearly labeled "One Dollar." However, it is currently out of stock and not available for sale. The price at which it is listed, when it is available, is not one U.S. dollar (Federal Reserve Note). The U.S. Treasury lists it instead at \$37.95.

Is this stupidity? False labeling? A sad commentary on the decline of the value of the U.S. dollar? Or all three?

In the days when gold and silver money circulated and paper dollars were freely convertible into gold or silver dollars, denominating coins in terms of dollars made sense. But today, the rising dollar price for monetary metals makes the "One Dollar" label a lie. Shouldn't the government label its coins by weight?

— Bettina Bien Greaves

**The burden of office** — In a recent interview, President Obama said he doesn't want to be in the auto or banking business, and I recall Bush saying that he didn't want to interfere with the market back when he started bailing out businesses.

I must confess to being ashamed of the many things we Americans force our presidents to do against their will.

— Ross Levatter

**California under alles** — As if to prove that the Republican Party is as virulently socialist as the Democratic, California governor Arnold Schwarzenegger is doing his bit to push America off an economic cliff. His idea of how best to close his state's budget gap (estimated to be around \$24 billion and growing) is not to stop spending other peoples' money as if it were water but to borrow more and, since private lenders are reluctant to continue funding California's endless spending spree, to have federal politicians force taxpayers from other states to back the new loans.

Returning from DC with an empty begging bowl, Arnold and his tax-funded friends were dealt another blow on May 19, when the unwashed voters of the state shot down every tax scheme the politicians had proposed, despite the childish and irresponsible scare tactics that California's politically connected unions used in a well-funded media campaign.

Naturally, this has refocused attention on the quandary California's politicians have put themselves (and the sad sack taxpayers) into. The promises they made to buy votes are turning out to be just that — promises. There is no money left in the vault to pay for the lavish salaries, pensions, and perks that California's political class and their friends have come to expect at the taxpayers' expense.

Needless to say, this will turn into a problem for Obama and the members of Congress who call California home. The

state has some of the most virulently aggressive and politically active unions, and they expect to be paid for mustering the votes. Already California Congressman Brad Sherman has declared, "There's simply no better stimulus than guaranteeing state and local bonds, particularly those that are being used to get through the crisis and avoid layoffs."

Of course, the layoffs he fears will hurt the parasitic class that feeds off the California working masses, layoffs that I declare would be a positive benefit to the state. As anyone who paid any attention in Economics 101 will tell you, when you hit a depression reducing the burden on the working masses is not only the correct thing to do from the economic point of view, but from the moral as well. — C.J. Maloney

**Litmus test** — A meme that has been circulating lately is that if you are not onboard with Obama's Supreme Court appointment, you are anti-intellectual. This grows so wearisome. It's not intelligence I oppose, it is arrogance. I don't want anyone on the bench who thinks they could have written a better Constitution than the original framers did; nor do I want anyone trying to change that Constitution outside of the proper amendment process. — Tim Slagle

**Treatment complex** — Among the current administration's many alarming big-government initiatives is universal healthcare. There are many arguments, both familiar and meritorious, against the government's taking over the health care of the citizens, but a tangential aspect to think about is what might be called the legal-medical-state complex. This is an expanding entity, with which I became familiar when I was a prosecutor.

It seemed that no matter what the infraction, juvenile defendants were always funneled into "treatment" by the cooperative efforts of defense counsel and the state. For light matters such as school fistfights, the sort of episode in which one or two punches settle adolescent frictions, defendants were offered diversion programs (anger management counseling and the like). For more serious offenses, treatment inevitably included a state-funded mental health report compiled by a state-employed psychiatrist or psychologist, recommending medication, monitoring, and an extended stay at a for-profit facility.

For first-time offenders, the counseling programs were often accepted by defendants' parents in order to keep the kids' records clean. More serious offenders had no choice. Mental health measures were simply part of plea agreements and part of sentencing.

This never sat well with me. There were indeed a few defendants who had fairly obvious "mental issues" that were not just odd behavior the state considered aberrant, but behavior that was dangerous to everyone. Mental health intervention may or may not have been helpful, but it couldn't hurt. But, for the rest, two things raised my concern.

First, I was surprised at the ease with which the legal-medical-state arrangement worked. Mental health evaluation, diagnosis, and treatment, including medicating and monitoring, were part and parcel of the state's handling of criminal matters. No questions asked. It was expected. All professionals and bureaucrats were invested in the arrangement.

Second, I was struck by the ease with which defendants opted for treatment instead of punishment. As this was juve-

nile crime, punishment — depending on the infraction — consisted mainly of paying costs of property damages, losing a driver's license, undergoing probation, doing "community service," or sometimes going to boot camp. Not pleasant, but nothing anyone would consider hard time. And, with certain exceptions, juvenile records were routinely expunged upon petition once a certain time period passed. Neither parents nor defendants nor defense attorneys balked at, or even seemed to consider, the amount of control being ceded to the state and its mental health workers when choosing treatment (at any level) over punishment. Everyone simply accepted the joint presentation by the state attorneys, defense attorneys, and counselors that "treatment" was the best course.

Frankly, it seemed dangerous. Once the state took over diagnostic duties, there was no turning back. What might have originally seemed like a good idea in some cases turned into the way in which all cases were handled. Once the state, the legal professionals, and the mental health professionals hit upon a propitious relationship, there was no getting rid of it.

As I said in the beginning, this discussion may be tangential to the universal healthcare issue, but it is instructive. If we cede to the government the ability to control health provision, this will quickly become an irreversible event. It is reasonable to foresee that as with the arrangement I witnessed as a prosecutor, once government bureaucrats, medical professionals, and legal professionals hit upon a cooperative relationship, there will be no getting rid of it. Too many will be inclined simply to accept the presentation by a legal-medical-state complex of the best course of "treatment," no questions asked. The amount of control "treatment" over young citizens' lives now offered by the state through the court system is alarming. The potential amount of control over citizens' lives that is offered by the state within a universal healthcare system should be no less alarming. — Marlaire White

**I'll take Manhattan** — One of the opinion journals I most love to read is the plucky City Journal, published quarterly by a center-right thinktank called the Manhattan Institute. City Journal produces some of the most thoughtful and well-written journalism around today. As it happens, the latest edition (Spring 2009) contains articles that bear on two of my favorite topics for reflection: demographic change and school choice.

The first piece, "Spendthrift Sunbelt States," is by Nicole Gelinas. She reviews the current fiscal woes of three states — Arizona, Florida, and Nevada, which she calls the JetBlue states — polities that were formerly the economic envy of the nation. After years of double-digit population growth and booming economies, the JetBlues are facing slow growth, major budget cuts, and rising unemployment.

The proximate cause of their plight was of course the collapse of the real estate bubble, but the underlying cause was — what else? — dramatic increases in state spending. Like California and New York, commonly called the People's Republics, the JetBlue states jacked up their spending at a crazy clip. Faced with the revenue drop, their choices are now the same: either cut services or increase taxes. And, as in the People's Republics, public employee unions and other special interest groups in the JetBlue states refuse to give back an inch

of the mile they have been able to grab. It would appear that the JetBlues are looking at tax increases.

Now why did states that were formerly paragons of fiscal probity turn into clones of the People's Republics? Gelinas points to several causes, including one that was the subject of an earlier Reflection of mine ("Californication," April): the rapid population growth of the JetBlues was driven by a massive outmigration of middle-class people from the Socialist Utopias.

Ironically, when these people flee California and New York to escape high taxes, crime, unemployment, and the cost of living, they never look themselves in the mirror and ask what the cause of the decline may have been in the state they are fleeing. (The answer would be staring them back in the mirror). They flee the results of their choices, but they retain the same attitudes that led to them. As Byron Schlomach, a researcher at Arizona's Goldwater Institute, put it, "They are fleeing California, but don't have any notion of why it's expensive to live there." Oh, well, these refugees are usually graduates of our public school system, where they don't even learn arithmetic, much less basic economics.

But this does raise the interesting question of how welcoming other states should be to refugees from the People's Republics — after all, they are carriers of a kind of plague, the plague of welfare statist mentality. Texans in particular should worry; their state appears to be one of the last bastions of economic freedom.

Perhaps Lyle Lovett, whose music charms me, should change the lyrics of his famous song, from "That's right, you're not from Texas, but Texas wants you anyway," to "Damn right, you're not from Texas, and Texas hopes you'll stay away!"

The second article, "LAPD High," was written by Laura Vanderkam. It reviews a type of "magnet school" of which I was hitherto unaware. Magnet schools are a moderate form of school choice: they are public schools, but can take students from different neighborhoods, have a special orientation, and require students to apply to get in. This allows the creation of widely different schools, enabling greater student interest, a point I have urged in earlier reflections (such as "Free to choose," October 2006).

Vanderkam looks at the successes of six particular magnet schools that are affiliated with the Los Angeles Police Department. These schools (five high schools and one junior high) were set up during the tenure of Mayor Richard Riordan as a way to encourage minority students to consider law enforcement as a career. Their current enrollment is around 1,300, with student bodies at each school between 70% and 95% Hispanic.

The schools have the same academic requirements as others (same amount of math, English, and science classes). Courses are taught by regular public school teachers. But they also have active duty police officers on site, mentoring and helping students in other ways. And there is an intense focus on physical fitness, far beyond ordinary gym class, with weight lifting, mile runs, obstacle course runs, and so on.

The major success of these schools is the relatively high graduation rates. Fewer than half of ninth graders in regular LA public schools graduate from high school. Only 16% of Latino students graduate with the courses that qualify them

to enter the California university system. But at the LAPD magnet schools, the graduation rate is 70%–90%, and most of the students who do leave transfer elsewhere rather than drop out of school entirely. Indeed, in one school (Reseda High), 100% of the 2008 graduating class either went to college or joined the military.

This touches on a point I have long urged. While it is important to focus on the role that school choice plays in improving academic performance — that is, intellectual virtue — we shouldn't neglect the usefulness of school choice in other areas, such as increasing student retention and the improvement of moral virtue.

City Journal is an outstanding source of insightful and provocative writing. If you haven't read it yet, take a look.

— Gary Jason

**Ask the local gentry** — Did you ever see such a festival of bad logic as the one that has consistently attended the gay marriage debate?

Each side maintains that marriage (as each side defines it, of course) is an *inherent right* that nevertheless has to be provided by the state. In the absence of the state, marriage — not, mind you, any of those legal mechanisms that protect a couple's private property, contracts, and so forth, but marriage itself — could not *exist*. Marriage has to be *granted by the state*, in the form of a *marriage certificate*. Still, it's an *inherent right*.

You might as well argue that people can't have free speech unless the government authorizes what they say, or be free to publish what they want, unless the government gives them a printing press. But that's the kind of thing that each side of the great gay marriage dispute chose to argue.

Neither side devoted a moment to the obvious libertarian idea that if marriage is so important, it should be left to individuals, with no involvement by the state except to enforce the contracts about property that people are always free to make — inside or outside formal marriage. If you want to get married, there are plenty of churches that will marry you. Or you can conduct a marriage yourself. The Christian contingent (gay or straight) already believes, supposedly, that marriage is a religious rite. The non-Christian contingent (gay or straight) believes, supposedly, that it is a private rite. So go ahead. Marry and be given in marriage.

But now come the voters of the state of California — responding to impassioned pleas that gay marriage be "legalized" — and proceed to ban gay marriage by law. Then the Supreme Court of the state of California refuses to let the voters do that, discovering in the state constitution a hitherto unknown guarantee of the *right* to be married by the state.

The voters retaliate by passing an amendment to the constitution, stipulating that gay marriage is not a constitutional right. Then the forces of gay marriage respond in a way that seems logical to them: they stage wildcat demonstrations designed to cause the maximum amount of disruption in . . . gay neighborhoods! (I know; I live in one.) They also start a legal case, maintaining that this particular amendment to the constitution is, well, *unconstitutional*.

If anything was ever a contradiction in logic, this was it. By what kind of rhetoric could anything like that be justified? Well, said the win-at-any-intellectual-price proponents of gay marriage: the constitution guarantees equal protection of the

laws; laws allow straight people to marry; therefore, the laws must allow gay people to marry.

Of course, the voters had just passed a *law* against gay marriage, so what about that? No answer.

On May 26, the same Supreme Court that had ruled in favor of gay marriage was constrained to rule against it, validating the ability of voters to amend their own constitution. The one dissenting justice — who, according to *The New York Times*, has been considered by President Obama for the Supreme Court of the United States — insisted that the ruling “strikes at the core of the promise of equality that underlies our California Constitution” and “places at risk the state constitutional rights of all disfavored minorities.”

Indeed, many well-meaning people have suggested that the libertarian principles on which the U.S. Constitution is based should be used to override any unlibertarian provisions that are actually and explicitly present in that document. Good hearts, but bad logic. What will these people say about all the various “principles” and “promises” that other, less libertarian people allege to underlie the explicit language of real documents? The California dissenter writes of the “promise of equality.” Well, suppose the legislature decides to confiscate all incomes above 50K and distribute them among the populace. That’s equality, right? Oh no! we libertarians shout. But what’s the problem? Aren’t we going by *principles* instead of *explicit words*?

Or suppose the voters of the state of California endorse a referendum to cut taxes for some classes of property holders, and a case comes to court in which the plaintiffs argue that the will of the voters must be overridden because of the principle of *equal protection of the laws*. (This is actually what happened when Proposition 13 passed in California, a generation ago.) Would the court be right in deciding that this principle trumps the will of the voters? Oh no! we say again. Yet that is the same kind of obscurantism that was exerted in the cause of gay rights — which is, in my own opinion, one of the best causes under heaven.

But what were the arguments of the majority of the California Supreme Court? They wouldn’t have a very difficult time, one would think, just noting that an amendment to the constitution is an amendment to the constitution, and letting it go at that. But no. Everyone in this drama has to maintain the cause of flagrant, ridiculous, preposterous illogic.

The majority did say, luckily, that “our role is limited to interpreting and applying the principles and rules embodied in the California Constitution, setting aside our own personal beliefs and values.” But they added:

Nor does Proposition 8 [the anti-gay-marriage amendment] fundamentally alter the meaning and substance of state constitutional equal protection principles. . . . Instead, the measure carves out a narrow and limited exception to these state constitutional rights, reserving the official designation of the term “marriage” for the union of opposite-sex couples as a matter of state constitutional law, but leaving undisturbed all of the other extremely significant substantive aspects of a same-sex couple’s state constitutional right to establish an officially recognized and protected family relationship and the guarantee of equal protection of the laws.

In other words, people have *rights*, but you can *carve out exceptions*.

So, that’s what a right is — correct? It’s something like an old tree, that you can carve your initials in, and that’s OK, because it may not kill the tree, but there’s some point at which you, like, go too far, and then you’ve gotta call in the . . . uh . . . whaddya call ‘em . . . tree surgeons, yeah, that’s it . . . Or was it judges? Whatever. Somebody will tell you when you’ve gone too far in meddling with *officially recognized* rights.

If these are *rights*, give me *duties*. Such as the duty to make some sense.

— Stephen Cox

**Diplomatic impunity** — During the campaign Barack Obama at least implied that he wouldn’t indulge in the age-old practice of giving cushy ambassadorial posts to big campaign donors. Now that he’s in power, of course, it’s another story. He named retired Citigroup executive Louis Susman (a \$500,000 donor) our ambassador to Britain. Former financial analyst Charles Rivkin (who donated \$100,000–200,000) will be our man in Paris. And biotech lawyer John Roos (a \$500,000+ donor) will be heading to Tokyo.

— Alan W. Bock

**Ballot boxing** — It never fails. Whenever I attend a political gathering — such as the ever-delightful FreedomFest — I am approached by someone pitching a third political party. I tell him that I don’t vote for third parties, as they almost never win, whereupon he tells me I’m a fool for voting for the lesser of two evils, and I reply that it’s better than voting for the greater of two evils. For my efforts, I get a hostile stare.

Let me see if I can clear this up a bit. I am by no means opposed to third parties. But we live in a democracy that uses the plurality method of voting. In this system, you can only vote for one candidate, and the candidate who gets the most votes wins. (On the presidential level, of course, the system is modified by the Electoral College mechanism). This is almost invariably a candidate of one of two parties, which tend to have major policy differences (with variation among individual members). In the plurality method of voting, you get only one vote, so to vote for anything but the lesser of two evils in the case where only two candidates have a chance of winning is in practice to vote for the greater evil.

This is not merely an abstract concern. I can recall several races in which if the few votes that went to the Libertarian Party candidate had gone instead to the conservative one, the conservative would have won, and would have voted for a number of policies I favor, such as lower taxes, tighter restrictions on welfare, fewer regulations, and increased school choice.

Moreover, if I am not supposed to vote for the person closest to my belief set who has a real chance of winning, but instead vote for the person closest to my belief set regardless of his chances of winning, even then, why would I vote for a third-party candidate? Faced with a mainstream candidate who shares maybe 70% of my views, or a third party candidate who shares maybe 80%, my best choice under the theory we are entertaining would be to write in my own name — thus voting for a candidate who shares 100% of my views!

So it is that I prefer to work within a large, traditional party, which is a coalition of disparate subgroups, funneling my money and efforts through the libertarian subgroup with the intention of moving the coalition more in that direction.

This choice is based upon the reality of our political system. I am certainly open to changing our electoral system in ways that would make me more inclined to vote for a smaller, more ideologically pure party. Such systems exist. Indeed, there are a surprisingly large number of other voting schemes, some merely proposed, others actually in use. While I certainly don't want to get into grisly, statistical political science, perhaps a sketch of the alternative voting regimes might be useful.

Let's focus on single-winner elections, i.e., those in which only one person is to be elected. And let's focus on single-round elections, in which voters go to the polls just once per election. What are some alternatives?

Perhaps the biggest class of non-plurality, single-round voting schemes is called "ranked choice" or "preferential voting" systems. Probably the best known among preferential voting methods are Borda counts, Bucklin voting, Condorcet methods, and Instant Runoff voting. In all these methods, the voter begins by ranking the candidates (for the given office) in order of preference. So if Barack, Gary, John, Ralph and Ron are the candidates running for president, I might put "1" for Gary, "2" for Ron, "3" for John, "4" for Barack, and "5" for Ralph.

In Borda counts, for each ballot counted, any candidate ranked 1 would get 5 points added to his total (assuming in our imaginary case that there are five candidates), any ranked 2 would get 4 points, and so on down. The candidate with the highest point total (as opposed to the one with the highest number of 1's) wins the race. This system is used to some degree in a few countries — Kiribati, Nauru, and Slovenia come to mind.

In Bucklin voting, first-choice votes are tallied to begin with. If any candidate wins a majority, that ends the election. If none wins a majority, then the second choices are added in, and so on till a winner emerges. Bucklin voting was once rather widely used in the United States in the first part of the 20th century, but was eventually repealed or declared unconstitutional in all of them.

The Condorcet "method" actually refers to a group of similar counting techniques, and is somewhat more complicated. The aim is to select that candidate (if there is one) who would beat every other candidate in a one-to-one election. For each possible pairing, you count the number of ballots that rank the first candidate higher than the second. If one candidate wins all the possible pairings, he is the winner. Otherwise, some tie-breaker method is employed.

This is what one might expect from the mind of a great French philosopher and mathematician: sophisticated but depressingly intricate. Perhaps that is why no country I know of uses this method, although many private organizations do.

Finally, in Instant Runoff voting, the first count is of the candidates ranked first. If one of the candidates wins a majority, he is elected. Otherwise, the candidate with the lowest total of the first preference ballots is eliminated, and those ballots on which he was ranked first are recounted with the second ranked candidate now counted as first. Again, if a candidate now has a majority, the election ends. Otherwise, dump the lowest scoring candidate and repeat. (In a sense, this method simulates a multiple-round election; hence the name "Instant Runoff method.")

This system is used to some degree in a fairly large number of jurisdictions, including Australia, Canada, Fiji, Great Britain, Ireland, Malta, Papua New Guinea, New Zealand, Northern Ireland, and Scotland. It is also used in a few places in the United States.

I don't want to leave you with the idea that the Borda, Bucklin, Condorcet, and Instant Runoff methods are the only types of preference or ranked choice methods. There are others, but this is not a comprehensive study of voting methods. Nor do I want to leave you with the impression that the only kinds of single-winner, single-round voting schemes are either plurality or preferential voting ones (i.e., just schemes that ask the voter to pick one candidate or rank them all).

For example, in Approval Voting, the voter doesn't rank the candidates, but simply marks the ones he approves (or at least can stomach). So, on the ballot consisting of Barack, Gary, John, Ralph, and Ron, I might mark "Gary," "John," and "Ron." All the ballots are tallied, and the candidate with the most votes wins. I don't believe this is used in any political venues, but it is used by a number of private associations.

Now, I am not quite as reverential toward our Constitution as many conservatives are. While I certainly view it as a creation of genius, and amending it as a matter to be undertaken with the greatest care, I certainly do not view it as perfect, now or ever. Nor did the Framers, I suspect, which is why they built in a perfectly useful mechanism for amending it.

So among the half-dozen amendments worth adding, I might include one permitting the adoption of ranked preference voting. I especially favor the Instant Runoff system. But as I don't see that happening any time soon, I'll keep voting against the greater of two evils, if you don't mind.

— Gary Jason

**Constitutional reboot** — I am ceaselessly amazed at the reverence people in this country have for the Constitution. Most haven't read it. Most who have read it don't really understand it. Yet everyone reveres it. It is revered because it immutably protects our rights and liberties — even while our government expands without limit and now represents an unimaginably greater threat to liberty than George III ever could have posed.

I suspect that the reverence is really for the name. The document is obviously not the same as the one penned in 1787. I refer not merely to the fact that it has been amended, but more importantly to the large sections that have been virtually redacted by judicial interpretation, as Georgetown law professor Randy Barnett discusses in his book "Restoring The Lost Constitution: The Presumption of Liberty." Yet after all these changes — while the supposedly identical document that created a small and limited government in the late 18th century now justifies the workings of the leviathan that towers above us today — the name "The Constitution" has not been altered.

I wonder what would happen if founding political documents were like computer programs — if every time an explicit amendment or a substantive judicial modification was made, the name had to be changed. How much reverence would Americans have for The Constitution, OS 27, version 2384.7, last updated 3/7/08?

— Ross Levatter

# With the Paul Brigades

*by Bruce Ramsey*

Ron Paul's campaign for president aroused enormous public enthusiasm. Will the movement outlive the election cycle?

I wondered about Ron Paul's Campaign for Liberty. It had begun to offer regional conferences, and the second one, in late May, was in a suburb of my hometown, Seattle. A free event was scheduled with Congressman Paul on a Friday evening and a conference on political organizing all day Saturday.

At the Friday event, Paul gave a speech on liberty, sound money, and the Constitution, to a crowd of 700 supporters. At the conference next day, there were 210 attendees, mostly white, aged 20 to 70, mostly from Washington and Oregon but some from Montana, where Paul won 24% of the vote in the 2008 primary. In the Seattle crowd were more women than one would usually see in a crowd of libertarians, and even a few school-age kids: homeschoolers. Like Paul, most people in the audience were pro-life, judging from some of the applause. The favored issue on buttons was the Federal Reserve: the middle-aged woman next to me, a Republican precinct committee officer munching on sliced apples, wore a button that said "END the FED." Paul has a bill in Congress to audit the Fed.

Tom Woods of the Ludwig von Mises Institute did the opening. It was history from 1798 to 1812 about the states defying the federal government over the Alien and Sedition Acts and President Jefferson's ban on foreign commerce. Woods was presenting the issue of state nullification of federal laws

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— not to benefit slavery, as it is usually presented, but to benefit freedom of trade and freedom of political speech. And for the benefit of the Constitution itself.

Here was history few had heard. In it was a message: it is all right for a state to make its own decisions about what is constitutional, and to defy the federal government. A county or a city could do this. Resistance was part of the American tradition. And the audience was ready.

Now comes the main speaker, Michael Rothfeld. He is a "liberty-loving conservative, pro-gun and pro-life," from Falmouth, Virginia, and has a direct-mail and political consultancy called SABER Communications. He is wiry, intense, nervous, and one of the only men in the hall wearing a suit. From behind he looks like Barack Obama. He speaks in short sentences and expertly works the crowd. Right at the beginning he asks the audience: "What will be the legacy of Ron Paul?"

Pause. Then he says: "A return to sound money?"

"Yes," a few voices reply.

"An end to big government?"

"Yes!" more say.

"A return to the Constitution?"

"YES!" the crowd roars.

"No!" he bellows. "That is *not* the legacy of Ron Paul."

He pauses.

"You are the legacy of Ron Paul."

Several hours later he asks us if we think we are normal Americans. No one answers.

"You are *not* normal," he declares. "Normal people do not sit here on a beautiful Saturday afternoon and listen to someone like me." The audience applauds.

Rothfeld's first lecture starts with a warning of blunt truths ahead. Here is the first. The American political system is fine. Forget about its being "broken." It's not. "It works *exactly* as it's designed to work," he says. The point of activism is to make it work for you. "I am going to tell you how to seek and use power," he says.

All those schoolmarm maxims about compromise and working together and being patient — when you hear that kind of stuff, Rothfeld says, always ask yourself: "*How does the political class benefit if I believe this?*" He returns to this line many times during the day. If you accept the politician's offer of "access," he says, it benefits the politician, not you. *You* were trying to influence *him*. And then you stopped, and let him influence you.

"Don't," Rothfeld says.

As an activist, your central work is not to educate the public. It is to mobilize that part of the public that already agrees with you. Let them educate. You mobilize.

That your group is a minority is all right. If you do not vote you do not count, and in America only a minority votes. Often the outcome is determined by only a handful, a minority of the minority.

The implication: if you can mobilize 1% of the people and put their votes in play, you can have power.

"This is not an argument for third parties," he says. Third-party votes are not available for a winning coalition and therefore are not in play. Nor is it an argument to be a loyal

*"Communications is not about you!" Rothfeld shouts. "It is not about what you think. Nobody cares what you think."*

Democrat or Republican, because then your votes are also not in play, and you will be ignored. "This is what the evangelicals have become in the Republican Party," Rothfeld says. "They are captives on the plantation."

To have influence, you have to be willing to bring pain and ridicule on those who cross you, especially on your supposed friends. You have to be *feared*. "If you are not politically feared you will not be respected," he says.

You have to prove to the political establishment four things:

"First, that you are serious; second, that you are backed up by numbers; third, that you will inflict pain during election season; and fourth, that you will be back next year."

Don't shy away from the negative. "Pain is a stronger motivator than pleasure," he says. "I've never regretted being negative in a campaign. I have *deeply* regretted remaining positive, which was usually because the candidate didn't want to go negative."

Most times you will not win. The more ideological you are, the less likely you will succeed. But winning is not all that matters. "You think winning is all that matters?" Rothfeld says. "I guess Ron Paul shouldn't have run, huh?"

We are all there because Paul ran for president.

"Money and volunteers come out of losing campaigns even more sometimes than winning campaigns," Rothfeld says, recalling Barry Goldwater's long-term investment of 1964.

Political movements are built when out of power. "When George W. Bush was president, we could never mobilize against big-government programs," says Rothfeld. "Now we can." Now Republican legislators can be pressured into actually doing something good.

Then he delivers a lecture on communications. "Communications is not about you!" Rothfeld shouts. "It is not about what you think. Nobody cares what you think. It is about them." Listen to what other people care about. Speak to that. If you're in a battle over a single issue — and those are mostly the battles you should be fighting — find people who agree with you on that issue. If you are campaigning against a tax increase, don't start talking to them about guns or the Fed or ending the War on Drugs. You are not recruiting one precious mind at a time. You are trying to block a tax increase with a phalanx of "No" voters.

The subject of communications morphs into the ways of money raising. Rothfeld is a junk-mail operator, proud of it, and tells some of the secrets of that tribe. Everything in the piece of mail — the type of paper, the type of postage, whether there is a return address, etc. — is calculated to move a person who does not want to give.

Most junk letters will be thrown away. Junk mailers know that; but if 2% give, that's okay. Three percent is good, 4% is very good and 5% is fabulous.

Do you think fundraising letters are too long? You are wrong, and it is not a matter of opinion. It is a fact, verifiable in dollars and cents. Long letters work better than short ones. Some people read the whole thing; some look only at the bullet points and italics — that's why they're there, to catch the eye — and some skip right to the end. The junk mailers know this.

"All direct mail contains a P.S.," he says. It isn't because the writer had a belated thought. "It's because repetition is the key to learning. . . . And also because we know a lot of people didn't read the letter."

A candidate raises money by asking for it over the phone. Rothfeld has advice about that, too. List everyone you know. *Everyone*. Don't mind their politics. If they give, it is because *you* are asking them. Put down a figure you think they can afford, then call them and ask them for twice as much. "Then shut up," he says. "Whoever speaks next, loses."

*continued on page 42*

# The World's Shortest Political Quiz, Improved

*by Jeff Wrobel*

The Nolan Chart is one of the best-known marketing tools in the limited government debate. But there are ways in which it can be improved.

Most readers of *Liberty* are familiar with the Nolan chart. Created by Libertarian Party founder David Nolan, it tries to illustrate, clearly and graphically, the reasons why libertarianism has no place on the simplistic, one-dimensional left-right political spectrum.

Nolan separated freedoms into two types: personal and economic. He claimed that the Left favored personal freedoms over economic freedoms and the Right favored economic freedoms over personal ones. He made a two-dimensional chart with each type of freedom on an orthogonal axis, as shown in diagram 1 (on the next page).

For decades, this chart has been used at county fairs and college campuses to educate the public. Typically, libertarians manning a Nolan chart booth ask each visitor a set of ten questions; five about personal freedoms and five about economic freedoms. The visitors are then shown where their opinions put them on the chart. A large percentage of people discover that they belong in the libertarian quadrant. The chart has had great value in explaining libertarianism and recruiting converts.

But the chart has some problems. First, it is an overgeneralization to say that the Left supports more personal freedoms than the Right. The best example is the right to bear arms. This personal freedom is favored much more strongly by the Right

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than by the Left.

Another problem is the way the chart deals with authoritarian political systems. When communism and Nazism are plotted on the chart, they end up in essentially the same location, near the corner indicating the absence of both types of freedom. But these two philosophies are quite different in many ways, and in the real world, advocates of the two systems rarely cooperate politically. An accurate political map should not show them co-located.

A third problem with the chart is that the center is not well defined. Two centrist visitors to a Nolan chart booth could answer every question differently from each other, yet end up together in the middle of the chart.

But the fundamental problem with the Nolan chart is that it is a mistake to categorize freedoms. Freedom is freedom. Categorizing freedoms lends legitimacy to the Left-vs.-Right political battle that garners so much of the public's attention. It diverts notice from what many freedom-loving people

consider the real battle: the struggle for the individual's freedom from the state.

These difficulties with the Nolan chart provide motivation for searching for a better chart.

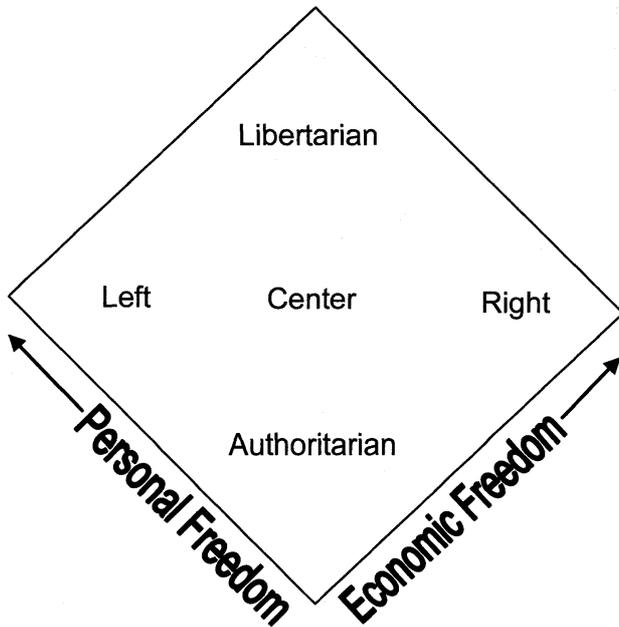


Diagram 1

**Pournelle Chart**

Another attempt at a two-dimensional political map was made by science fiction writer Jerry Pournelle in his doctoral dissertation in political science (diagram 2). The axes of Pournelle's chart measure how much power a person believes the state should have, versus how much power the person believes that the application of reason can have in solving society's problems.

With respect to categorizing freedoms, the Pournelle chart is an improvement on the Nolan chart. Pournelle's has only one axis of freedom, and it includes all freedoms.

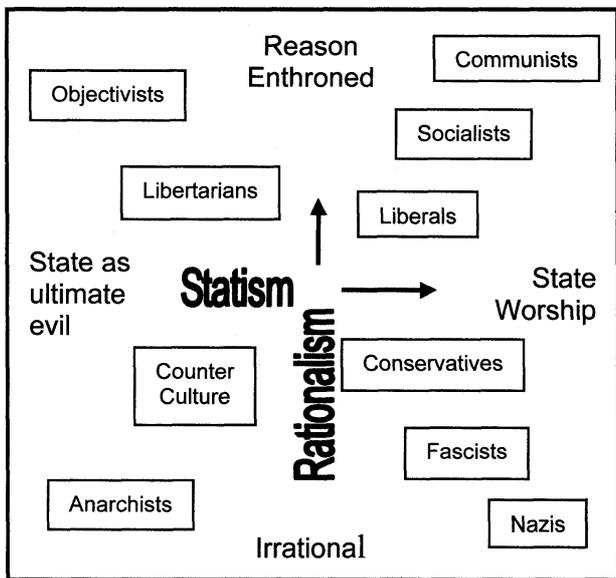


Diagram 2

But the Pournelle chart also has problems. One is that it separates "libertarians" from "objectivists," although most of today's libertarians dislike the state as much as objectivists do. And if the chart is to be used to show how close one philosophy is to another, libertarians in general would like to be at least as far away from liberals as they are from conservatives.

The chart also shows a wide separation between libertarians and anarchists. One definition of a libertarian society might be "as close to anarchy as possible without social breakdown." But according to the chart it is not possible to be on the border between "libertarian" and "anarchist."

Pournelle's chart would be a little more accurate as a political map if the left side were much smaller than the right, as shown in diagram 3. The purpose of the chart is to show how various groups view the role of the state. Groups on the left side of the chart see a much smaller role for the state than those on the right side. So as you move toward the left, it becomes less relevant whether you believe in rationalism or not; the role of the state is diminished in either case. Therefore the Rationalism axis should be smaller for non-statists. If a modified Pournelle chart were to include pure anarchists, the left side should diminish to a point, resulting in a triangular chart.

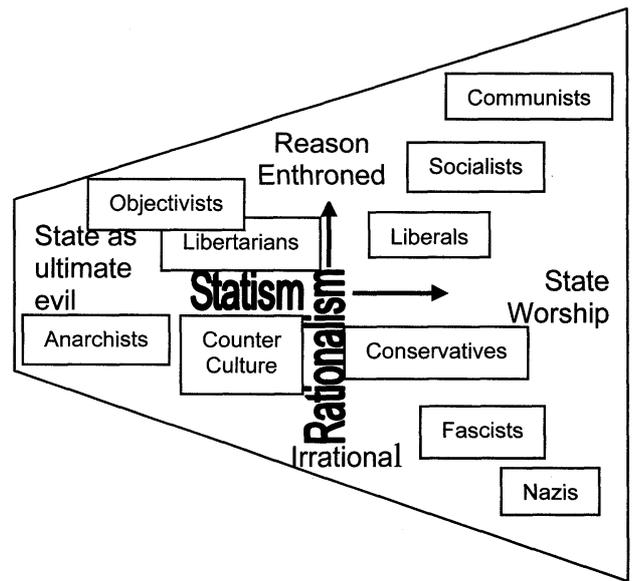


Diagram 3

A further difficulty with the chart is that in common language the word irrational is almost always used in the pejorative sense. That was not Pournelle's intention, and in fact, Pournelle describes his own philosophy as irrational, meaning that he tends toward using time-honored traditional, as opposed to rationalistic, methods to solve society's problems. But the dictionary definition of rationalism is not understood by the average person. Describing conservatives as irrational will do more to anger than to educate people. It is counterproductive to make college-level philosophy courses a prerequisite for understanding a chart like this.

The Pournelle chart is less suitable than the Nolan chart as a tool for educating the public about the meaning of libertarianism. Yet the idea of using a triangular political map is useful.

## Rummel Chart

It happens that the idea of a triangular chart is not a new one. Professor R.J. Rummel of the University of Hawaii presented such a chart in his book "Understanding Conflict and War" (vol. 2, Sage Publications, 1976). The chart looks something like diagram 4.

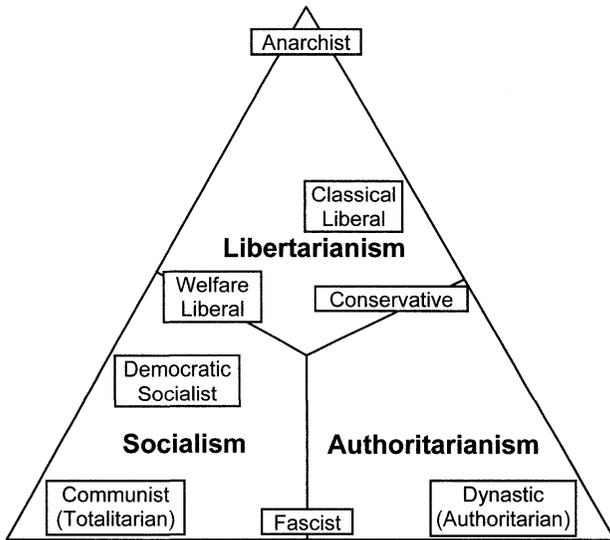


Diagram 4

This chart shows libertarianism as one of the world's three main competing political philosophies. For the purpose of advancing liberty, this is a more desirable depiction of the political landscape — though like the other charts, Rummel's is not much use in educating the general population.

One problem is Rummel's distinction between totalitarianism and authoritarianism. His chart separates these two as widely as possible. Yet the general public views these two words as virtually synonymous. A booth at a fair is not a convenient place to attempt to explain the difference; indeed, many well-educated people may not even agree with Rummel's idea on this point. In general, individuals are hard to place on the Rummel chart. It would be difficult to invent a series of questions that would allow the questioner to plot a respondent.

## A New Chart

To be a useful tool in plotting individuals, a political chart should have labeled orthogonal (or at least nearly-orthogonal) axes, and it should have a triangular shape. For simplicity's sake the chart should show the Left on the left and the Right on the right. Libertarianism should be placed at the highest point in the chart, to create a favorable impression.

The next step in designing the chart is to choose the definitions for the two axes.

The vertical axis is easy to assign. What separates libertarians from both the Left and the Right is their belief in individual autonomy over the state, so the vertical axis should measure that.

Assigning a label to the horizontal axis is more challenging. A determination must be made as to what differentiates Left from Right. As discussed earlier, this is not just a matter of specifying a preference for personal or economic liberties. And Rummel's distinction of totalitarianism vs. authoritari-

anism is too cloudy. Pournelle comes closer with his claim of rationalism over irrationalism, but it still slightly misses the mark.

To determine a difference, a table of contrasting viewpoints can be compiled and an analysis made. The following table compares the general attitudes of people on the Left with those of people on the Right:

Issue	Right	Left
Taxes	less	more
Global Military Action	pro	anti
Gun Rights	pro	anti
Abortion Rights	anti	pro
First Amendment Rights	anti	pro
National Health Care	anti	pro
Gay Marriage	anti	pro
National ID	pro	anti
Welfare	anti	pro
Death penalty	pro	anti
Global Warming Belief	anti	pro
Meat Eaters	more	fewer

This is by no means a comprehensive list. It is mostly a list of some of the issues in the news at the time of this writing. Its intended purpose is to facilitate the discovery of a pattern of traits that distinguish Right from Left.

The first (disturbing) characteristic that becomes apparent from looking at the list of the things the Right favors is that most of them are in some way or another overtly associated with violence. However, some things favored by the Left are also violent, though in a subtler way. Both Right and Left are equally anxious to use the power of the state to promote their ideologies, so both advocate the use of force against peaceful citizens — violent force if resistance is encountered. So it is a mistake to label the Right as more violent than the Left.

A better distinction is that the Right believes in more traditional values while the Left prefers what might be termed modern values. This is similar to Pournelle's axis of rationalism but is more easily understood and is less likely to offend.

Applying these labels, the chart now becomes the one shown in diagram 5.

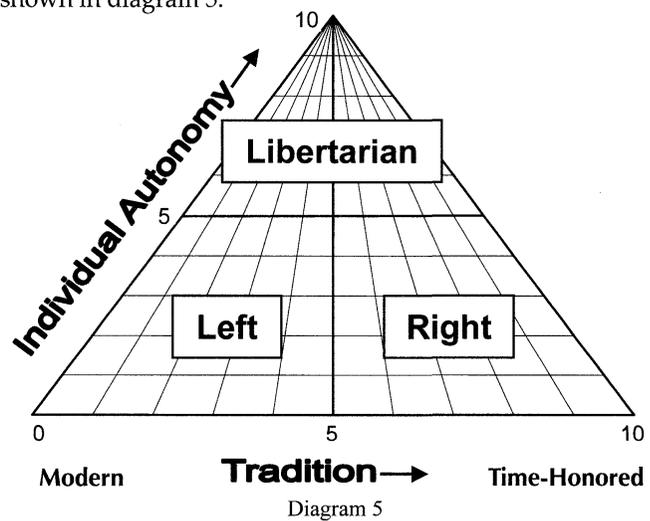


Diagram 5

More clearly than the other charts presented here, this one shows the essence of the political landscape. Simplicity is its most important trait. At a glance the general idea of libertarianism is presented.

The chart could be made more complicated by adding labels for some major political factions in approximately the same places they occupy on Rummel's chart. If they are added, these labels should be kept smaller than the three main labels, and the fascists should be moved to the right. An example is shown in diagram 6.

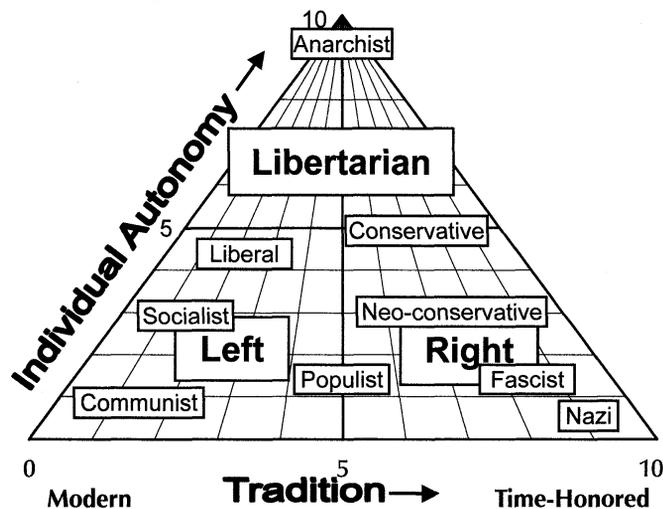


Diagram 6

Should this chart be used as the Nolan chart is today, a set of questions could easily be developed to help respondents find their places on it. As with the Nolan chart, two sets of questions should be asked. The first set would attempt to determine a person's position on the horizontal scale. The second set would determine his or her attitude toward self-government. But unlike the questions annexed to the Nolan chart, the questions for this chart could use the same topics for both axes.

For instance, one topic could be Discipline. The question for the horizontal axis might be, "Choose the sentence that best describes your beliefs:"

1. Criminals are mostly victims of society and need rehabilitation. The death penalty is wrong.
2. Our current criminal justice system is mostly fair. I'm undecided on the death penalty, and I like the appeals process.
3. Strong punishment is the best solution for handling criminals. The death penalty should be consistently applied where appropriate.

The questions for the vertical axis should also contain one set of statements on the topic of Discipline, such as the following:

1. More police are needed to enforce the laws. We need longer prison terms.
2. Our current level of police and imprisonment seems about right.
3. There are way too many laws and way too many people in prison.

Using the same topic for both axes solidifies the idea that the state does not have to be involved in all areas in which people disagree.

### Advantages

The biggest advantage that this new chart has over the Nolan chart is that it does not give people the mistaken idea

that freedoms are classifiable. After visiting a Nolan chart booth, many people walk away with the idea that Republicans and Democrats are champions of one or another type of freedom. The new chart shows that both parties in their current form are enemies of individual freedom.

Many people think that libertarians are a wing of the Republicans. Nolan's chart gives credence to that notion by showing libertarians in agreement with Republicans on economic issues. The chart presented here does not result in that impression.

The new chart, and its associated questions, can also deal better with the issue of gun rights than Nolan's does. This is a personal freedom that is generally supported by the Right, not the Left, even though the relationship should be opposite, according to Nolan's concept. When viewed as a traditional value, as the new chart would enable people to view it, the right to own a gun is properly placed in the realm of the Right.

Like the Nolan chart, the new one has an ill-defined middle, but this is less of a drawback for the new chart. When the axis of individual autonomy is emphasized, as in the

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*Time explaining rationalism or the subtleties of totalitarianism versus authoritarianism is time not spent explaining libertarianism.*

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new chart, it is not so much of a problem for people to be co-located. The chart makes the vital point that Right and Left can coexist more peacefully the further up the vertical axis they move. In contrast, the vertical axis is missing, or at least very poorly defined, in Nolan's chart.

The new chart has an advantage over both the Pournelle and Nolan charts in showing the distances between various political ideologies more accurately. Libertarians are shown near the anarchists, and communists and Nazis are widely separated.

Lastly, the new chart avoids labels that are potentially confusing or offensive. A chart needs to make the most use of the brief moment when a responder is interested in the topic. Taking time to explain rationalism or the subtleties of totalitarianism versus authoritarianism is time not spent explaining libertarianism.

The Nolan chart has gone a long way in educating the public. But its shortcomings have prevented a clearer understanding of liberty in general. It teaches that the Left and the Right are both defenders of some type of liberty. The new chart refutes that myth; it shows that both are pro-state and anti-freedom. Whereas the Nolan chart shows libertarianism as just one of many legitimate political ideologies, the new chart redefines the political landscape, identifying libertarians as the only champions of freedom. People who are passionate about promoting liberty — true, unclassified liberty — should consider switching to the chart presented here. □

(Grateful acknowledgments to David Nolan, Rudy Rummel, and Jerry Pournelle, [www.jerrypournelle.com](http://www.jerrypournelle.com).)

# Coercion Free for 70 Years

*by Don Crawford*

Personal responsibility and minarchy  
in the real world.

I wasn't raised as an anarchist, so I didn't think it would be possible for an organization to function effectively without rules and leadership. But one of my friends seemed to be claiming that there was a group that operated with neither. She told me there was only a temporary person in charge, and a different person was chosen for each meeting.

At this point in the conversation, my inherent skepticism was already showing. "How is this temporary, one-night-stand leader selected? Do they start each gathering with an election? And who runs the election?"

"There isn't an election. The leader is chosen by the secretary."

"Well, now we are coming down to it. The secretary is actually the leader, like the Communist Party Secretary. I don't want anything to do with communists."

"God, you're so paranoid! No, the secretary isn't the leader. The secretary is the person who has to arrive early and make the coffee, set up the chairs, unlock the doors, and get the room ready. And part of what the secretary does is pick the person who will lead that night's meeting. That person isn't supposed to talk much. He or she just keeps the meeting running on time and sees that everyone gets heard."

This was unlike anything I'd ever heard of, and it didn't make sense. I later learned that the customs she was describ-

ing were part of a subtle but powerful set of checks and balances designed to keep anyone from amassing any power in the organization. But I'm getting ahead of my story.

I peppered my friend with questions. If this wasn't some kind of communist organization, it was probably a religion. "Do you have to believe in God? Because you know I don't, and I can't just start believing again."

"You don't have to believe anything. It's not like that. Listen, I can't really explain this very well. If you want to find out more, you have to investigate this for yourself." She gave me a little book and a pamphlet. Then she walked away.

Her hands-off attitude also puzzled me. She had always been a big promoter of whatever she was "into" at the time. She tended to beat one about the head and shoulders with advice and recommendations — but this time, she just left it up to me.

The lack of proselytizing fervor was refreshing. And when I finally got to a meeting, I was ignored, which was a big relief.

There was, as she said, a leader to run the meeting but not do the talking, and everyone there seemed to know what to do. When I came to a second meeting it was all different people with a different leader. Although there were commonalities, the activities were different.

I enjoyed the discussions and the break from work, so I kept attending. There were no dues or fees for membership, nothing to sign. There was nothing official at all, ever. I couldn't tell you when I became a member, although I think

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*The lack of proselytizing fervor was refreshing. And when I finally got to a meeting, I was ignored, which was a big relief.*

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I did. Nor can I tell you when I stopped being a member, although I certainly have. There are no written records of my ever having been a part of this anarchistic organization. But there were a great many important lessons written into my heart, lessons about how well people can manage without any authority telling them what to do. I had become a libertarian in my thinking, thanks to years of participation in the near-anarchy called Alcoholics Anonymous.

For seven decades A.A. has been a natural laboratory for how civil society can operate effectively without government authority. I've been surprised, therefore, to have seen A.A. mentioned only once in libertarian publications. It was in a rant that appeared some years ago in *Liberty*, complaining about the apparent collusion between A.A. and the judicial system: courts have sentenced people to attend A.A. meetings, thereby enriching the organization.

Having seen the phenomenon of court-ordered attendance at A.A. meetings from the inside, I found the rant deliciously ironic. People in trouble for drunk driving are commonly assigned to attend some number of meetings, over a period of time. The judge gives them a "court card" to get signed at each meeting they attend, and they return the completed card as proof that they were there. The courts have a variety of inducements, such as avoiding jail, to make sure that these cards are returned completed.

So here's the irony. There is nobody in charge at A.A. No one ever signed a contract (who would be authorized to sign it?) and agreed to do this service for the courts. In fact, there are some folks in A.A. who don't think they should sign the

cards — and this made for some interesting exchanges, like the following.

The adjudicated drunk, we'll call him Jared, walks up to Lisa, the meeting leader, with his unsigned court card, saying, "I think you forgot to sign the court card. I put it in the basket when it went around, but there's no signature on it."

Lisa says, "This is my first time being the meeting leader. I've never done this before. But I don't think I can sign court cards. I'm not really anybody official. Maybe you should take it to the secretary."

Jared, who isn't crazy about being forced to attend A.A. meetings in the first place, is a bit put out by this. "Jesus, can't you people get your act together? I attended the whole damn meeting. Every other meeting I've gone to you put your card in the basket and picked it up at the end of the meeting — signed. Why are you giving me the run around?"

Lisa, quite embarrassed by this time, says, "I'm sorry I don't know how this is supposed to be done. This was only my third time coming here and I told Al — he's the meeting secretary — that he shouldn't have asked me to be the leader. But he wouldn't listen. He said I only had to read this script and call on people. He didn't say anything about signing court cards. I'm not even a regular member. C'mon, let's go ask Al to sign your card."

When the two reach Al, Lisa starts to explain, while Jared thrusts his court card at Al. Raising his hands palm forward and shaking his head, Al leans backward: "I ain't signing no effing court cards. Those bastards got no effing right to try to force you guys to attend meetings. You don't even belong here. Like the Big Book says, you're welcome if you have a sincere desire to stop drinking. But they can't make you."

Jared rolls his eyes. "I don't want to be here either, old man. But I've got to attend 20 meetings or I go to jail. I don't have time to attend meetings I don't get credit for. The judge said I have to get this court card filled up. Just sign it here."

Al's voice gets louder. "I told you I wasn't signing anything. I'm frigging anonymous here. The judge didn't say nuthin' to me — so I don't gotta do nuthin' bub."

At that point, Larry strolls over. "It's okay, Al. You're right, you don't have to sign anything. And I agree it is shitty what the courts are doing to these guys. But hell, this guy is kind of jammed up here. No sense making him suffer. Here, give me your card. Um, I didn't catch your name?"

"Jared. Thanks. Here you go."

Larry scribbles on the card and hands it back. Jared looks at it and says, "You signed three lines, two with yesterday's date and one for today."

### *From "Twelve Steps and Twelve Traditions" (Alcoholics Anonymous World Services)*

A.A. Tradition 7: "The A.A. groups themselves ought to be fully supported by the voluntary contributions of their own members. We think that each group should soon achieve this ideal; that any public solicitation of funds using the name of Alcoholics Anonymous is highly dangerous, whether by groups, clubs, hospitals, or other outside agencies; that acceptance of large gifts from any source, or of contributions carrying any obligation whatever, is unwise. Then too, we view with much concern those A.A. treasuries which continue, beyond prudent reserves, to accumulate funds for no stated A.A. purpose. Experience has often warned us that

nothing can so surely destroy our spiritual heritage as futile disputes over property, money, and authority."

A.A. Tradition 3: "Our membership ought to include all who suffer from alcoholism. Hence we may refuse none who wish to recover. Nor ought A.A. membership ever depend upon money or conformity. Any two or three alcoholics gathered together for sobriety may call themselves an A.A. Group, provided that, as a group, they have no other affiliation."

A.A. Tradition 4 (in part): "With respect to its own affairs, each A.A. group should be responsible to no other authority than its own conscience."

Larry grins. "Well I'm giving you credit for the meetings I attended. I'm sorry Al unloaded on you. He hates the courts. You should get him to tell you about it someday. He has quite the story. See ya' around, Jared. Keep coming back."

I saw this type of exchange many times. I found it hilarious that the courts found these signatures meaningful. Not even the people in A.A. meetings can say who is "in" A.A., so any scribbled set of initials is as good as any other.

Generally, leaders or secretaries do sign court cards. But they sign the darn cards simply to be accommodating to the poor schmuck who has been forced to get these signatures. A.A. members generally don't counsel people sentenced to A.A. meetings to fill up their own court cards. On the other hand, the anti-authoritarian streak in A.A. is pretty pronounced — and I have heard people suggesting just that. Four friends and three pens could fill a court card in about five minutes, and there would be absolutely no way to distinguish that from months of attending meetings, except for the wear and tear on the card itself.

A.A. has no central authority and no mechanism for making anyone abide by any rules. All that happens in A.A. is governed by the same social pressures that we libertarians call civil society. And it works wonderfully well.

Let's start with the money issue. There is no fee required to join A.A., nor are there any dues to pay. In fact, there is no way to become a member officially. So you can't have your membership revoked or rescinded. Those court-ordered attendees don't fill the A.A. coffers, because they aren't required to pay anything. Generally a basket is passed at each meeting. The social convention is to put in a dollar bill, or two if you're feeling generous, as the basket is passed by you. Quite commonly,

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*The only source of income is what's put in the basket by people in the meetings. Perhaps our government should be funded that way!*

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as this is done, a statement is read to the effect that "We are self-supporting through our own contributions. There are no dues or fees for membership, We collect money to pay for coffee and rent."

Some leaders or groups will suggest that new guests should not contribute. Others ask that people with court cards not contribute anything other than the court card. It's not unusual for leaders with a sense of humor to say something like "Contribute if you can, take if you need it." And indeed there are homeless people who will attend meetings to get warm, get a free cup of coffee with a day's supply of sugar, and occasionally palm a couple of bucks out of the basket.

There is no pledging system in A.A. No one has any way of keeping track of who is paying what. What's even more amazing, A.A. doesn't allow donations from outside the membership. Because there are no rosters of members, this effectively means that it will not take money from individual donors. The national office of A.A. regularly returns all outside donations. (Try it and see!) Grants are not sought. Bequests are not accepted, even from former members. A.A. has no business

enterprises or money-making activities. The only source of income is what's put in the basket by people in the meetings. Period. End of story. That's gotta warm a libertarian heart. Perhaps our government should be funded that way!

A.A. has a national office in New York and regional offices in cities and counties (known as "central offices" in A.A. parlance) around the nation. Their function is to publish the

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*These offices are funded by voluntary donations from the meetings. There are no dues or fees or taxes anywhere in the whole organization.*

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schedule of meetings in the local area, man the A.A. hotline, and keep a supply of literature and other A.A. supplies for the groups. These offices are funded by voluntary donations from the meetings. There are no dues or fees or taxes anywhere in the whole organization. Don't you love it?

The tradition is that if a meeting collects more money than it needs for coffee and rent and literature, the excess beyond a "prudent reserve" ought to be contributed to the local "central office" and to the national offices of A.A. Note that because there is no mechanism to enforce rules, A.A. doesn't have any. It just has traditions and social expectations. People in A.A. do things because it is "right" and because they feel good about doing the right thing, not because there is anyone to make them do it. After a few years in A.A., I came to understand, deep in my bones, that not only was this workable but it was actually the best way to run things, for a number of reasons. I have an interesting story about that; I'll tell you later.

So how does it happen that a meeting sends money to the local and national offices? Central office contributions usually come only from meetings that have organized themselves as a "group." Some regularly scheduled meetings don't even know that they should organize as a group and contribute. But if a meeting does so, it can put its meetings in the schedule published by the central office and send its representative to central office meetings. Of course, in keeping with A.A.'s libertarian leanings, meetings that neither formed a group nor contributed to the central office are still sometimes listed in the schedule. Someone who typed up the schedule simply decided to put them in anyway. Or the local group representatives didn't want to exclude them. Go figure. On the flip side, I've heard of self-appointed people walking wads of dollar bills down to the central office from an unorganized meeting that had excess funds but no treasurer or bank account.

Groups form the foundation of what little organization A.A. has. They don't have to meet any requirements of orthodoxy. One thing they should have is business meetings (outside of regular, recovery meetings), where they can get people to serve as treasurer, meeting secretary, and central office representative. All positions in A.A. are unpaid volunteer positions — and none of them have any power. The treasurer has to collect the funds from the basket, keep the books, and report on the amount of cash in the kitty. It would be at such a meeting that the decision would be made to send money (in excess of the prudent reserve) to the central office.

The only authority in all of A.A. is the “conscience” of the group — that is, what the group decides. Occasionally a business meeting will be overrun by clueless newcomers who show up (remember there are no rules about membership) and vote against A.A. traditions they don’t understand. That sounds like disaster, to those who are prone to disaster thinking. But generally, when the newcomers don’t show up at the next month’s meeting, things can be put right again.

The fact that the national office of A.A. has to depend on voluntary contributions from groups means that it has no power that was not given to it, on a case-by-case basis, by the groups. A.A. has state and national conventions where resolutions are introduced and weighty issues discussed using

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*All positions in Alcoholics Anonymous are unpaid volunteer positions — and none of them have any power.*

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parliamentary procedure. But even in the rare event in which something passes, it doesn’t follow that the representatives who disagreed will pass the word down to their groups, that those groups will agree, or that groups that disagree will continue sending money to the national. The convention needs to develop a consensus to go along with the idea. If the representatives can’t jawbone their groups into agreement, the decision means nothing. The convention cannot punish groups that refuse to go along — because it has nothing to withhold. The groups have all the money and therefore all the power. One recalls the position of the states relative to the central government under the Articles of Confederation.

How did A.A. come to have, and retain, such an anarchistic flavor? Why did it adopt structures that kept the national governance of A.A. impoverished and subservient to the individual groups? Early in its history, some A.A. groups got involved in recovery hospitals and other businesses and amassed some money and property. Then came struggles over money and property, and the stress caused members to go off the wagon. The goal of A.A., which is to keep members spiritually centered and calm, was incompatible with the effort to run a business, make decisions about large amounts of money, and possess the power to do all that.

Many in A.A. think that alcoholics have a distinctive personality type marked by resistance to authority, stubbornness, and a desire for power. True or not, the traditions of A.A. prevent self-aggrandizement. Like our nation’s founding fathers, the founders of A.A. did not rely on the goodness of individuals. Instead, they built in checks and balances so that no individual could have power. Alcoholics in recovery can’t afford to put themselves in positions where problems of money, property, or prestige can imperil their sobriety. A.A. members often joke that while attending A.A. (recovery) meetings is essential to their sobriety, attending business meetings is the biggest threat to it. If those meetings involved real power or money they would indeed be a serious danger.

Just as the limited governance structures of A.A. prepared me to accept the libertarian view of good government, so the mechanisms of recovery prepared me to accept the notion that within the capitalist system pursuit of self-interest leads to the greater good. A.A. members learn that helping others helps them reinforce their own recovery process. The fact that it helps others if you attend meetings, tell your story, and work with newcomers is a plus — but it isn’t why you do it. You do it to help yourself stay sober. To people outside the fellowship, that sounds like pure selfishness, but it is the way things work — just as in the capitalist system, where maximizing profit means doing the best possible job serving your customer. And I learned this libertarian idea in A.A.

In A.A. I also learned the concept of tough love, of letting people learn from the results of their own choices. A.A.s call it “enabling” to help people keep on doing the wrong things without suffering the consequences. Pain is a necessary prerequisite for learning. I’ve heard libertarian economists call protecting markets and market actors from the downside outcomes of risk-taking “moral hazard.” (Thank you very much, Fannie Mae and Freddie Mac.) I learned in A.A. that people are ill-served by programs that shelter them from those consequences. This taught me the fundamental flaw in many leftist proposals to “help” poor people. It’s not that we don’t care, but that it is counter-productive to “help” in the wrong way.

A closely related idea that A.A. taught me is that you cannot help people who don’t want to be helped or make a change in themselves. Some folks are determined in their pursuit of hell on earth. Other than periodically checking in to see whether they’ve had enough, there’s nothing anyone can do for them but let them suffer. Anything else you do will simply prolong their slide.

A.A. tradition recommends that to get sober you need a “sponsor.” You share your secrets with your sponsor, so he or she knows all your tricks. This is because a helper needs to have intimate knowledge of the person being helped in order to be effective — something a government social worker cannot replicate, let alone a set of national policies.

The we-must-have-a-government-program crowd seems to forget that A.A. (and N.A., Narcotics Anonymous) operate without any government subsidy — probably doing more good than the government sponsored programs with which they compete. Since it’s perpetually broke, A.A. can’t give you much more than a cup of coffee (sometimes with cookies or cake). This lack of financial largesse serves wonderfully to focus newcomers on responsibility for their own lives. No one gets better until he stops trying to manipulate others to “enable” them. This taught me that more money doesn’t necessarily make everything better, especially in social programs.

Now for the story I promised you. The A.A. community in one town in which I lived had a longstanding controversy about financing its central office by running a recovery-oriented bookstore. One side said this was against the traditions; the other saw no harm in it. First one group would get the upper hand, then the other would get more of its people at the meeting and beat the first group back.

After one of these power seesaws, I got roped into being chairman and was saddled with the problem. I learned that

*continued on page 36*

# Internal Exile

*by Jacques Delacroix*

It takes really intelligent people to regard honesty as deceit and conformity as freedom.

I long for ordinary coffee shop conversations, with others who read or even might write. At times, I fantasize about small intimate literary dinners — as in some old-fashioned novel — with people who care a little about reading. Satisfying my wishes should be easy, because I live in Santa Cruz, California. It's a pleasant university town, full of writers and would-be writers. Recently, 800 people showed up for a short presentation by Salman Rushdie, in spite of a significant admission fee. (I am not complaining. If anyone deserves to be a wealthy writer, it's Rushdie.) I counted more than 100 attendants at a Friday afternoon seminar on how to get published.

True, many of the local aspiring writers are pathetic dreamers who believe against all evidence that they are the likely creators of the next, even better Harry Potter. Others are delving into esoteric fields that guarantee a tiny readership. (Bless their hearts! I salute their bravery, even if it's unconscious.) A surprising number have something to show for their efforts in poetry or in minor fields of endeavor such as gardening, or travel and restaurant guides. I would be glad to spend some time with anyone who writes. My tastes are so catholic that I am prepared to show respect to anybody who can compose a really good text for a breakfast cereal box.

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But alas, I fail to fit in. Here is why, I think.

Shortly after I meet a person with any sort of intellectual, literary, or artistic interest — which is often — there invariably comes a signaling ceremony: ritual words are uttered to the effect that the earth is dying (and polar bears are drowning in Antarctica, where there never were any bears); that President Bush is a retard who nevertheless managed to implement a diabolically clever plot to lead us into a war for oil; or even that the moronic Bush and his retinue of idiots cleverly contrived the internal explosion of the twin towers. At the very least, the other person signals, the world is going to pot because "society" is not doing enough to alleviate suffering or mere discomfort, or to save the many from the predictable consequences of their foolishness. The diffuse tenor of the signaling is that things are much worse today than they were yesterday and that tomorrow will be absolute hell. As for the day after tomorrow, there likely won't be any, but you should worry about it anyway.

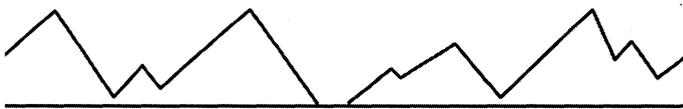
There are so many reasons to be appalled that it might take the whole afternoon just to recite them — if I took my new acquaintance at his word. (And if you think about it, you will soon agree with me that liberals and progressives are most likely to be “appalled.” Conservatives are more likely to be “perplexed,” while, let’s face it, libertarians are often “furious.”) Of course, I understand that to gain acceptance I need not suffer through a complete disquisition on all social evils. I have only to nod appreciatively to any of the above statements — with a correspondingly grave mien — to open the door to genuine, substantive dialogue. So why should you care, you ask? And after all, those people are obviously morons.

But no, they’re not, not all of them. Remember that they are signaling. Their statements may be no stupider than the conventional, formal, “How do you do?” Yet I am furious.

The most infuriating thing of all is the fact that intellectuals often respond to my foreign accent, or to my wife’s brown skin, with spontaneous apologies about America in general. But I must hasten to provide a brief clarification about my intent: whatever I say below, understand that I am ranting, but *not* complaining. There is a difference. I am not the kind of guy who shows up at the party uninvited, remarks loudly that the buffet fails to respect his particular religious prohibitions, and then complains bitterly that there is not enough food.

It must be said, however, that our literary contacts soon find that my wife and I are an inherently deceitful couple. She is a tall Indian woman with a pretty face and white hair, a mature “woman of color.” She hardly ever wears a sari. That alone marks her as nontraditional, in their minds only one step removed from “progressive.” Moreover, she is a painter and thus, by definition, a sensitive person. Sensitive people are of the Left, naturally! Except that this particular artist suspects that Genghis Khan was soft on communism. I am a retired university professor, a sociologist by training. I sport salt and pepper hair and sometimes, a full beard. I wear a Harris Tweed coat in the winter (no elbow patches though); and until recently, I was driving a Volvo station wagon. I sound as if I had been raised in the land of Jean-Paul Sartre (and of the stupidest Communist Party in the world), because I was.

Our new acquaintances initially act as if she and I obviously belonged to them — an infuriating inference of our politics from the fact that we are immigrants. The stupidity



“Well, so much for whale-whispering.”

of normally smart people is always especially objectionable. They give no thought to the possibility that immigrants from rich countries consciously *chose* America. And they never consider the likelihood that it is a *repetitive* choice, because a one-way ticket back to the old country is very affordable. It never crosses their minds that reasonably well-educated, middle-class immigrants may just be the people most appreciative of American exceptionalism, the most patriotic of patriots. Not one of them ever hits on the lucky guess that I have had a

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*Liberals are most likely to be appalled, conservatives are more likely to be perplexed, while libertarians are often furious.*

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very good life, largely because America is a generous country, full of generous people whose behavior induces mostly gratefulness. They are always miles from imagining the possibility that my wife actively enjoys everyday life in America, because India, spiritual India, pretty much sucks.

Finally, the automatic assumption that we are members of their tribe is infuriating because it’s always patronizing in some way or other. Like all stereotypes, it denies us a parcel of our humanity by reducing normal human complexity to a small fraction of its parts. Over the years, I have developed an effective response: “I have a foreign accent, not a low IQ, you know.” That is definitely not an appropriate return signal. I disappoint, both as a putative member of the local intellectual elite and as the enlightened envoy of a superior alien culture. (In the liberal mind, most alien cultures are superior by definition — not to mention *French* culture.)

But that’s only my left hook. I follow it immediately with a right punch to the heart. To set back the tide of unintended deceitfulness, I quickly let the other guys know that the world is rather better than it was in my youth. I confide that the climate probably has not changed significantly in the past hundred years. If it has, so much the better, I add; warmer weather means more abundant crops, a way to keep hunger away from the exploited masses of the Third World. Recently, someone knocked the wind out of me with a new one: cheaper, more abundant wheat is responsible for a big, worldwide rise in food allergies among the *défavorisés*.

But you can’t have it both ways, I tell them. President Bush is either a moron or a devil of cleverness. If “the corporations” made him attack Iraq for its oil, oil must have become cheaper since we won, right? You want less food for the poor, or more food and higher temperatures? Isn’t CO2 plant food, anyway? Do you want more or less of it? Isn’t it true that you want the poor to freeze their butts in the winter and that you want to deny undergraduates the option to enjoy spring break on the beach in Siberia (on the Kara Sea, maybe)? Do you want to respect my opinions automatically because I have a foreign accent, indicative of a superior intellect and a vast personal culture, or do you want to discount my opinions because I

*continued on page 36*

# Commencement and Climate Change

*by Andrew Ferguson*

How is hope like a bad check? Neither stops  
the rain.

The parallels between environmentalism and organized religion are compelling enough that a number of writers have drawn them, and I will not duplicate their efforts. My concern here is with the high Mass celebrating this strange marriage, the moment when the clerics of the order hand down environmentalist doctrine *ex cathedra*: the commencement speech at college graduations.

This particular connection occupied my mind as I waited, wrapped in robe, hood, and sarcasm, to walk across a make-shift stage and receive a leather diploma holder that did not, in fact, hold my diploma (I am told it will be mailed to me at some later, unspecified date). I, and the rest of the auditorium with me, had just been subjected to an interminable address from a man named Orville, who bore an unfortunate resemblance to the popcorn king, and whose expertise was in Chinese relations. Foolishly, I had hopes that his talk might prove interesting: as China develops into a superpower, the question of how we relate to them is the most pressing foreign-affairs matter we face; our Middle Eastern adventures are at most sidelights to this infinitely more compelling drama. Of course, Orville quickly left the subject of his academic specialty — the field in which my school awarded him the accustomed honorary doctorate — and spoke instead and at length about global warming.

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I hasten to add here that when it comes to anthropocentric global warming, I am agnostic and, more to the point, apathetic; it's a debate I'm fully content to leave for others. Should it prove true, humans are adaptable creatures, and I don't doubt that we will adapt to a warmer planet just as we've adapted to a colder one in the past. So my objections to Orville's speech were less about his content, banal and inappropriate as it was, but about his delivery. In the eco-religious order, Orville is the equivalent of a parish priest: though he knew the doctrine, he lacked the magniloquent puffery of the true devotee. There is a peculiar and unmistakable style to the pronouncements of the ecologically faithful, a striving after scriptural originality that, at its most intense, provides enough unintentional hilarity to almost make up for having to sit through the thing in the first place.

Almost, I say, because having sat through a masterpiece of eco-episcopal rhetoric the year before at my eldest sister's graduation, I would gladly swap my notes on that speech —

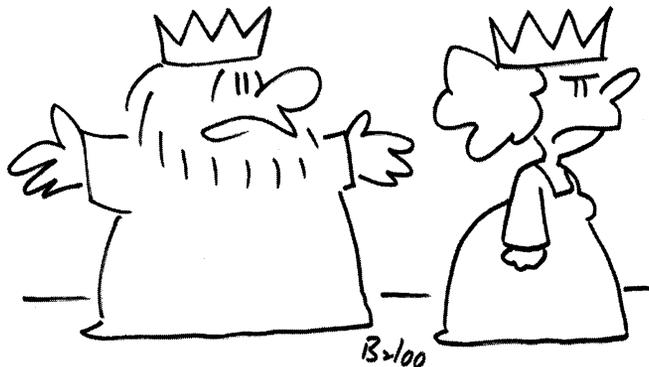
hastily written on the back of a ceremonial program — for the time I spent listening to it. In fact, I had contentedly buried that program, and with it the memory of that speech, in a storage box — until Orville went and made me dig it all back up.

It took me back to Duke University, on a miserable, drizzly Mother's Day, the coldest any of us Piedmont folk could remember. The school had no facility large enough for the ceremony, so in the chill we stayed, constructing a canopy of umbrellas to keep out the damp. It mattered little; by the end everyone was soaked standing.

Presiding over this congregation was the high priestess Barbara Kingsolver, a friend of Oprah's who writes books about the moral superiority of poor people. When she came onstage, attended by a burly usher who got courteously drenched as he held an umbrella over her lectern, she announced that she was there "to delay the degrees for 15 minutes or so." Within 30 seconds I had scrambled together a pen and a writing surface, and I spent the remaining three years of her speech using one hand to capture her phrasings and the other to keep my program, and several family members, half-dry.

The speech was called "Your Money or Your Life," and it is accurate to the extent that Kingsolver believes the two incompatible. Somehow Kingsolver never sees the conflict between this belief and her status as one of America's richest writers, beneficiary besides of Oprah's multinational multimedia empire — or, at least, if she does see it, then she wrote an entire book shoving it in everyone's faces: "Animal, Vegetable, Miracle," adorably co-written with her husband and daughter, details the family's attempt to live for an entire year on homegrown or local foodstuffs, which they accomplish by dint of setting up on enough prime Virginian farmland to maintain a huge garden, an orchard, free-range chickens, and more besides. The book's self-parodic qualities are immediately apparent, but let me just note one tidbit that puts the rest to shame: at one point, the Kingsolvers leave off farming in order to take a family trip to Italy.

I'm far afield, but that's okay since that's where Ms. Kingsolver is to be found. She began on a bright note, blaming climate change for the downpour in which we stood. Which is precisely why the ecologically-devoted now say "climate change" instead of "global warming": they finally realized how stupid it sounded to harp on the boiling of the planet when it's freakishly cold outside. While we in the audience



"I can't tell Time magazine what to do — it's not *my* fault they made Lady Godiva 'woman of the year.'"

huddled together for warmth, Kingsolver informed the students that the "central question of your adult life [will be] to escape the wild rumpus of carbon-fuel dependency, in the nick of time."

That was an image I couldn't even begin to visualize, but fortunately Kingsolver packed her own visuals: "Now we can watch as glaciers disappear, the lights of biodiversity go out, the oceans reverse their ancient orders. . . . How could our weather turn murderous, pummel our coasts, and push new diseases like dengue fever onto our doorsteps?" While I personally doubted that Kingsolver had fought off dengue fever in Arizona or Appalachia, I felt that she was on firmer ground

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*There is a peculiar and unmistakable style to the pronouncements of the ecologically faithful, a striving after scriptural originality that, at its most intense, provides enough unintentional hilarity to almost make up for having to sit through the thing in the first place.*

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with hurricanes — after all, they never set out to murder anyone until we started burning carbon fuels. Sure, people might have died back in the hurricanes of old, hundreds or thousands for every one who dies in them today, but the storms themselves didn't have agency back then. It was a simpler, better time, one untroubled by the pathetic fallacy, and one we must return to in order to survive: "To stabilize the floods and firestorms, we'll have to reduce our carbon emissions by 80%, within a decade." This brought a mixed response, as we in the audience were all for flood control, but wouldn't have minded a nice firestorm about then.

Having brought us to the point of promising control over the elements in exchange for our obedience, Kingsolver took a bizarrely offensive sideways leap, equating the anti-global warmers and the abolitionists:

Our government is reluctant to address [climate change], for one reason: it might hurt our economy. For a lot of history, many nations said exactly the same thing about abolishing slavery. We can't grant humanity to all people, it would hurt our cotton plantations, our sugar crop, our balance of trade. . . . Enough of this shame.

This *reductio ad antebellum* was followed by the politically-cartoonish question "Have we let economic growth become our undisputed master again?", which allowed her to segue into a presentation of most of the poor graduates' jobs as, at best, wage slavery. "You will be told to buy into business as usual: You need a job. Trade your future for an entry level position," she told the gathering of future businessmen, scientists, doctors, and lawyers. Instead, she seemed to be advocating a future marked by a return to tribalism, which she characterized as similar to the experience of students at Duke: "You've had such a full life, surrounded by people, in all kinds of social and physical structures, none of which belonged entirely to you . . . you lived, in close and continuous

contact. This is an ancient human social construct that once was common in this land. We called it a community."

Perhaps it's rude to point out that the community which she so admires at Duke is made possible through the support of the Duke Endowment, a charitable behemoth born of cigarettes and sustained by power stations. Were it not for "the wild rumpus of carbon-fuel dependency," Duke would never have an author of Kingsolver's sales figures delivering its commencement address. But academia has always specialized in biting the hand that feeds it; Kingsolver charged the graduates with "examining the moralities of possession, inventing renewable technologies, recovering sustainable food systems," and she gleefully promised them that "you'll make rules that were previously unthinkable, imposing limits on what we can use and possess." (I believe it might have been around this point I heard my shivering grandmother mutter, "Shoot me.")

The upshot of all of this is that "You could walk out of here with an unconventionally communal sense of how your life may be. . . . You could invent a new kind of success that includes children's poetry, butterfly migrations, butterfly kisses, the Grand Canyon, eternity." (And around here my grandfather leaned over to tell me, "If you ever write like this, I'll disown you.") It got weirder from there, as she attempted to tie off all the loose metaphors flapping in the breeze — I can't even try to explain the "escalator to isolation." She finished with a bumper sticker — "The ridiculously earnest are known to travel in groups. And they are known to change the world" — and five of the most terrifying words I've ever heard: "I'll close with a poem."

Before I get to this verse, forebodingly titled "Hope: A User's Manual," I would ask you to try to recreate the circumstances — as with Vagon poetry, setting is crucial to the experience. Collect six or seven others and step fully dressed into your shower. Deploy umbrellas and turn the spigot (cold water only, don't want to burn any carbons there). After an hour of this, and only then, will you be prepared to confront sentiments such as: "Nineteenth century novels. Heartstrings, sunrise: / all of these are useful. Also, feathers." Or the over-complicated suggestion to "Tiptoe past the dogs of the apocalypse that are sleeping / in the shade of your future." Or again: "You might have to pop the clutch and run / past all the evidence."

The forgoing line is impressive in that it manages to mix its metaphor while simultaneously subverting both the image structure of the speech — clutches and carbon fuel being inextricably linked — and the intellectual honesty of the viewpoint. "Run past all the evidence," indeed. But even that gem is outsparkled by the conclusion to the final stanza . . .

I pause at this juncture to note that this speech is listed in the all-time best-ever commencement speech lists of both Time and Newsweek — and yes, the fact that both put out such lists within a month of each other does betray the dearth of ideas at both publications. The former called it a "beautifully written speech" which "without being preachy . . . enumerated the perils of climate change, of the all-consuming need to accumulate wealth and of, in this age of digital connectedness, our increasing isolation from one another." No, not preachy at all. The latter settled for dubbing it the "Most Poetic" commencement address ever given.

Anyway, in its writeup Newsweek reckons that the speech's takeaway line was Kingsolver's prophecy that "You'll see things collapse in your time, the big houses, the empires of glass. The new green things that sprout up through the wreck — those will be yours." While the true believers (no, I haven't forgotten about my article's central conceit) might hope that Kingsolver would prove prescient, experience is proving that the new green things sprouting up through the wreck are American dollars rolling off the printing presses at record rates in order to fund any number of porky hope-based projects. I counter with her poem's (sphincter-) clinching conclusion: "Pass your hope like a bad check. You might still have just enough time. To make a deposit."

In comparing hope to a bad check, Kingsolver hit upon a metaphorical truth more literal than she had intended; that the lone incisive remark in her entire speech was unintentional surprised no one who had to endure it. Nor was it a surprise to overhear students in wet robes after the ceremony expressing their frustration at how Kingsolver "hijacked" their graduation. The newsmags may assure them a year after the fact that what they had witnessed was one of the great speeches of our time, but on site you would have been hard pressed to find a single convert; the representative comment at the time was "I know it's important and stuff, but . . ."

Religion and boredom is a volatile combination: usually it leads to ridicule of the establishment, and eventually to apostasy as the younger generation fall away. To judge from the Duke crowd, and from the no less caustic observers at my own school, the transition to ridicule is well underway.

Writers like Kingsolver, members of the priestly caste, live for occasions such as these, as close to high church as they will ever get. Making regalia their vestments and soundbites their sacrament, these events are their holy feast days, gatherings of the community for edification and instruction in proper doctrine. But their audience is already steeped in eco-ideology — global warming is for most of these students what the Incarnation is to church kids: an object of faith so fundamental that it is deeply and irremediably dull. They may be the choir, but they know when they're being preached to; if

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*Sure, people died back in the hurricanes of old, hundreds or thousands for every one who dies in them today, but the storms themselves didn't have agency back then.*

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audience reaction is any gauge, Kingsolver alienated far more people than she convinced. Her ideals of community broke down before the bitchiness of nature; by the middle of her speech, the audience wanted nothing so much as for her to shut up so they could all retreat into the paradise of the indoors, beckoning with central heating (thanks, again, to the carbon-burning machines of the Duke Endowment). For this was the ultimate, and ironic, moral of Kingsolver's speech: it's work, not hope, that pays the bills. □

## Internal Exile, *from page 32*

lack inside knowledge of “the system,” because I grew up elsewhere? You can’t have it both ways, I tell them repeatedly, in clear terms.

When I can, I try to cut through the crap quickly. I *love* the United States, I say; that’s why I live here. Because evil often lurks in my heart, I confess that sometimes I can’t resist adding that I know what I am talking about because, unlike the other guy, I possess an intimate knowledge of another society. From that point on, the target of this petty viciousness acts hurt or disoriented and avoids me. Sometimes, in a calm tone of voice, with perfect civility, without a harsh word, I even make the fully-grown liberal male person tear up. I understand that this is despicable behavior on my part, but you have to admit that it could become addictive.

My wife does not help our insertion into cultured circles. She will call local radio talk shows under her real but exotic-sounding name to point out sweetly that such and such social disaster is wholly imaginary or largely a result of misguided government action. Our name is mud! (Of course, since we are social conservatives, she bears my last name. In fact, there is a good chance that she married me *only* for my last name, also the name of a famous French painter. But that is also another story.)

Every so often, rejection takes a dramatic turn. Once, we had a guest run across the street screaming in the middle of the night when he heard our candid responses to his pointed political questions. He was a talented painter whom we had

## Coercion Free for 70 Years, *from page 30*

the battle over the bookstore had been going on for more than a decade. But one of the A.A. traditions was the idea that “all important decisions be reached by discussion, vote, and, whenever possible, by substantial unanimity.” Well, that was a far cry from what had been happening.

The starting point in solving the problem was to present two honest, feasible proposals for the membership to consider. These proposals were embodied in a flyer and sent out with an invitation to a big meeting where the issue was supposed to be decided. I had determined that speakers would strictly alternate between sides of the issue and have as long a debate as needed. I brought coffee — it would be a long night.

The first to speak was a leader of the pro-bookstore side. Instead of making a speech he turned to me and said, “Do you mean we could actually make it without the bookstore?”

“Well, it wouldn’t be easy,” I replied, “but yes, it looks like we could manage. We’ll need more volunteers. We’ll have to get a bit more money from the groups, but we know that many are withholding donations because the bookstore is paying the bills.”

“In that case,” he says, “I think we ought to get rid of the bookstore. It’s been a source of trouble for years now. That must be why the traditions say we should not own any businesses, you know, because of the problems they cause.” Then he sat down. And no one else wanted to talk. So we voted. Selling off the bookstore passed with substantial unanimity. And it was over.

The entire A.A. community heaved a sigh of relief. The

invited for dinner because we liked his work. It’s also fair to admit that I might have let him have too much of my excellent old Calvados. And please, no sly mental comments about this esoteric but now chic beverage. I was raised on it. I have a right to it. I, unlike many others — who know who they are — did not find out about Calvados from the \$400 “Spirits Appreciation Class.”

In brief, in the most general of cases, I fail the tribal ritual tests of the local literati and *artistes*. It’s not because I denounce *their* political leanings. I wish they would agree either to discuss them or to leave them aside; either would suit me fine. If the interaction continues anyway, my talent is often not equal to its requirements. The situation feels like a Finn and a Greek talking to each other, each in his own language. Once in a blue moon, a conversation proceeds to the point where the other guy graciously grants me the right to be all at once conservative, rational, and possibly even literate, so long as I concede to a fair degree of selfishness. I have never been able to get across the basic idea that I reject big government for disinterested *moral* reasons. One individual, a reader of good books, cannot grasp this simple notion: I object to the federal government’s taking ever more money by force from a 19-year-old waitress to pay for my unearned prescription benefits.

Still, in spite of all this intellectual isolation, I must not dramatize the problem. There are some people in the ‘70s time-warp that is Santa Cruz on whom I can count to read drafts of my stories. But they are mostly very young, which limits their usefulness. Moreover, their youth offers the detestable temptation of guru-ness, a fate even worse than internal exile. □

meetings became tolerable. Donations went up again. The number of volunteers rose to meet the need. And the bookstore went on under private ownership. Everyone was amazed at the outcome.

The thing that stunned me most was the fact that the key to resolving the issue was having a goal of substantial unanimity rather than the political goal of cobbling together a voting majority. The goal of consensus meant that we needed to listen to the concerns of both sides, that we shouldn’t focus just on getting enough votes for our side, but on what would meet the needs of the other side too. Here’s a big reason for limited government: just because one side or the other temporarily gets the upper hand doesn’t make that side right. And just because one side or the other can’t win control of the political apparatus doesn’t make that side wrong. There can be no peace as long as each side tries to dominate the other politically in order to force its way.

This event was probably the final nail in the coffin of my belief that winning political battles could ever be the key to winning the good life for me or my country. What you win through the political process in the government, you can lose by the same route. Important things should be outside the political process and not subject to the political winds. If an issue is really important, we should be free to decide it for ourselves. And because a lot of things are important, the more things that are outside the political process, the better. The way to benefit our country, and ourselves, would be to limit government power and influence over as much of the economy, the schools, the environment, and our lives as possible.

As I said, A.A. taught me to be a libertarian. □

# The Contagious Crisis

*by Leland Yeager*

If you think the free market should be blamed for our current economic woes, you are on the wrong track.

Libertarians face charges these days that capitalism has failed or at least that deregulation has invited our current economic troubles. These charges are not persuasive. A more realistic view is that a housing boom and bust happened to strike a fragile financial system whose fragility was worsened by ill-conceived government interventions.

Before commenting on how to fix the system, I should outline what happened to damage it.

Government policies intended to promote home ownership, even by people otherwise not able to afford it, date back to the 1930s, if not before. Today, many government agencies and government-sponsored companies guarantee or subsidize mortgage loans, either directly or by providing a secondary market. Examples are legion; they include the Federal Home Loan Banks, the Federal Housing Administration (FHA), the Government National Mortgage Association (GNMA, "Ginnie Mae"), and the Department of Agriculture's Rural Housing Service and Rural Development Guaranteed Loan Program. The staffs of these programs are enthusiastic about their missions and anxious to extend their services. Some programs aim to make housing more affordable for particular groups, including military veterans, police officers, teachers, and native Americans.

Some programs have forged strong links with politicians.

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The Federal National Mortgage Association (Fannie Mae) and Federal Home Loan Mortgage Corporation (Freddie Mac), both government-sponsored, have been particularly notorious, enjoying cozy relations with members of Congress and an implicit (now explicit) government guarantee of their bonds.

Several much-discussed laws and regulations, including the Community Reinvestment Act of 1977 and its sequels, pressured financial institutions to make mortgage loans to normally unqualified borrowers, and even to make them in parts of cities where a prudent person would hesitate to walk. Lenders have also been pressured to grant relief to troubled mortgage debtors.

Now, it is not obvious that homeownership is as unequivocally desirable as contemporary Americans seem to think. Owning a house puts friction in the way of the owner's moving to a place where he could have a better job. The owner carries the burdens of maintenance, landscaping, and finding plumbers and other repairmen when emergencies arise.

These burdens might be left in the first place to managers of rental properties, who would take advantage of professionalism, risk-spreading, and economies of scale. Yet government has gone to remarkable lengths in obeisance to “the American dream.”

Tax laws have long privileged owner occupancy over renting. Homeowners may deduct mortgage interest payments and real-estate taxes in figuring their federal income taxes, and they enjoy favorable tax treatment of gains on the sale of their houses. Federal tax law permits state and local government agencies to offer below-market-rate financing to homebuyers. Owners enjoy tax-free nonmonetary income (implicit rental income) from occupancy of their homes, whereas landlords pay tax on their rental income and pass it and the property tax along to their tenants.

Such policies have effects. Cheap credit during the years of the boom compounded the long-term effects of government action. Opinions differ about how much of the blame falls on Federal Reserve policy and how much on a “world savings glut,” notably in China, that fed heavy flows of loanable funds into the United States. In any case, from around 2002 to 2005 the Federal Reserve’s target rate of interest remained below what the “Taylor rule” would have recommended. John Taylor originally offered his formula as a description of how the Fed appeared to be setting its target rate during years of relatively successful policy: it raised its rate to resist inflation or economic overheating and lowered it to resist deflation or unemployment. Taylor’s formula has often been misinterpreted as an actual prescription for policy. Although it is not a hard and fast rule, it does provide one clue to whether current monetary policy is too loose or too tight. During the years mentioned, the target interest rate, adjusted for inflation, was sometimes even below zero, as it is again nowadays.

As one would predict, cheap credit encouraged borrowing, building construction, and bullish speculation in houses. Even financially unqualified homebuyers took advantage of dubiously attractive subprime mortgages, mortgages whose initial teaser rates could later be raised, loans requiring no payment of principal during the early years, and even negative-amortization loans. Some borrowers and mortgage brokers connived to conceal applicants’ inability to meet even the loosened financial standards. Borrowers and lenders were

seduced by expectations that the collateral — houses — would keep rising in price indefinitely. Low interest rates spurred savers and institutions to look for better yields even on new or exotic and riskier kinds of investment. Financiers reached for these yields, resorting to complicated and poorly understood financial derivatives and making defective assessments and unclear explanations of risks.

### Fragility and Contagion

All of this was bound to make the financial system more fragile. To identify what happened, we may speak of contagion of at least two related but distinguishable types: structural and psychological.

An advanced economy is a tissue of intricate multilateral interdependencies whose unraveling damages finance, production, employment, and consumption. Contagion particularly bedevils financial intermediation, which is the business of banks and other financial firms and the stock market. Lending institutions borrow, normally at shorter term and lower rates of interest, to relend at higher rates. Banks, for example, owe short-term debt to their depositors and use the funds for medium- and long-term loans and securities. Financial intermediation tailors types, maturities, and risk-reward characteristics of financial instruments to meet the desires both of ultimate savers and of borrowers and stock-issuing firms. Even innovative instruments, such as credit default swaps and securitized loans — to which I will return in a moment — can legitimately serve healthy specialization in lending, borrowing, saving, investment, and risk-bearing. In an advanced economy, this intermediation is essential to channel saving efficiently into factories, farms, machinery, and other capital goods, so promoting economic growth.

By its very nature, intermediation requires firms performing it to operate heavily with borrowed funds. Their excess of assets over liabilities — their capital in this accounting sense (net worth) — amounts to only a very small percentage of either. Even ordinary businesses use borrowed funds to some extent; but financial firms practice this leverage, so called, to a more extreme degree. Their capital, being so small a percentage of their balance sheets, is vulnerable to being wiped out. It is hardly sound advice, though, that financial firms should employ no more leverage than other firms; for their doing so would subvert the very rationale of financial intermediation. Still, leverage, and especially undoing it (deleveraging), do intensify structural and psychological contagion.

*Securitization* means bundling loans into packages that provide the backing for bonds issued by the bundlers. Ideally, these “collateralized debt obligations” enable their buyers to enjoy the convenience of not making individual mortgage loans and also, normally, the relative safety of diversification. The bundlers receive their shares of these benefits from an interest-rate spread between what they earn on the loans and what they pay on their own obligations. The process can be carried to further stages as the first-level bonds are cut into “tranches” according to the estimated riskiness of their backing. The different tranches can then serve as backing for a further level of bonds, and even further levels. The results are called CDOs (collateralized debt obligations squared). Many of them received the highest ratings by the three government-privileged bond-rating companies, S&P, Moody’s, and Fitch,



“I did the math — we can’t afford to attend the economic summit.”

so becoming approved holdings even for conservative investors such as pension funds, and building confidence among other investors also.

Yet these ratings, especially of unfamiliar debt instruments, proved over-optimistic. At the beginning of the chain, some of the underlying mortgage borrowers may not have been creditworthy — and in recent years, many of them certainly were not. While the process may achieve the apparent safety of diversification, it also makes risk assessment more difficult and obscures how participants along the chain share the risk of default on the underlying mortgages. Unforeseen defaults can spread and magnify damage along the whole ingenious chain.

When defaults on loans or bonds held by a financial firm erode their value as assets, the capital of the affected firm shrinks as a percentage of its balance-sheet totals. The firm suffers when depositors or other short-term creditors rush to cash their claims. To restore its required capital margin, it must either issue more common or preferred stock or shrink its balance sheet by selling off assets to pay its liabilities, somehow. This can be painful. Meanwhile, other firms that have been holding the bonds of the troubled firm see those assets losing value and their own capital ratios impaired. Then they too must either raise more equity capital (implausibly) or reduce their size.

Attempts to raise money by selling assets depress their prices, contributing to contagious deleveraging all along the line. Not only does default on mortgages hit investors in mortgage-backed bonds; it brings foreclosures, empty and ill-tended houses, deterioration of neighborhoods and house prices, and further loss of homeowners' equity.

Credit default swaps are essentially insurance against default on bonds or other debt. An issuer of credit default policies hopes to receive more in premiums paid than it loses in compensating for defaults. A borrower may buy such insurance to improve the marketability of its obligations, or a lender may buy it for protection. Even third parties not directly involved with the underlying debt may buy this insurance either as a hedge on risks in other transactions or, since the swaps are marketable, as a speculative bet.

Dealings in swaps are no more inherently scandalous than hedging or speculative dealings in futures on the commodity exchanges. But just as an occasional fire- or life-insurance company may go broke, so may a default-swap issuer — and probably with greater likelihood, because of the relative complexity and novelty of the transactions. The travails of AIG, which obtained a government rescue, provide an example. Credit-default swaps constitute another channel, then, through which structural and psychological contagion can spread widely,

*Fair value* or *mark-to-market* accounting is also widely blamed. This accounting rule came to be more widely insisted on a few years ago than it had been before, and has only recently been relaxed a bit. It requires financial firms to carry large chunks of their asset portfolios on their balance sheets at the low prices they might fetch on already depressed markets, even though the markets are temporarily inactive, though the crisis will end sooner or later, and though the companies intend to hold much of the assets until they pay off at face value upon maturity.

Like actually realized portfolio losses, these markdowns shrink the holders' reported capital. Capital deficiencies make the affected firms more hesitant to grant loans, worsen their own and perhaps the whole financial system's perceived unsoundness, and can trigger further deleveraging all along the chain. Marking to market probably does enhance the transparency, honesty, and trustworthiness of firms in normal

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*Global financial assets had sunk from about \$80 trillion to \$60 trillion, with only \$1–\$2 trillion of the decline coming from losses on mortgages. That raises the question of where the rest of the \$20 trillion went.*

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times and for that reason should perhaps not be suspended even in times of crisis. Perhaps regulators should openly relax capital requirements instead. Yet however desirable the rule may be on balance, it does intensify the structural contagion.

I turn now to psychological contagion, which hit me as well as other people. Until the late summer of 2008 the structural aspect of the crisis had fascinated me. Then I realized that the situation had become downright scary. The whole tissue of economic interrelations rests on trust. Confidence can be justified, excessive, or abnormally weak. Confidence can rise or fall in waves of herding: understandably, people without enough information to make judgments on their own regard others' behavior as guided by information that *they* possess.

A boom reinforces confidence. People are inclined to fall for dishonest schemes. A bust saps confidence. People and institutions, including banks, become more cautious in doing business with one another. The stock market, swinging widely, both registers and magnifies the state of confidence or fear. Loss of stock and house values makes consumers hesitant to spend money, depriving businesses of sales in a further fall of dominos.

U.C. Berkeley economist J. Bradford DeLong, writing around the end of 2008, estimated that global financial assets had sunk in value over the preceding 18 months from about \$80 trillion to \$60 trillion, with only about \$1–\$2 trillion of the decline coming from losses on mortgages and mortgage-backed securities. ("The Financial Crisis of 2007–2009: Understanding Its Causes, Consequences — and Its Possible Cures", January 2009, at <http://tinyurl.com/c8vxan>). That estimate, although necessarily imprecise, raises the question of what the lost \$20 trillion consisted of and where it went.

*Good will* sometimes appears on balance sheets as an asset. This accounting concept recognizes that a firm may be worth more than its physical and financial assets minus its liabilities; it has additional value as a going concern and profit-making entity. Managers' and employees' skills and experience, the firm's traditions, technology, business connections, attunement to conditions in the industry and the whole economy — in short, internal and external coordination and ongoing or potentially profitable activities — have value beyond that

of cut-and-dried assets. But even those assets lose value when discoordination of the firm or of the entire economy diminishes their profitability. The appraisal of good will in the sense just described shows up notably on the stock market; where, as on other asset markets, prices often swing between too high and too low. This is psychological contagion.

### Theories — and Remedies?

The apparatus of mainstream macroeconomic theory is of little use for understanding such troubles. DeLong recognizes that that is true even of his own textbook (“The Financial Crisis of 2007–2009,” cited above). Economists of the Austrian school, on the other hand, recognize that an economic system cannot be analyzed with typical models of aggregate demand confronting aggregate supply and models possessing stable parameters. They emphasize the subjective element in economic life. People’s economic decisions and actions respond to experiences, doctrines, and emotions. Change, unpredictability, and uncertainty abound. Relevant though imperfect information is scattered among millions, even billions, of minds around the world.

Yet a smooth course of economic life presupposes a reasonably good meshing of their many different plans. The title of Gerald P. O’Driscoll’s book aptly describes “Economics as a Coordination Problem” (1977). The price system works toward the meshing of plans. Coordination has been impaired at times of unsustainable boom and, more obviously, of recession. Willingness and capacity to produce remain essentially unimpaired (although a long period of unemployment *would* erode them). Unemployed workers are eager for jobs and for the consumer goods they would buy with their wages, while employers would eagerly hire or retain more employees if only they had customers for their products.

What has disrupted coordination in such episodes? Both Austrian and monetarist economists, although with analyses differing in details, often put the blame on bad central-bank policy. While the financial distress sketched above surely

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*An economic system cannot be analyzed with typical models. People’s economic decisions respond to experiences and emotions. Change, unpredictability, and uncertainty abound.*

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plays a big role in the current recession, a monetarist interpretation (by Robert L. Hetzel, manuscript, Federal Reserve Bank of Richmond, Feb. 2009) adds that the Federal Reserve kept its belatedly tightened monetary policy tight too long in 2008.

Contagious panic arguably called for early intervention, before the severe deterioration of September 2008. Government action would have violated libertarian principles, but the situation was exceptional. Arguably, the government had a moral responsibility to help check the damage to which its earlier interventions had contributed — if, indeed, government can be personalized in that way. Anything plausible, even if mostly symbolic, could have helped, such as a

clear offer to buy or guarantee the temporarily troubled assets of financial firms at suitably reduced prices.

I thought so at the time on the basis of amateur psychology, not of economics or political science. It was unrealistic, however, to expect such focused decisiveness from the government. Calls arose to “do something for Main Street as well as for Wall Street.” Favoritism is indeed unattractive; yet financial firms are different from nonfinancial ones. Their financial intermediation is inherently leveraged — they borrow to relend or invest — and the credit they supply or allocate is essential to ordinary business. Sparing millions of people the pains of recession almost unavoidably benefits a culpable minority also.

*Moral hazard* is a danger: past rescues breed expectations of more in the future. So soothed, firms run greater risks than would otherwise be prudent (just as fire insurance soothes homeowners to be less obsessively cautious than they would be without it). Against a long background of bank and hedge-fund rescues, the rescue of Bear Stearns in March 2008 further bolstered expectations. These were disappointed when Lehman Brothers was allowed to fail in mid-September. The crisis deepened, arousing hopes that the authorities had learned a lesson and would not allow a similar major collapse. The economy faces a catch-22: damned by immediate damage if a rescue goes unattempted, and damned by the longer-run moral hazard when a rescue *is* undertaken.

Treasury Secretary Henry Paulson muffed the opportunity for a psychological counterstroke. He and his successor Timothy Geithner offered a series of ill-considered, vague, changing, unconvincing, and even alarming approaches. Some verged on browbeating of financial firms, as in Merrill Lynch’s acquisition by Bank of America. The “stimulus” bill of early 2009 ignored economic studies comparing the potencies of fiscal and monetary policy. The bill turned into a preposterous hodge-podge of porky spending projects that multiply the national debt, presumably heightening uncertainty and the hesitancy of business investors — yet another example of a spreading contagion.

Monetary policy can probably do more for early economic recovery than fiscal stimulus. Indeed, between the end of August 2008 and late April 2009 the Federal Reserve more than doubled the size of its balance sheet. Between August 2008 and March 2009, largely by extending credit in innovative ways, it multiplied the volume of bank reserves more than *seventeenfold*. That great potential for money-creation threatens inflation. Current worries about *deflation*, which would prove temporary at worst, are preposterous. If need be, deflation is much easier to check than inflation; and anyway, not all downdrifts of prices are harmful.

The Fed’s expansion of reserve money threatens to overshoot the mark, especially when translated into increased lending and deposit-money creation as banks activate their newly immense excess reserves and as individuals and businesses become more willing to spend money than just hold onto it. The danger looms of severe price inflation and dollar exchange depreciation unless the Federal Reserve somehow proves clever enough to reverse its money creation in time, patient enough to see bond prices fall and interest rates zoom and risk another recession, and sheltered enough from political pressures.

The possibility of the dollar's destruction within a few years adds relevance to academic ideas about a new "monetary constitution." Commodity-linked money issued in a privatized system of free banking is one attractive possibility. Even if the Federal Reserve should avoid early severe inflation, rethinking its role will eventually be necessary; for it operates (through interest-rate targeting) on a stock of bank reserve money that is becoming almost vanishingly small in normal times, not in dollar amount but as a percentage of the economy's total means of payment and total liquidity.

## Regulation

Calls for more financial regulation have become routine. Only a libertarian more hardcore than I am would reject them outright. Regulations have indeed disappointed the intentions behind them. Yet but because of the intricate ways in which some regulations may have been compensating for the regrettable side effects of others, abolishing or relaxing them must be done in an orderly way (if orderliness is practically and politically possible), not by a sudden stroke.

As for new regulations, just what should they be? A consensus in favor of suitable regulation is spurious if its advocates have contradictory ideas of what "suitable regulation" means. Merely specifying desired results is no sufficient design of how to get them. Design of new regulations should recognize which past ones have proven ineffective or pointlessly burdensome or have been gamed and wriggled around. "Gaming the system" means exploiting the rules for unintended purposes, as by resort to exotic practices and instruments such as "structured investment vehicles" to circumvent capital requirements.

Resources are scarce, so enforcement should focus on trying to suppress actual fraud, as well as deceptive obscurity and complexity in documents, practices, and sales pitches. Reform should avoid giving regulators and prosecutors abusable discretion with tempting opportunities for triumph in cases of petty technical violation and of little social importance. Regulation should conform to the rule of law. Civil suits for alleged dishonesty or unfairness could be made easier by unclogging the courts, as by decriminalizing drugs.

The greater the need for financial regulation, the stronger the case for abolishing or simplifying regulations in other fields, both to avoid multiplying infringements of personal freedoms and to conserve scarce regulatory resources. Where, for example, are all the new regulators to come from, ones well versed in the complexities of Wall Street yet willing to work for civil service salaries? The failure of regulators to catch even some of the worst financial frauds of the last several years underlines this question.

Government action should not preempt the scope, as it often does, of alternative solutions to problems. Experts working for industry associations could devise and administer standards, with additional monitoring by journalists eager for sensational stories. Underwriters Laboratories, American National Standards Institute (ANSI), the Nationally Recognized Testing Laboratory (NTL), Consumers Union, and online product reviews illustrate the possibilities. Instruction and certification by private organizations could give competitive advantages to qualifying brokers and other financial operators.

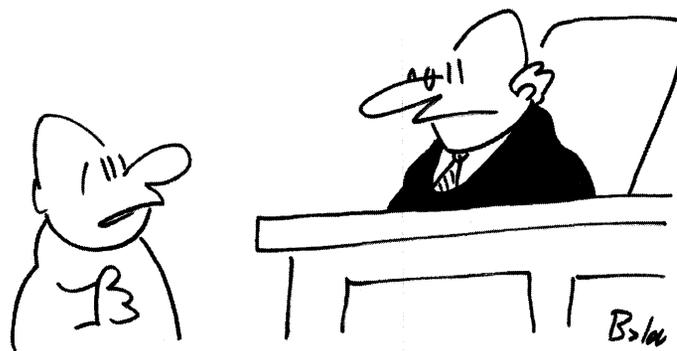
## Salvaging Lessons

If we can salvage nothing else from the crisis, we should at least learn lessons. Financiers must have learned something about the use of exotic financial instruments. They must have learned something about incentives for themselves and their associates. Employees should not be rewarded for merely making mortgage loans, leaving concern for their soundness to the buyers of mortgage-backed securities.

Several lessons involve contrasts between what is true or desirable in the short run and the opposite in the longer run. An expansionary monetary policy reduces interest rates in the short run but, if continued, raises nominal rates later because of the inflation allowance in them. Relatedly, a cheap-money-fed boom is likely to collapse into recession. Mark to market, the accounting practice mentioned above, arguably should be relaxed in time of crisis but be retained otherwise. The law of unintended consequences warns us of long-run disillusionment from bright ideas for short-run benefits, as from prods to cheap housing credit. Consequences often appear, unrecognized, as the delayed cumulative results of earlier interventions.

Moral hazard presents a major short-run versus long-run contrast. Rescue of a troubled bank may seem the best thing to do immediately, but it reinforces expectations of further rescues, inviting repeated trouble later. I emphasize, not minimize, this dilemma; yet I can think of no solution. Further academic research might find one. Still, enjoying the long run does presuppose getting through the short run.

Over the long run and fundamentally, prosperity depends on production. People specialize in producing particular goods and services to exchange them away, sooner or later, for the specialized outputs of other people. But occasionally money and credit go awry as lubricants of exchange and production. Especially in a deep depression, the economic law of scarcity seems to have been repealed. Demand for products and labor, not capacity to supply them, shrivels. A form of Keynesianism crude enough to embarrass Keynes himself then appears relevant, especially in political circles. Measures to stimulate spending seem to promise relief, even though a crisis like our current one originated in overborrowing and overspending, and although more of the same would risk long-run disaster.



"Yes, I robbed the bank — but I had the best of intentions!"

A case might be made for a short-run stimulus that would be reversed in good time — if only we could count on that reversal. Theory and experience warrant expecting more stimulus from monetary policy than from fiscal policy and increased government debt. This debt, which includes implicit debts in the form of long-run commitments under entitlement programs, has been growing so large relative to tax capacity that meeting it seems unlikely other than by its eventual repudiation through inflation.

Examples abound of legislators and bureaucrats blithely implementing their bright ideas without due regard to the burdens imposed. Ideas about what additional regulations should accomplish often give scant attention to just how they are to work. Hubris appears in the countless legislative proposals for improving the economy: mandates or tax credits for water-saving toilets and energy-saving light bulbs, for early purchases of new cars to relieve the industry's distress, for cars getting more miles per gallon, for promoting ethanol and exotic energy sources, for promoting or discouraging particular activities by tax complications, for subsidizing scientific or not-so-scientific research, for tighter responsibility in issuing financial reports, for broadband access, for sports stadiums, and even for investigating irregularities in professional sports. Funds are appropriated for attractive causes with no consideration of how the money and the corresponding real

resources might better have been used for other purposes, private and public. Furthermore, politicians are more concerned with the good intentions motivating their laws than with possible long-run adverse consequences.

Congressmen do not hatch all the bright ideas out of their own brains, of course, nor does narrow self-interest usually drive their votes. Rather, they routinely hear from persons and groups requiring money for attractive programs. Since they rarely hear informed testimony against specific programs even from witnesses who may abstractly desire spending restraint, they drift into thinking that denying the requested appropriations would be hard-hearted. (James L. Payne has explored this issue in "The Culture of Spending: Why Congress Lives Beyond Our Means," 1991.)

Uncoordinated bright ideas — ideas for promoting all sorts of good and suppressing all sorts of bad things through regulation, granting or guaranteeing loans, and financing special-interest projects — figure prominently among the causes of our current crisis. Yet as Frederic Bastiat and more recently Henry Hazlitt have argued, sound economic policy presupposes considering the further-ranging and longer-run effects of specific events and interventions. That is not typical of politics. Thomas Sowell was right: the first law of economics is scarcity, and the first law of politics is to disregard the first law of economics. □

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## With the Paul Brigades, *from page 22*

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If they say no, ask for half as much — and be silent.

If they say no again, he says, "Ask, 'How much can I count on from you *right now*?' " Then shut up again.

Rothfeld raised \$70,000 this way for a campaign he lost. "I hated it every single time," he says. But a candidate has to do it; if he does not do it, he's not serious.

Later in the day comes a lecture on working the legislature. You need a legislator to carry your ball, he says. Don't have a member of leadership, or one hankering for such a post, because "you get to be in leadership by cutting deals." You don't want a wheeler-dealer to sell you out. You want someone who is committed. Someone who is tough. If that person sells you out, lash back. "You've got to punish your so-called 'people' if they did wrong."

If you are a legislator, beware of whom you ally with. "Don't have cross-ideological coalitions," Rothfeld says. "Don't have a press conference with 'em. Don't explain your private tactics to 'em. They won't be sharing their private tactics with you. You can have an informal coalition, but keep it private, and you won't be saddled with their negatives."

Hearing this, I recalled Ron Paul's press conference in 2008 with Ralph Nader and the Green and Constitution Party candidates. I wondered what Paul would have said in reply. But he was not there. He had flown out.

John Tate, president of the Campaign for Liberty, was there. He was the national political director for the Ron Paul Campaign Committee and for many years before that was vice president of the National Right to Work Committee. To the Left, right-to-work is the lipstick mark of the corporations. But when Tate is talking to a long-haired guy who says he does not believe in corporate personhood, Tate says flatly that none of the Fortune 500 companies funded Right to Work. It

was not a corporate effort — and in the Campaign for Liberty there is no mention of such businessy causes as tort reform or abolishing the double taxation of dividends.

This is a populist movement.

Tate said that the Campaign for Liberty had exceeded 150,000 members. "The number of requests Ron Paul has from Republican Party groups now is three or four times more than during the height of the campaign," he said.

Three political parties were listed as sponsors of the Seattle conference and had adjacent booths in the hall: the Constitution Party, the Libertarian Party, and the local branch of the Republican Party. Which of these parties is the Campaign for Liberty trying to boost?

"We are completely nonpartisan," Tate told me. (The woman at the Libertarian booth said, "Most of the people here are Republicans.")

Is the Campaign for Liberty preparing the ground for Paul to run in 2012?

"This, to my knowledge, does not have anything to do with a potential Ron Paul run in 2012," Tate said. "I have heard nothing about anything like that." Because of the organization's legal status, he said, if the congressman runs, "we would have to completely distance ourselves from Ron Paul."

"This is political training," he said.

So it was. The next training session is scheduled for July, in Las Vegas.

Though I'm not in politics directly, I am close enough to it to recognize such an event as useful training, a kind of boot-camp lecture from a political drill sergeant. What people will do with it is the question. Many state and local actions are possible. There remains a thought that Paul, who will be 77 in 2012, could run again despite his age, and that the platoons trained in 2009 would by then be ready for the rough and tumble. □

# Reviews

*"Barbarians to Angels: The Dark Ages Reconsidered,"* by Peter S. Wells. Norton, 2008, 240 pages.

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## *Without a Central Government*

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Michael Stahl

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Sometime in the 5th century a farmer sees that he has a problem. He needs to grow enough on a meager plot of tillable land to feed his family and his landlord, and just perhaps to trade and increase his wealth. But his tools are the real problem. He gnaws at the earth with a wooden spike, known as an ard, that is suitable only for light soils and only digs a furrow, rather than turning the earth to bring nutrients to the surface. The farmer, or perhaps a blacksmith, or perhaps many people at once, are about to find a solution to the problem, and in so doing to change the face of European civilization.

In "Barbarians to Angels," an economic vindication of the 5th through the 9th centuries, commonly known as the Dark Ages, Peter S. Wells shows that it was at this time that the moldboard plow appeared in the archaeological record of Europe, and revolutionized agriculture. The plow had an iron coulter at the front to cut through heavy soil, and a share and moldboard to cut underneath the soil and turn it over. The plow made farmers vastly more efficient and versatile. Not only could

land be plowed more quickly, but new lands could be farmed, lands that were previously out of reach. Along the way, the horse collar was developed, making the horse more efficient as a draft animal than the lumbering ox. With increased efficiency came an increased understanding of the nature of farming itself, with a focus on crop rotation and managed fertilization.

These innovations occurred after the effective end of Roman authority of any real kind in most of Europe. Newly efficient farmers were thus freed from imperial taxation. While they most certainly were taxed by local lords and chieftains, they no longer fed the avarice and gluttony of Rome. There were no legions, no grand building projects to consume wealth. The rewards of efficiency could stay closer to home. Archaeological evidence shows the effects. To be specific, bones show the effects.

The bones of dead people can be chemically analyzed to determine the nature and amount of food that those people consumed. From such analysis, Wells shows that most people of the "Dark Ages" had access to decent amounts of food, and especially animal

protein. While there are differences in the nature of the food according to social rank, available samples present little evidence of deprivation. Additionally, and perhaps most surprisingly, people were on average quite tall — five feet eight for men, and five feet four for women in southwestern Germany, and a bit taller in Scandinavia. They were taller than people of the Roman period, taller than Europeans would be until after the Industrial Revolution.

Wells shows that a lack of central authority (Rome) was not the same as isolation. Indeed, commerce appears to have been vibrant — as one would expect, considering the agricultural boom in progress. Even before the Roman Empire, an extensive system of pathways promoted trade. With Roman roads built over these paths, the later period had a solid infrastructure for the transport of goods, along with the wealth to buy them. Much production was solely for local use, but pottery made in the Rhineland has been found in England, and elites in Western Europe owned pottery from Egypt and Turkey. An Indian statuette of the Buddha, made in this period, has been found in Sweden.

Since much of Europe was criss-crossed with trade routes before the expansion of the Roman Empire, it stands to reason that trade would have resumed after the disintegration of Rome's authority. Rome did not, after all, create long-distance trade. There is

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*Lack of central Roman authority was not the same as isolation. Indeed, commerce appears to have been vibrant in the Dark Ages.*

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some written evidence that local chieftains, lords, and kings took pains to ensure that trade routes were open, and that traders went unmolested. For instance, Charlemagne corresponded with the King of Mercia, in what is now England, indicating the continuation of traditional respect for free trade throughout the region. This plants a tantalizing seed of thought: archeology may be proving that trade flourishes in the face of loose authority, that science may yet defeat state planners.

Wells points to a thriving industry in such things as ceramics, iron tools, and ornamental items, as evidence of a relatively prosperous civilization. That these things were not only made but transported long distances gives a sense of a society in which trade was open and travel wasn't overly dangerous. And trade wasn't simply in essentials but also in luxury items. Ornate brooches, or fibulae, cast of bronze or silver, are found throughout Europe, as are finely made combs, belt buckles, swords, and decorated scabbards. Some of these items were fashioned in central locations and transported to consumers; others were made to order at the final location by traveling artisans and smiths. There is evidence from graves that many of these artisans attained significant wealth and status. Gold was transported extensively throughout the period, as was the greatly prized garnet.

The spread of the Christian Church, rather than a central government, fostered artistic innovation and the distri-

bution of art and learning. Wells details the development of book illumination in Ireland and the general increase in the educational level throughout Europe. Monks were the original book illuminators, and integrated religious iconography was the basis of much artistic innovation. The title of Wells' book derives from Gerald of Wales' description of illuminated Irish Bibles as the "work of Angels," as crossed with the more conventional view that these peoples were "barbarians."

If there was considerable trade, as Wells asserts, then there must have been considerable trade centers. The evidence for this is strong. Old Roman cities, such as London, appear to have been inhabited throughout the period, and new centers of trade developed as well in the 5th and 6th centuries, with goods flowing freely from Spain to England and from the Mediterranean throughout Europe. There is variation in architecture: until late in the Dark Ages, heavy stone construction was avoided in favor of lower-cost, less labor-intensive wattle and daub construction. Wattle and daub consists of sticks and mud, or manure, and is naturally far less durable than stone. This is important to bear in mind, because the apparent lack of monumental structures during the period can present a false impression of complete destitution. But wattle and daub does leave evidence. It appears in the layers of "dark matter" found in many former Roman cities — indications that the cities were continuously inhabited and that their populations remained close to stable in many places, perhaps increasing in such instances as London.

One of Wells' chapters presents an overview of archaeological evidence from a variety of former Roman cities, such as Regensburg, Cologne, and Mainz. Another is devoted to the city of London. In all these cases, the cities persevered and appear to even have prospered, despite dramatic changes in the nature of urban life. Many of the old Roman cities began as bases of the Legions, enduring as vital centers of trade long after their original purpose ceased to matter. The evidence for this comes largely from recent archaeological work, not from documents written in the era itself, so it is easy to see why a false image of urban "darkness"

should have prevailed up till now. Yet the notion of prosperous cities is quite in keeping with the widespread agricultural revolution that took place in the countryside. They weren't building in the grand Roman style, but on Wells' evidence they were building. Indeed, the new agricultural and nutritional wealth may have created centers of trade that were even more important than in Roman times.

The effective end of central Roman control did not mean anarchy, at least not in the sense of chaos. It was at the very beginning of this time that Childeric and his son Clovis, kings of the "barbarian" Franks, began the formation of what is now called France. The era was obviously clouded by community memory of Roman rule: a signet ring found in the grave of Childeric depicts him as both a Roman dignitary and a Germanic chief. Childeric's grave was found intact in the 17th century; more recently, grave sites that are similar in style have been found across Europe. This suggests that there was continuity in tradition among the various branches of the ruling class. The mixing of traditional European motifs and Roman regalia denotes, to Wells, "something new on the scene" in Europe at the opening of the Dark Age. As in the more familiar cultural integration of Native American tribes with European immigrants, aspects of each influenced the other, resulting in a culture distinct from either of its origins.

With rulers come rules. Law codes developed to replace the Roman system of law. They drew heavily on Roman examples, but they also innovated.

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*The popular view of the Dark Ages is based largely on the writings of people sympathetic either to Rome or to central authority in general.*

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Payments for injury, for what might today be called torts, were of particular concern, as were the aspects of property law that one would expect to be objects of dispute in largely agrarian societies.

There was Frankish law, Anglo-Saxon law, and Visigothic law, and each was enforced in lands controlled by each, but “countries,” or nation-states were not defined. If you lived in France, but lived under the rule of an Anglo-Saxon king, you lived under Anglo-Saxon law, not Frankish. Yet there was enough similarity among legal systems to facilitate trade across wide regions, despite decentralization of authority.

The implications of Wells’ evidence are dramatic. The popular view of the Dark Ages is based largely on the writings of people sympathetic either to Rome or to central authority in general, and those views need to be replaced. Today, few if any scholars credit the

old view of the Dark Ages as a time when stunted wretches trembled in fear — although many, if not most, people still do. How such a thing could ever have been believed by serious students of human action speaks to the insidious nature of propaganda. It should be emphasized that Wells, though more inclined than most scholars to rehabilitate the Dark Ages, is not an extremist. He is a professor of anthropology who specializes in this period, and publishes academically as well as popularly. His book presents no groundless assertions or rhetorical gimmickry. It does present evidence that an age without a central government was far from destitute of accomplishment. □

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**“Chain of Blame: How Wall Street Caused the Mortgage and Credit Crisis,”** by Paul Muolo and Matthew Padilla. Wiley, 2008, 338 pages.

**“Meltdown: A Free-Market Look at Why the Stock Market Collapsed, the Economy Tanked, and Government Bailouts Will Make Things Worse,”** by Thomas E. Woods, Jr. Regnery, 2009, 194 pages.

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# Who’s to Blame?

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Bruce Ramsey

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Our economic disaster: last summer I was reading about it in Paul Muolo and Matthew Padilla’s “Chain of Blame.” This year, my nose has been in Thomas E. Woods’ “Meltdown.” The two tales are very different. Muolo and Padilla’s “chain of blame” runs through Wall Street. Woods blames the government.

Woods is a professional libertarian. He works for the Ludwig von Mises Institute and is author of several libertarian or Christian books, including “The Politically Incorrect Guide to

American History.” Muolo is from the trade press, having covered Fannie Mae, Freddie Mac, and the subprime lenders for National Mortgage News. Padilla wrote for the Orange County Register. The Register has a libertarian editorial page, but Padilla was on the business page. The Register covered the subprime lenders because they were based in Orange County, just south of Los Angeles.

“Chain of Blame” is a business story. It’s journalism about people and their business creations: Angelo Mozilo of Countrywide Finance, Roland Arnall

of Long Beach Mortgage, and Lewis Ranieri, who at Salomon Brothers invented the mortgage-backed security. The authors know these men and describe them. They trace the genealogy of the collateralized debt obligation and the subprime mortgage, the zero-option adjustable-rate mortgage and the “liar loan” — all the stuff that became “toxic assets.”

Most of the book is descriptive. Muolo and Padilla are saying to the reader, “This is what was going on.” If they had put it on a diagram, the boxes might have been labeled, “mortgage borrower,” “mortgage originator,” “mortgage wholesaler,” “mortgage securitizer,” “security rating service,” and “security buyers.” All of these were in the private sector.

Muolo and Padilla argue that blame should be placed where the planning was, and where intelligence and foresight should have been. That was in the Wall Street investment houses. They invented the new securities and made them inscrutable. In the same vein, one might condemn the rating agencies, which pretended to evaluate them rationally, and institutional investors, such as the European banks, which pretended to understand what they were buying.

In Muolo and Padilla’s mental diagram of all this, the Federal Reserve’s cheap-money policy of 2003–2004 is there, but it’s off on the edge. It’s a background condition, not an active cause.

Now come to Woods’ book. He states his thesis on page 13:

Blaming “greedy lenders” or even foolish borrowers for what happened merely begs the question. What institutional factors gave rise to all the foolish lending and borrowing in the first place? Why did the banks have so much money available to lend in the mortgage market — so much that they could throw it even at applicants who lacked jobs, income, down payment money and good credit? These phenomena, as well as the housing bubble and the economic crisis more generally, are consistently traceable to government intervention in the economy.

In Woods’ view, the background condition is what’s important. Woods implicitly excuses everyone in Muolo and Padilla’s “chain of blame.” He doesn’t *say* he excuses them; he just

doesn't focus on them. His implicit view is that if private-sector lenders are throwing money at applicants with no income, it's Alan Greenspan's fault because Greenspan has lowered short-term interest rates to 1%.

This is putting ideology before eyeballing. We have a theory, we find some facts that plug into our theory, and *voilà!* Our theory is good. We are good. And maybe our theory does bring explanatory order to some of the facts. The Fed *did* lower short rates to 1%, setting up a background condition for a mess. Congress *did* create Fannie and Freddie, pass the Community Reinvestment Act, and press bankers to make more loans

to minorities, just as Woods says. He can legitimately trace a line to these things. But when he says that "the housing bubble and the economic crisis more generally, are consistently traceable to government intervention in the economy," he is saying more.

Think again of a diagram with lines and boxes. Woods is putting government at the center of it — and portraying those who put lenders at the center as leftists railing against "greed." This is a straw man. The mainstream financial press, of which Muolo and Padilla are a part, is not leftist.

Woods habitually puts the private sector into the kind of phrases in which

things just *happen* or *become*. Consider this, from page 21:

Although the driving force behind abandoning traditional lending standards was the federal government's political goal of increasing homeownership, particularly among preferred minority groups, lending innovations like 100% loans became institutionalized features of the industry, particularly when the Fed had made banks flush with reserves to lend.

I am biased: I was a stockholder in one of the largest banks that failed. Unknown to me (because I wasn't paying attention), my bank made bad loans — tens of billions worth of such grotesqueries as the zero-option ARM, a home loan in which the principal amount increases in the first five years. The CEO of my bank *decided* to make that kind of loan. The government didn't order him to do it. Other CEOs didn't do it. He did. His motivation was not to suck up to ACORN or the Federal Reserve Board. He was trying to make his bank big and successful. He knew he was violating the traditional rules of lending, but he had a theory of why he could do that, and his theory worked for a while. His bank did become big and successful. Then it was ruined — and so was I, in regard to my investment in it.

All that is *the government's fault?* Woods seems to think it is. His very language excuses. Consider the paragraph quoted above. The government was the "driving force" behind the irresponsibility of bankers. The Fed "made banks" have too much money. Hundred-percent mortgages "became institutionalized."

Mortgages *became?*

I do not excuse the central bankers. One-percent money is high-proof stuff. The Austrian economists are right about that. Now, under President Obama, 1% money is back again, and if the Fed keeps the bottle on the bar too long, eventually there will be another bacchanal. It probably won't be in home mortgages, though. It will be in a different thing with different people making different mistakes. These differences will be important — economically important and also morally important, when it comes time to assign blame. Not all mistakes are government mistakes.

I have another bias. Though my views are generally libertarian and I

## Notes on Contributors

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am writing here for a libertarian magazine, I make my living in mainstream journalism. For almost 20 years I was a business reporter for a daily newspaper — the job Matthew Padilla had when he was working on “Chain of Blame.” Done right, newspaper reporting is a facts-first job, not an ideology-first job. You have to have some theory, of course, to know what facts to look for, but it’s fairly basic. There are few decisions of high doctrine to make when you’re telling of the rise and fall of a loan company.

Muolo and Padilla focus on the mortgage lenders because that was the story of their daily journalism. One imagines that one of them said to the other, “You know, this would make a good book.” That approach helps “Chain of Blame” considerably, and also biases it. When I imagine the best possible book about the Crash of ‘08, it has more about the Fed in it, and more about Fannie Mae and Freddie Mac. It also has more about the people who bought the securitized mortgages — what was the matter with the institutional investors, anyway? But my ideal book would be *like* Muolo and Padilla’s book. It would not be like Woods’ book.

The story of the Crash of ‘08 cannot absolve players in the private sector, as so many defenders of the market do. Consider a final example: the rating agencies. These companies repeatedly stamped investment-grade okays on products later discovered to be lethal. In my view, the raters should be condemned. Shunned. Tarred, feathered, and rolled in oyster shells, along with the CEO of the bank I had stock in.

In his book Woods gives the rating agencies two and a half paragraphs. There he quotes an assistant professor of economics from a college I’d never heard of — a libertarian who wrote his doctoral thesis on lynching and property rights — saying that the bond raters were just trying to please the Securities and Exchange Commission. The idea is that the SEC represents the interests of the liberal, ACORN-infected politicians who want mortgages for all. Then Woods says that the private rating agencies are “an SEC-created cartel,” with the unstated but obvious-to-a-libertarian implication that no defender of the private sector is obliged to defend them. Problem solved! Everything that

is bad is once again “consistently traceable to government intervention.”

It is possible to *trace* — and think what that means — every economic problem to government, if that is what you set out to do. But if you want an accurate explanation — an honest accounting of which causes are contributory, which are necessary and which,

if any, are sufficient, you don’t set out to trace everything to one source. You immerse yourself in the facts, see what the connections are, and let the story itself tell you what the explanation is. This is what Muolo and Padilla try to do, and to a great extent, succeed in doing. It is what many libertarians ought to learn how to do. □

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**“Until Proven Innocent: Political Correctness and the Shameful Injustices of the Duke Lacrosse Rape Case,”**  
by Stuart Taylor, Jr. and K.C. Johnson. Thomas Dunne Books, 2008,  
430 pages.

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# Vindication

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Robert Watts Lamon

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A few years ago, Durham’s official greeter put some novelty items on sale — coffee cups, T-shirts, baseball caps, etc. — each bearing the slogan “Durham: Where Great Things Happen.” But as any tsunami survivor will tell you, great things are not always good things, a fact lately demonstrated by the infamous Duke lacrosse scandal. The ironies, the multiple falsehoods, and the great stampede to judgment, are thoroughly and competently described in “Until Proven Innocent.”

The event that billowed into a national scandal occurred on the night of March 13, 2006. It’s been variously characterized, and Taylor and Johnson take the reader through it once again, this time with proper regard for the facts: the striptease, the sex-toy dialogue and the racial slurs, the dancer’s retreat to the bathroom, thence to the Kroger parking lot, the arrival of the police, the rape claim at the Durham Access Center, the examination at the Duke Medical Center. The alleged victim, Crystal Mangum, didn’t mention rape until faced with involuntary confinement and only after a prompt from

a nurse at the Access Center. Mangum recanted her claim and then switched back to it, altering her tale of rape several times. But a nurse present at the examination believed Crystal’s claims, and so a path was open to formal accusation.

Sergeant Mark Gottlieb, an aggressive cop and no friend to Duke students, took up the police investigation. When the case reached District Attorney Mike Nifong, he saw it as one of “towering importance,” which meant he saw it as a means of ensuring his election to the office he then held by appointment. Election would add an extra \$15,000 a year to his pension. In a series of rigged photo-ID sessions, Mangum couldn’t decide who raped her and chose one lacrosse team member who was out of town on the night of the team’s party. Nevertheless, Nifong and his police associates pressed on, finally indicting three innocent, and by all rational accounts, laudable young men — David Evans, Collin Finnerty, and Reade Seligmann.

By then, all the players had legal counsel, and the lawyers for the three defendants went on to fight the good fight, openly challenging Nifong’s

public rant, gathering evidence through their right of discovery, and ultimately gaining a proclamation of innocence for their clients from State Attorney General Roy Cooper. In doing so, they exposed Nifong as a fraud who, among other deceptions, conspired to hide exculpatory DNA evidence from the defendants and the world.

When news of the alleged rape got on the wire, the local Left seized their candles and hit the street. The early descriptions of the alleged incident — rich white boys assaulting a poor black girl forced by circumstance into a

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*District Attorney Mike Nifong saw the case as one of "towering importance," which meant he saw it as a means of ensuring his election.*

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degrading life — were all they needed. Crystal Mangum was a martyr to racism and sexism. There was a candlelight vigil at 610 North Buchanan (where the rape had allegedly taken place), followed by a pot-banging demonstration. An early Newsweek article (April 10, 2006) shows a woman standing in front of the house with a burning candle in one hand and a "Don't Be a Fan Of Rapists" sign in the other.

On the Duke campus, the radical ferment began to bubble. A paid advertisement appeared in the Duke Chronicle declaring the alleged rape a "social disaster." The ad was vague, chaotic, hysterical in tone, and ended by thanking the demonstrators for not waiting. It was signed by an assemblage of professors known as the Group of 88. As Orwell would say, only intellectuals could be that stupid.

The national media maintained an extended interest in the case. Most noteworthy were CNN and The New York Times. They continued to support Nifong and condemn the lacrosse players, even as more evidence favoring the players came to light. For months, television commentary, newspaper editorials, and talk-show "experts" espoused

similar lines, even as Nifong's case was imploding. All of which raises the obvious question: how could professional journalists, presumably intelligent and educated people, comment at such length on an issue about which they knew so little? Isn't getting at the truth the essence of journalism? Fortunately, Taylor and Johnson do what so many of their media colleagues failed to do; they present a careful analysis of the facts.

Duke President Richard Brodhead was a campus tenderfoot, repelled by the idea of strippers and wild parties. He was apparently unaware that the Duke basketball team had hired strippers two weeks before the lacrosse team's fateful party and, worse yet, that Duke's sororities were known to hire male strippers. He was, like many people, shocked by a ghastly email Ryan McFadyen sent to his teammates after the party, which stated his intention to invite strippers to his quarters and murder and skin them. The email was, as it happened, a joking allusion to an even ghastlier novel entitled "American Psycho," which was assigned reading in more than one Duke course. In any event, Brodhead concluded that Crystal Mangum and Kim Roberts had certainly been abused in some manner.

The Duke president's position was an uneasy one for two reasons — the relationship of Duke to the City of Durham, especially black Durham, and the relationship of Duke's administration to its faculty, especially the faculty's left wing. Brodhead preferred not to offend either Durham or the faculty. So he got rid of lacrosse coach Mike Pressler and cancelled the team's season, even as his own appointed committee was finding that Pressler had done nothing wrong. Offered the opportunity to examine evidence of the accused players' innocence, Brodhead declined, but later complained that he lacked information. He wouldn't listen to advocates for the players but gave consistent ear to their attackers. Incredibly, while at Yale, he had sought the release of Kathy Boudin, former Weather Underground conspirator, in jail for robbery and murder. But the abuse of three Duke athletes by Mike Nifong, the "heightening of public condemnation," drew no reproof from the Duke president.

The Duke lacrosse scandal is a study

in assorted politics — the racial politics of Durham, the corrupt, grasping politics of Nifong, the quirky academic politics of Brodhead and his close subordinates, and perhaps most important, the insidious ideology that animates the radical wing of academe. Taylor and Johnson expose the academic Left and its influence.

In recent years, radical feminists have twisted male-female relationships into sensitive political issues. As the authors point out, conviction for rape in North Carolina is possible even if the accused holds proof of his innocence, so great is the dependence on the woman's word. And the prevailing attitude is that the accuser must have her day in court, heedless of the numbing effect on the life and livelihood of the accused.

So Crystal Mangum, the besotted stripper who was unable consistently to identify any of the men she accused, who was contradicted by photographic evidence and by everyone at the scene of the alleged incident, who previously had made an unsubstantiated rape claim, and whose current rape claim was described by her partner as a "crock," found her story embraced by the media while her alleged attackers were denounced and vilified.

But what about the tenured Left? What form of perversity would lead successful capitalists to send their

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*The ad was signed by an assemblage of professors known as the Group of 88. As Orwell would say, only intellectuals could be that stupid.*

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kids to a school crawling with neo-Marxist cranks — and pay a bundle for the disservice?

In the later decades of the 20th century, academics, tempered by the 1960s and compelled to realize their own political visions, discovered that America was a multicultural society. That this was a surprise was — well, a surprise. They began to genuflect before the diversity idol, and, following their natural leftist inclinations,

eventually made diversity coequal with excellence as a criterion for choosing faculty. The elite colleges and universities went searching the institutional byways for prospective hires, and those hired tended to be proselytizers for the trendy race-class-gender theories. Purging racist and sexist attitudes became a campus imperative. Speech codes were put in place, and less and less tolerance was shown those who dissented from the campus-Left orthodoxy.

But why do parents and alumni put up with such nonsense? The parents of prospective students tend to judge a university by the prestige value of its degree. They see the school as an obstacle course, and negotiating it as a means to high-sounding credentials. They're less likely to see it as a place for those who want to learn — an ancient ideal, but by now *passee*. Students and alumni have a personal stake in maintaining the reputation of the school, no matter how irrational, how politicized the course work becomes. If students are taught that their country is wicked and oppressive, well, so what?

Steve Baldwin, Professor of Chemistry at Duke, wrote in defense of Mike Pressler and later in denunciation of the campus-Left cabal. An organic chemist, Baldwin has devoted his life to facts determined by experiment, by the careful analysis of the evidence of his senses, using a rigorously established scientific model. It's worthwhile to compare his innocent Aristotelian world with the world of Duke's tenured leftists. Yet so great is the influence of the tenured Left that it can cow the presidents and administrations of great universities. Who can forget the fate of Larry Summers, now director of President Obama's National Economic Council, lately president of Harvard, who made the mistake of suggesting that women may have different skills from men? And thanks to a preference for faculty that fits in — that toes the accepted ideological line — the avant-garde Left will likely grow in number and influence in the academy.

"Until Proven Innocent" tells a story laced with the folly of small men and women. Smallest of all, of course, is rogue prosecutor Nifong. He lost his license to practice law and recently filed for bankruptcy. And now, thanks to a court decision, he's no longer immune

to lawsuits. Consider his last words to the commission deciding his future in the legal profession: "I think something happened in that bathroom" of the lacrosse players. Like a true criminal, he had to leave ajar the door to doubt.

Still, the Duke lacrosse case had its heroes: the solid families who endured Nifong's blasts, those few people on campus who defended Mike Pressler and his players and spoke out against

the leftist stampede, good cop John Shelton who first observed and accurately reported on the alleged victim. But most impressive were the defense lawyers. How fine to read of people like Joe Cheshire and Bob and Samantha Ekstrand doing their competent work. Cheshire and his band of laughing soldiers are pictured in Taylor and Johnson's book. It's a picture worth keeping. □

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**"Star Trek,"** directed by J.J. Abrams. Paramount, 2009, 127 minutes.

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## Keep on Trekkin'

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Valerie Durham

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Sometimes it takes an outsider to fix what's wrong, or perhaps to remember what was so right.

In 1966, "Star Trek," the television series, made its premier, featuring William Shatner and Leonard Nimoy as Captain James Tiberius Kirk and half-Vulcan, half-human Commander Spock. The series immediately garnered a small but devoted community of fans. It was the fascinating dynamic between the emotionally-driven, spontaneous, human Captain Kirk and the emotionally devoid, logical, alien Spock that created the real essence of "science fiction" in the series.

All great science fiction applies science, whether real or invented, to put humans in situations that reveal truths about human nature; and that's what "Star Trek," for the most part, did. It wasn't about the spaceships or the planets or the alien creatures; it was about what is revealed about human nature as a result of flying in those spaceships or visiting those planets or interacting with "new life and new civilizations"

(even if it was those silly Tribbles).

Over 40 years, "Star Trek" — with its ten previous movies, seven TV series, books, comics, and conventions, not to mention its merchandising and branding — has turned into a vastly successful industry. But it has almost become a parody of itself. Many of the current iterations of "Star Trek," led by the same band of producers and writers, seemed to rely more and more on varied makeup jobs to create more and more alien races, instead of relying on a real dedication to the exploration of human nature through alternative science. The essence of true science fiction, and more importantly the development and dynamics of its characters, has been largely lost.

Enter J.J. Abrams, hugely successful TV producer and creator of such shows as "Lost" and "Alias." Not a fan of the traditional "Star Trek" series, he applied his creativity and insight as an outsider to return to what "Star Trek" really was — an exposition of human nature.

In a word, the new "Star Trek" movie is terrific. It is an imaginative

account of how the crew of the original *USS Enterprise* came together and how their bonds were formed. In the movie, talented and well-cast actors make excellent choices in how they portray characters that have become beloved icons.

Their choices are not always the same.

Chris Pine, the actor who plays James T. Kirk and follows in the footsteps of the inimitable William Shatner, chose to embody Kirk's original characteristics: his bravado, his humor, his physicality, his eye for women. He sits in the captain's chair on the bridge of the "Enterprise" in just the way Shatner did — legs wide, leaning on one elbow with the other hand on the armrest, elbow up. But Pine wisely chose not to imitate Shatner's famously halting and dramatic way of speaking. To have done so would have been parody, not embodiment.

A different approach is taken by Karl Urban, the actor who plays Dr. Leonard "Bones" McCoy as originally portrayed by DeForest Kelly. Urban chose a restrained yet spot-on imitation of Kelly's portrayal of McCoy. His delivery, expressions, and gestures all hark back to the endearingly pessimistic McCoy that Trekkers love.

When characters' roles have been changed, as in the case of Communications Officer Nyota Uhura (the African-American female character from the original series), now played by Zoe Saldana, it is done in such a way as to maintain the essence of the character and to enhance a part that was sadly one-dimensional in the original series. The current movie does an admirable job of giving Uhura a meaningful voice and role that is still appropriate to her dynamic within the entire crew.

Admittedly, the new "Star Trek" is rather weak on story line and rationale, as are almost all other "Star Trek" movies. The villain, a time-traveling, revenge-seeking Romulan played by Eric Bana, is creepy and brooding, but his backstory is not terribly compelling, considering the great lengths to which he goes in seeking revenge for a wrong once done to him.

Star Trek fans, passionate about details, prepared to pounce on any deviations from previous story lines. But Abrams brilliantly employs the

script's time-traveling element to create the possibility of an alternate reality in the "Star Trek" universe, thereby allowing him (and future "Star Trek" screenplay writers) to create whatever story developments they wish, without having to harmonize them with the multitude of backstories from existing "Star Trek" TV shows, movies, books, comics, and lore in general.

"Star Trek" features plenty of heart-pumping action, toe-curling monsters, and mouth-watering spaceships. And it boasts its fair share of humor, accessible to Trekkers and non-Trekkers alike. But it's the rediscovery of the relationships among the Enterprise crew members, and the further development of those characters, that makes this "Star Trek" installment a rousing success. □

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**"Terminator: Salvation,"** directed by McG (Joseph McGinty Nichol). Halcyon, 2009, 130 minutes.

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# Return to the Future

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Jo Ann Skousen

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Brutal, intense, and irreverent, the original "Terminator" (1984) was anything but a Sunday School story. And yet, it was one of the best messianic allegories of the past 25 years.

In the biblical Christmas story, two forces are at work. One sends a mysterious messenger from the Other World to inform an ordinary young woman that she will miraculously conceive a child; this child, it is later discovered, will defeat the forces of darkness at the battle of Armageddon. The other force tries to win the future battle by killing the child before he can grow up and save the world. Since King Herod, a servant of this other force, doesn't know which specific child is the Chosen One, he has all the babies of the same age massacred. More mysterious messengers arrive from Another World, giving the woman gold and other valuables; and being warned, she and her child flee to the deserts of Egypt to wait out the massacre. The scripture says that Mary "pondered these things in her heart" as she helped her son follow his Father's footsteps to prepare for his ultimate mission.

In the first "Terminator" movie, directed by James Cameron, Sarah Connor (Linda Hamilton) is the ordinary woman whose child is destined to lead a resistance against hyper-obedient machines that threaten to destroy all humans. The classic SF conflict between technology and human intuition is in play. Using time travel, the machines try to vanquish their enemy by preventing his birth. "The Terminator" (Arnold Schwarzenegger) arrives in the past (our present), naked, buff, and determined to fulfill his mission. Like King Herod who killed all the babies in order to execute the one he was after, the terminator goes after all the Sarah Connors in the phone book with both barrels of his massive shotgun blazing.

Meanwhile, back in the future, her grown-up son, John, the leader of the future resistance movement, has sent his not-yet-father, Kyle Reese (played by Michael Biehn), back to the present to protect his mother and, in what was a surprise twist, consummate John's "miraculous conception." As the film ends, Sarah Connor is escaping into the deserts of Mexico, pondering what has just happened and preparing to

train her son John for his destiny as the prophesied leader in Armageddon. Despite the guns, the profanity, and the unmarried sex, "The Terminator" was an amazingly complete and satisfying Christian allegory.

In the biblical allegory, Satan begins as a "son of the morning," one of the chosen angels who falls from grace and becomes the archenemy of God, trying to rule humanity and take the glory for himself. One of his names, Lucifer, is a reminder of his former light and glory. In "Terminator 2: Judgment Day" (1991), the classic Satan myth is reversed when the Terminator is reborn as a disciple of John, coming back to protect rather than destroy young John Connor (note his initials).

It has been six years since the last "Terminator" filled the silver screen, and many felt that the franchise should end when original director James Cameron left. Despite Cameron's participation as writer, T-3, "Rise of the Machines" (2003), directed by Jonathan Mostow, diverges from the serious allegory. It is, in fact, pretty silly. Nevertheless, I was hopeful that the latest installment, "Terminator: Salvation," would live up to the franchise's original promise. I

call this new film a "circquel" because it is both prequel and sequel, taking us into the future in order to tell us how the story began, and thus complete the circle. In a word, it delivers.

You don't have to buy my allegorical interpretation to enjoy this film; it works on every level. As science fiction it presents the classic war between man and machine, while ironically taking advantage of machine-generated computer graphic capabilities that were not available even five years ago. This future dystopia is set in a bleak, gray world where the sky is starkly white and everything else is awash in shades of gray and black. Clint Eastwood painted with a similar palate in his "Flags of Our Fathers" (2006) by using a special processing wash that leaves behind the silver alloys in the film. In "Salvation," director McG (it's time for him to grow up and use his real name!) creates the same effect through computerized treatment of every frame of film.

CG technology also allows bullets, shrapnel, and robot arms to fly directly at the audience without the use of awkward 3-D glasses, because computers don't have to be careful of shrapnel hitting the camera lens. The result for

the audience is a two-hour thrill ride of dodging bullets and debris from the safety of a theater seat.

In the new story, 25 years have passed and the machines have almost won. Pockets of resistance fighters are hiding in bombed-out buildings and using shortwave radios to hear the disembodied voice of John Connor (Christian Bale) giving them encouragement and direction. John, meanwhile, listens to the tape-recorded voice of his mother giving him similar encouragement and guidance. His task now is to find 17-year-old Kyle Reese (Anton Yelchin), and eventually send him back to the past to protect (and impregnate) Sarah Connor.

Although John Connor is an important character in the film, the story centers on a new Christ figure, Marcus Wright (Sam Worthington), a hybrid who is stunned to learn that he is half human and half machine. (I wouldn't reveal this fact, had it not been highlighted in the trailers.) Wright's character allows us to explore the film's central theme — what it means to be human. It also fits the allegory, since Jesus himself was a hybrid, both human and divine. More important to the

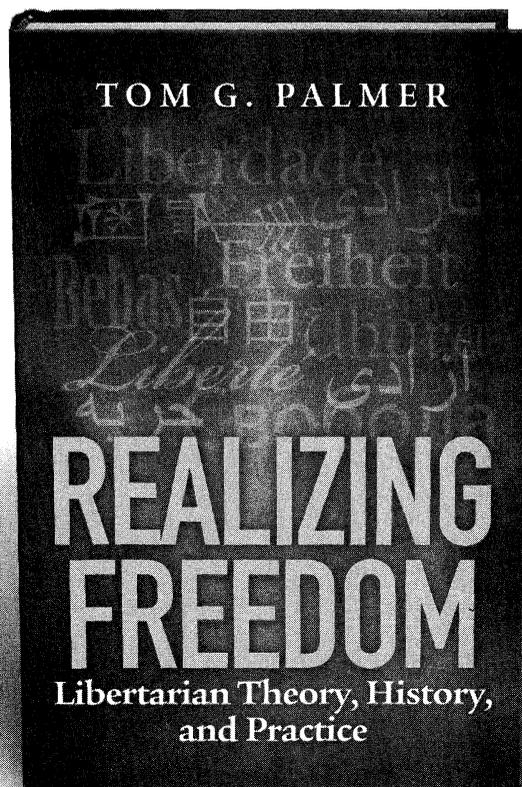
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allegory, one of these two Christ figures makes the ultimate sacrifice, giving his life so the other can continue the battle against evil. I expect the sacrificial one will return at a critical moment in the next episode, just as Gandalf did in the "Lord of the Rings."

Several new characters are introduced without overshadowing the original characters and story line. Jane Alexander is underutilized as Virginia, the leader of a small resistance group who gets scooped up by the machines. I anticipate her return with a larger role.

Young Jadagrace Berry is remarkably mature as the deaf mute girl befriended by Kyle Reese and is surely destined to be healed by one of the Christ figures in a future episode. Moon Bloodgood (great name!) as the fighter pilot who falls for Marcus (after he rescues her as she dangles from a parachute) is likable, strong, and unassumingly gorgeous. I hope her character returns in future episodes; she is heroic in "T-Salvation," but there is a lurking possibility that she could become the fallen angel in future episodes.

"Terminator: Salvation" is a competent addition to a well-loved series. McG and fellow television directors, such as J.J. Abrams and Jerry Bruckheimer, are proving that directors today can successfully commute between the box and the screen. T-4 satisfies on its own terms, while setting up the next installment in what promises to be an exciting new trilogy. If you haven't seen the first "Terminator" you won't understand this one very well, so be sure to rent the original before watching "T-Salvation." □

## Broadway Review

**Dotty brilliance** — Here's one of my immutable rules of theatrical enjoyment: If there's a play by George Bernard Shaw, Oscar Wilde, or Noel Coward in production, don't miss it. Wilde and Shaw virtually invented the drawing room "comedy of manners" that exposed hypocrisy and boorishness among the Victorian elite, and Coward perfected it for the Edwardian age. Their plays are witty, quotable, acidic, lighthearted, and dead on. This season the Shubert Theater is presenting Coward's "Blithe Spirit" (directed by Michael Blakemore, Shubert Theater), and no matter how many times you may have seen it, it's always great fun.

One of the reasons high school drama clubs choose these veteran playwrights so often is that they are virtually indestructible. The dialogue is so witty that it carries itself, even if the performances are amateurish and wooden. But in the hands of virtuoso performers like the dapper Rupert Everett and the divine Angela Lansbury, the result is perfection.

Charles Condomine (Everett), a mystery writer, is the model for Pierce Brosnan's "Remington Steele" character — handsome, debonair, utterly at home in a tuxedo, and totally useless in the home. As the play begins, Charles and his wife, Ruth (Jayne Atkinson), an imperious, no-nonsense socialite who rules the house and terrorizes the ser-

vants, have invited some friends to join them for a seance. They don't believe in this stuff, of course, but Charles wants to use the experience for a character he is developing in his latest novel.

Enter the star of this show, Angela Lansbury, as the medium Madame Arcati, who very much believes. Dressed incongruously in gypsy velvets and country tweeds, this larger-than-life Arcati has nothing "medium" about her. Lansbury sniffs the air for ectoplasm, listens for spirit voices, douses the lights, and prances vigorously around the stage like a hunter after her prey, in a dance that seems to be channeling the art deco poses of early modern dancers Vaslav Nijinsky and Isadora Duncan. This woman is 83 years old, mind you, and she is dancing about the stage like a 4-year-old, bouncing over furniture and humming tunelessly to summon the spirits of the dear departed.

And seeming to have the time of her life. Even when she forgets her lines (which happened two or three times at the performance I attended) she makes it part of the character, sputtering like a dotty old woman who can't think of the proper word until the other character gives it to her, just as you would if you were talking to your own dotty Aunt Ida. Brilliant. Simply brilliant.

During the seance, Madame Arcati unwittingly conjures up Charles' first

wife, Elvira (Christine Ebersole), who then sticks around to haunt and torment her widowed husband and his new wife. Ebersole is considered the new Grand Lady of the Stage, modern Broadway's answer to Helen Hayes or Gertrude Lawrence. She has won two Tonys and numerous nominations. But for the life of me I can't understand why.

Ebersole began her acting career in soap operas ("Ryan's Hope," "One Life to Live"). She should have stayed there. She plays every role with a Judy Holiday whine and rushes each line as if she were worried that the director would cut to commercial before she finished. Good actors don't just act, they react to events and interact with other actors. Not Miss Ebersole, however. I have seen her enter a scene, shout in agony, "Your hair!", and then turn to look at her onstage daughter's freshly shorn locks (Ebersole as M'Lynn in "Steel Magnolias"). As Elvira, the ghost of Charles's first wife, Ebersole is lovely to look at but painful to hear.

But as I said up front, you really can't ruin a play by Coward. The snappy dialogue, the opulent sets, the stage direction, and the story itself carry it along. And then there is the angelic Angela. The title character of "Blithe Spirit" is meant to be Elvira, who normally steals the show with her ghostly tantrums and ectoplasmic pranks. But no one

could steal this production from the sprightly clutches of Angela Lansbury. After more than 70 years onstage and in films, she is truly a blithe spirit — happy, carefree, and, like a spirit, able to transcend her mortal, octogenarian body and float across the stage, timeless and endearing.

My second immutable rule of theater enjoyment is this: if Angela Lansbury is in the cast, cross the continent, if necessary, to see her.

— Jo Ann Skousen

**Chickens roost** — Yasmina Reza is a French playwright whose works transcend barriers of language and culture to reveal the core of human relationships. She has a gift for lifting the rock of good-mannered stoicism to reveal the baser human emotions squirming just below the surface of our smiles. Her first play, “Conversations After a Burial,” set the theme for most of her other plays, which focus more on conversations than on events or actions.

In her award-winning “Art,” a 15-year friendship among three men unravels when one of them buys an expensive piece of art that is nothing more than a huge white canvas. The purchaser expects his friends to praise his new acquisition, as all good friends should. We all know better than to tell a friend, “That new haircut looks ridiculous.” But here, the conventions are violated. One friend calls the painting nothing but “white shit,” and the conversation devolves from there. Ensuing conversations center on art, but the play is really about friendship and honesty.

In “Life x 3,” one couple invites another couple to dinner, and one of them gets the date wrong. The visitors are expected Saturday, but they arrive on Friday. At the same time, the host is anxiously waiting to hear whether his research paper is going to be published by an academic journal, thereby determining whether he will receive tenure — a hotbed of emotion even when people don’t arrive unexpectedly for dinner. What would you do? Slam the door in their faces? Turn out the lights and pretend not to be home? Cram the toys under the couch cushions and offer the people cheetos and twinkies? The story line is played out three times in three acts with three perspectives and three outcomes. Fascinating and fun.

Reza’s “God of Carnage” (directed by Matthew Warchus) opened at the Bernard Jacobs Theater with a stellar cast (James Gandolfini, star of “The Sopranos,” Jeff Daniels, Marcia Gay Harden, and Hope Davis). It promptly earned six Tony nominations, including best actor nods for all four cast members, as well as best director and best play. I’m always a little reticent when film actors use their breaks between films or TV seasons to tread the boards, just to feed their egos and please the tourists, especially when one of the actors starred in “Dumb and Dumber.” But in this case all four are brilliant, and the nominations are well deserved.

As “God of Carnage” opens, two calm, civilized, dignified couples, Michael & Veronica (Gandolfini and Harden) and Alan & Annette (Daniels and Davis) sit across from each other in a tastefully decorated living room, cordially discussing a written statement regarding an altercation that has taken place between their two 11-year-old sons. Alan and Annette’s son, “armed with a stick,” has bloodied the lip and knocked out two incisors of Michael and Veronica’s boy. Veronica exhibits magnanimous calm as she reads a prepared statement aloud. When Alan, the stick-wielder’s father, objects to the word “armed” Veronica acquiescently suggests they substitute the phrase “furnished with a stick.” Yes, these four are models of diplomacy.

But then . . . without denying that his son has hit the other boy, Alan suggests politely, “Might your son have said or done something to instigate our son’s actions?” From there, of course, the politeness ends and the defensiveness begins. By the end of the play all pretenses are gone. As their true feelings surface, these two cordial, liberal, open-minded couples scream, cry, chase, hit, and vomit — yes, vomit. Much as we like to think of ourselves as peaceful, reasonable, civilized adults, the truth is, we do not like to accept blame or responsibility. Alan, an attorney representing a pharmaceutical company, is constantly answering his cell phone during the meeting, attempting to ward off an impending lawsuit over unexpected side effects. “Admit nothing!” he repeatedly advises, then returns to defending his son’s alleged integrity.

Years ago, while our family was

living in the Bahamas, our 4-year-old daughter was attacked by a neighbor’s dog. (“Might we use the word “bitten” instead of “attacked”?) Her nose was bitten off, and we had to fly her to Miami to have a plastic surgeon restore it. The dog owners graciously offered to pay all the expenses. We magnanimously decided not to sue. A month later, when the doctor bills came due (a mere \$1,200 for airfare and deductible — our insurance paid the rest), the man unbelievably responded, “There are two kinds of people in this world, givers and takers. I’m a giver and you’re a taker. I’ll give you this money, but I don’t owe you anything.”

I suppose he had some kind of point. Perhaps our little 4-year-old did do something to incite the dog as the dog’s owner led her by the hand to see the dog’s new puppies. Perhaps she was somehow culpable, just like the injured boy in “God of Carnage” who evidently called the basher “a snitch” just before the boy “furnished” himself with a stick.

Fittingly, the day after I saw “God of Carnage,” I received an email from a friend accusing (informing?) my 4-year-old grandson of inappropriate behavior while her 5-year-old old was on a play date at our house. (Play date is the modern, purportedly civilized version of “Can Jimmy come out and play?”) I had little doubt that my grandson had done what she said he did; he had been going through a phase at the time which, I am happy to say, he has now outgrown. I apologized profusely and all was right again between my friend and me.

Except that I continued to feel bad that it happened, especially on my watch, and worse, that my darling grandson would now be perceived by my friend as less than perfect. And then I caught myself thinking, might the two boys have instigated the behavior together? And the next step: the other boy is older and had undoubtedly gone through the same phase. Might it have been his idea entirely?

These are the kind of thoughts we try so valiantly to hide from one another, the kind of thoughts that Yasmina Reza reveals so honestly in her characters. Laughing at myself, I shook off my defensiveness and sat down to write this review. Therein lies her gift. She magnifies our own foibles,

exaggerates them onstage, and in laughing at the antics of the actors, we learn to laugh at ourselves.

No one would actually strew six dozen fresh tulips all over someone's living room, right? And yet. . . once, when my husband sent me a huge flower arrangement to apologize for something egregious he had done, the florist met me at the door with a cheery, "Someone sure does love you!" The implication that \$100 worth of flowers could buy my forgiveness angered me so much that I began plucking fistfuls of flowers from the arrangement and strewing them angrily throughout the house, to the shocked amazement of the poor florist. Reza knows her stuff.

So, before the theatrical night is out, these grown-up couples fight, make up, switch sides, make up again, and fight some more, behaving like the children they are trying so hard to raise up as mature, well-mannered adults. The irony is never lost in Reza's plays. The roles are physically demanding, and hilariously revealing, especially as they spar for a bottle of rum that Michael brings out to help calm their tempers. To calm their tempers?

Hang onto your seats. That rock of good-natured stoicism that Reza has lifted might just come flying into the audience.

— Jo Ann Skousen

**Color and pomposity** — "Waiting for Godot" (directed by Anthony Page), Samuel Beckett's masterpiece of existential angst, opened at Studio 54 on Broadway this spring with a sparkling cast and towering set. The script, about two men waiting on a dreary road for someone named Godot to come along, is deliberately spare, allowing for multiple layers of inter-

pretation. We don't know who Godot is or why they are waiting for him. Many viewers have suggested that Godot represents God (the name certainly contributes to that theory). Others say it is simply about the existential futility of life. Once, when asked about the Godot-God connection, Beckett slyly responded that "Godot" sounds like a French word for "shoe"; and shoes, as well as word plays, figure prominently in the play.

I think the play's maddening ambiguity is its greatest strength, engaging its audiences intellectually, emotionally, and even spiritually. When some colleagues of mine at the University of Florida took a touring production of "Godot" to the state correctional facility, they worried that the inmates might be bored by the lack of action in the play. Instead, these men were enthralled. Accustomed to a lifetime of tedium and waiting for parole, they completely empathized with characters who wait for a signifying moment that never comes. They know what it means to have "Nothing to do," as one of the characters says repeatedly.

Often "Godot" is set on a nearly empty stage to emphasize the bleakness of the play's atmosphere, but this current production is dominated by set designer Santo Loquasto's magnificent mountain of gray-white rocks on which the characters climb and tumble as they strut their hour on the stage. Estragon (Nathan Lane) and Vladimir (Bill Irwin), the two men who wait for Godot, are similarly covered in white dust, perhaps suggesting that they are in purgatory — dead, but unaware of their deaths. In the center of this rock garden is a large, barren tree — another dark biblical allusion perhaps — that

tempts them with thoughts of suicide.

Gogo and Didi, as they call each other, are friends, but they bicker like an old married couple as they argue about whether to continue waiting for the mysterious Godot or move on. Lane and Irwin, known for their onstage buffoonery, bring a more somber comedy to these roles, reminiscent of Emmett Kelley's sad-sack clowns. They wrestle with Gogo's boots, doff each other's hats, engage in word play, and sing silly songs as they wait and wait, but the resulting pathos is divine comedy, not the usual slick shtick.

Midway through the first act, Pozzo (John Goodman) arrives, driving an overburdened slave with the unlikely moniker "Lucky" (John Glover) in front of him. This Pozzo bursts onto the stage alive with color and pomposity. His massive, gluttonous stature is a perfect contrast to the bleakness of the rest of the scene. He struts, he orates, he even plays the beached walrus to hilarious applause at one point in the second act. If Godot is God, then Pozzo must be the jolly Satan, luxuriating in physical pleasures at the expense of his ensnared lackey, Lucky. The men don't quite know what to make of this unlikely visitor, and neither do we. But we're glad that he has arrived, and even gladder when he returns in the second act.

Tourists who attend this play expecting a riotous romp equal to Nathan Lane's Tony-winning turn in "The Producers" will walk away wondering what all the hype is about. But thoughtful audiences that enjoy having something meaty to ponder and discuss, long after the curtain falls, will be thrilled by this brilliant production of one of the 20th century's most praised plays.

— Jo Ann Skousen

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## Letters, from page 5

"Cui bono?" The answer is so obvious that a blind man on a galloping horse couldn't miss it: the military-industrial complex and the evil nest of maggots in Foggy Bottom. Not only did the complex get two wars for their trouble — still ongoing, mind you — they will also be adding on new weapons systems ad nauseam to protect us from the invisible, ever-present "terrorist enemy." As for the parasites and would-be masters in Washington, war is certainly the

health of our psychotic state. Beginning with the PATRIOT Act, the creation of the Department of Homeland Security, and other horrific legislation, our rights as citizens have been shredded to almost zero, and we can look forward to getting screwed, blued, and tattooed over the coming decades.

Unlike Mr. Sinnott, I will not cancel my subscription to Liberty. Your magazine has many good articles, and the fact that you were willing to publish

his critical letter shows that you're able to engage in self-reflection and accept criticism. Let's hope that in the future, you will gird up your loins, show some gumption, and grasp the prickly, troublesome nettle of what really happened on September 11, 2001 and the very troubling implications it may have for our future. All of our liberties could very well depend on it.

Barnaby Ohrstrom  
Sarasota, FL

## Dallas

Innovative pedagogical techniques, in the *Dallas Morning News*:

The principal and other staff members at South Oak Cliff High School were supposed to be breaking up fights. Instead, they sent troubled students into a steel utility cage in an athletic locker room to battle it out with bare fists and no head protection, records show.

Then-principal Donald Moten said. "Ain't nothing to comment on. It never did happen. I never put a stop to anything because it never happened." DISD Superintendent Michael Hinojosa, however, confirmed that there were "some things that happened inside of a cage" and said that the fights were "unacceptable." He said that criminal charges were not filed but that "there was discipline taken."

## Wauwatosa, Wisc.

Demonstration of need for thought control and dark sarcasm, from the *Eau Claire Leader Telegram*:

A 14-year-old girl who refused to stop texting during a high school math class was arrested and charged with disorderly conduct, according to police. The teenager was busted at Wauwatosa East High School after she ignored a teacher's demand that she cease texting.

The student was issued a criminal citation for disorderly conduct and had her phone confiscated.

## Rome

Pastoral pot, from *The Independent* (U.K.):

Marijuana received an unexpected recreational endorsement when Italy's highest court ruled that an Italian shepherd's smoking habit could be justified because he only had sheep for company.

The 45-year-old shepherd was caught with about 1.3 ounces of marijuana in his car as he was setting off for an extended period with his flock in the mountains of Alto Adige, in the far north of the country. But the Court of Cassation ruled that the shepherd was justified in possessing this small quantity of the drug on account of "the long and solitary period" he was about to spend "in the countryside and the mountains, due to the migration of his flock of sheep."

## Baltimore

Exactng evidentiary requirement, noted in the *Washington Post*:

Accepting a plea bargain that her attorney described as unprecedented in American jurisprudence, 22-year-old Maryland woman Ria Ramkissoon yesterday agreed to cooperate in the prosecution of other defendants in the death of her son Javon under the condition that charges against her be dropped if the child rises from the dead.

A spokeswoman for the Baltimore state's attorney's office said that in recent weeks, as prosecutors and Ramkissoon's attorney discussed the plea bargain, prosecutors made it clear that Ramkissoon could not get out of her obligations if she asserted that Javon came back as anything other than himself.

"This would need to be a Jesus-like resurrection," Margaret Burns, the spokeswoman, said after the hearing.

## Eugene, Ore.

"House passes bill too gross to talk about," reads the headline from the *Oregonian*:

Count it among the shortest "debates" to ever occur in the Oregon House.

"Good bill. I urge your aye vote," Rep. Chris Garrett, D-Lake Oswego, said about House Bill 2478.

Any closing remarks?

"No," Garrett said firmly.

The proposed new law nobody wants to talk about would make it a second-degree sex abuse crime to propel "a dangerous substance at another person," namely semen or any other bodily fluid flung out of sexual desire.

## Tikrit, Iraq

Suppression of political art, passed along by *Deutsche Presse-Agentur*:

A sculpture of an enormous shoe erected in honor of the Iraqi reporter who hurled his shoes at then-U.S. president George W. Bush in December, was taken down one day after its installation.

The huge bronze-coloured sculpture, made of fiberglass, had been erected at an orphanage complex in the northern Iraqi city. "I did take the shoe down immediately and destroyed it; and I did not ask why," said orphanage head Shahah Daham.

## Cresaptown, Md.

Salt of the earth, profiled in the

*Baltimore Sun*:

You've heard of kosher salt? Now there's a Christian variety.

Retired barber Joe Godlewski says he was inspired by television chefs who repeatedly recommended kosher salt in recipes.

"I said, 'What the heck's the matter with Christian salt?'" Godlewski said. By the next week, he had trademarked Blessed Christians Salt, each batch of which is blessed by an Episcopalian minister.

## Richmond, Va.

Custom given the force of law, from the *Newport News Daily Press*:

At the Department of Motor Vehicles, Virginia is insisting that people refrain from smiling for their driver's license pictures.

A new policy requires a "neutral facial expression" for the photos in an effort to fight fraud. The policy comes in anticipation of facial recognition programs that would be able to recognize if someone already has gotten a license under a different name. Smiling makes that harder to determine.

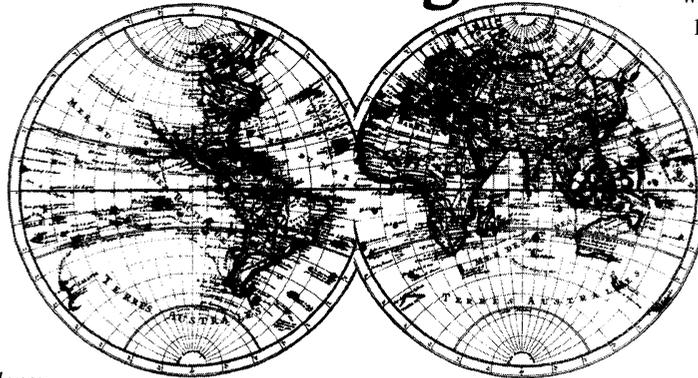
## Beijing

New frontier for "safer" sex, from *China Daily*:

China's official media have protested a German advert promoting the use of condoms which shows revolutionary leader Mao Zedong as a sperm cell alongside Adolf Hitler and Osama bin Laden.

The campaign showing Mao, Hitler, and Bin Laden as human spermatozooids has sparked a debate in China and among international bloggers.

# 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](mailto:terraincognita@libertyunbound.com).)

I came to America seeking economic freedom,  
but I found government-imposed taxi cartels standing in my way.

I joined with more than 100 fellow taxi drivers,  
not to ask for a handout, but to demand our American Dream:  
a chance to compete in the free market.

And we won.

*I am IJ.*



*Abdi Buni, transitional president of Union Taxi  
Denver, CO*

[www.ij.org](http://www.ij.org)

*Institute for Justice  
Economic liberty activism*