

# Liberty

December 1999

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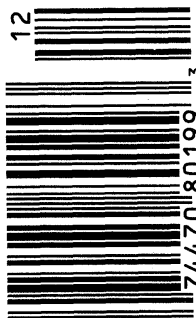
## Tobacco War in a Small Place

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## Russia Invades, Chechnya Bleeds

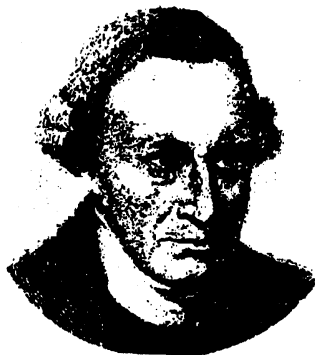
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# Letters

## Driving Miss Fonda

I'm real impressed by Sarah McCarthy's radical credentials: that she was such a true prole that she once drove billionaire Ted Turner's wife around ("Hanoi Jane, the Gipper and Me," October), and her own mommy thought she knew the whereabouts of Patty Hearst. I'm also glad for her — that she was so inspired by Reagan's firing of the 11,000 air traffic controllers, that she found the "moral courage" to fire her own restaurant staff.

However, she slanders a lot of good people when she states that the PATCO workers' "salaries were in the \$150,000 range in today's dollars." In fact the Consumer Price Index in 8/81 was 92.3. In 7/99 it stands at 166.7. Therefore \$150K today would be the equivalent of \$83,000 in 8/91. This is more than double the average PATCO salary, and in fact is more than the most senior Controller could have earned at the busiest facility in 1981.

Richard Strassberg  
New York, N.Y.

## Mixed Bill

Bill Gates, join the Libertarian Party? I suppose Peter McWilliams's suggestion ("An Open Letter to Bill Gates," September) sounds plausible enough on its face, given Gates's recent troubles with the U.S. Department of Justice. But when I surf over to the Libertarian Party website (using my evil, Janet Reno-approved Netscape browser) I notice the following plank in the Party platform: "We condemn all coercive monopolies. We recognize that government is the source of monopoly, through its grants of legal privilege to special interests in the economy. In order to abolish monopolies, we advocate a strict separation of business and State."

Correct me if I'm wrong, but if we abolish all coercive monopolies, wouldn't that include eliminating the copyrights on all Microsoft software?

And mightn't that lead Bill to the conclusion that he's really a "mixed economy" libertarian?

Just wondering.  
Matt Ruff  
Philadelphia, Pa.

## Standing up to the Majority

I was following Loren Lomasky's article ("Libertarianism as if (the Other 99% of the) People Mattered," October) rather nicely, expecting to be enlightened somewhere in his over-long and snobbishly verbose apologia.

When he got to the point where he rationalized his job as a publicly-funded professor (of philosophy at a state university) he lost me. He based his sell-out on the fact that the majority (who may not understand the actual coercive nature of socialism — or who may, but just don't give a damn, taking the perceived path of least resistance) want public education.

As to highways, there is no viable alternative to public roads and we are forced to pay for them. There is no conflict in using them for our necessary business or even our pleasure. We are captive owners of the "public" roads. Besides, a fee or tax for using something is not un-libertarian. It is just that government administration of anything always leads to unfairness, mediocrity, and wastefulness, at best.

When I was a poor blue-collar working man, I could not afford a private school for my children, but had I not been taxed for the public ones, I could have. So there was no conflict with my libertarian principles in sending them to schools for which I was already paying.

And, yes, Mr. Lomasky, baseball is a game. No one is forced to attend — designated hitter rule or not. (However, how the sports franchise owners feed at the public trough to build their stadiums is obscene and a "fleecing of America," as the saying goes. If the sports fans cannot support their teams

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# Liberty Live!

## From the 1999 *Liberty* Editors' Conference

You may have missed our conference, but that doesn't mean you have to miss out! In the selections below you'll hear talks and seminars that serious libertarians can't afford to miss. Learn about new threats to your freedom, and learn how the trailblazers of the libertarian movement fight corrupt government. These talks are exclusive to *Liberty*. You won't find them anywhere else!

**The 1999 Liberty Group** — Join **R.W. Bradford**, **Tim Slagle**, **Fred L. Smith, Jr.**, **Durk Pearson** and **Alan Bock** on a fast-paced journey of libertarian punditry as they explore the issues of the day and predict outcomes for the election of tomorrow. (audio: A401; video: V401)

**How Environmental Regulation Prevents People from Protecting the Environment** — Environmental expert and Reagan-administration economist **Rick Stroup** explains how iron-fisted regulators inhibit private land owners from caring for their property. (audio: A402; video: V402)

**The Forest Service: America's Experiment in Soviet Socialism** — The country's premiere expert on the U.S. Forest Service, **Randal O'Toole**, tells how communism regulates the tree-harvesting business. (audio: A403; video: V403)

**Environmental Religion in the Schools** — Journalist and policy expert **Jane Shaw** explores how schools indoctrinate children in the New Religion of Mother Earth. (audio: A404; video: V404)

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

**Advancing Liberty in the Courts** — Washington Supreme Court Justice **Richard Sanders** explains how libertarians get more bang for their buck by supporting judicial candidates. (audio: A406; video: V406)

**A Libertarian in Congress** — The sole libertarian in Congress, **Ron Paul**, on the art of building coalitions and on how he led the effort to slay the privacy-invading Know Your Customer regulations. (audio: A407; video: V407)

**Does the Libertarian Party Have a Future?** — **R.W. Bradford** explores possible roles for the LP in advancing freedom in the 21st century. (audio: A408; video: V408)

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

**Selling Liberty in an Illiberal World** — **Fred L. Smith, Jr.** evaluates the methods and values that make freedom appealing. (audio: A410; video: V410)

**Contracts and the Net** — The Internet will reshape contract law, argues **David Friedman**, at the expense of judicial power. (audio: A411; video: V411)

**Publishing Op-Eds** — Join professional journalists **Jane Shaw**, **Alan Bock** and **Bruce Ramsey** for a brand new workshop on how you can get your opinions aired in the local newspaper. (audio: A412; video: V412)

**What Does Economics Have to Do with the Law, and What Do Both Have to Do with Libertarianism?** — **David Friedman**, professor of both economics and law, explores how the two subjects relate to themselves and to the wonderful world of libertarianism. (audio: A413; video: V413)

**Urban Sprawl, Liberty and the State** — Urban sprawl: a hot-button issue of the '00 elections. Learn how environmentalists want you caged in cities, with **Jane Shaw**, **Richard Stroup**, **Fred L. Smith, Jr.**, and **Randal O'Toole**. (audio: A414; video: V414)

**My Dinner With James Madison** — **Scott Reid** views modern America through the eyes of a Founding Father. (audio: A415; video: V415)

**The New Liberty and the Old** — **R.W. Bradford** explains how fundamental changes are reshaping the aging libertarian movement. (audio: A416; video: V416)

**Using the First Amendment to Smash the State** — **Durk Pearson** and **Sandy Shaw** tell how they've used the First Amendment to wage total war against the government. (audio: A417; video: V417)

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

**End the Drug War or Forget About Freedom** — **Alan Bock** journeys to the heart of darkness in America's failed effort at drug prohibition. (audio: A419; video: V419)

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

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then the owners will just have to stop awarding multi-million dollar contracts, or go out of business.)

To your "personal and professional regret, the vast majority of Americans reject [the] proposition" of the "disestablishment of education." On that, and other critical issues, you hang your hat. Take your "professional" salary (from the public trough), wash your hands of the whole thing, and call yourself a libertarian. "Can't we all just get along?"

Well once, the majority of the people agreed that enslaving blacks was just okie-dokie with them. And suffrage for women was a very long, hard — and at times violent — struggle. The majority of men and a great percentage of the non-voting women saw nothing wrong in not allowing women to vote. And today, the war on drugs is heartily supported by the unthinking masses.

Dr. Albert Schweitzer was asked by a reporter, in the 1920s, what he thought the biggest problem of humanity was. After a pause, he said that they just didn't think enough. They still don't.

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### AMERICANS AGAINST WORLD EMPIRE

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"AMERICA — A BEACON NOT A POLICEMAN"

Mr. Lomasky, are you saying that because the majority believes in our socialist-welfare-state form of government, and because this is what the majority wants in the way of schools, highways, and so forth, then libertarians should take the stance of, "When in Rome, do as the Romans do?" Belly up to the trough and start feeding?

I have spent ten years in prison. I received a 27-year sentence for a first-time, non-violent, non-larcenous, consensual adult drug conspiracy, in which there were no drugs. The people willingly support both my illegitimate incarceration and your professorship. Anyone who helps the "State" to achieve its coercive goals — for the common good, of course — whether it be public schools, roads, or unnecessary prisons, regardless of whether 99.7% of the people agree or not, that person is a direct part of the evil created.

You, sir, are no libertarian. You are a cold liberal, masquerading as a libertarian.

David A. Nichols  
Tucson, Ariz.

### When Incantations Go Limp

Perhaps the most baffling aspect of the controversy over the principle of non-coercion ("The Transformation of Libertarianism," May) is the idea that it is nearly as esoteric and incomprehensible as relativity, the fourth dimension or the chupacabras, while some brain-cracking, ponderous and ultimately unprovable utilitarian calculus of social costs and benefits is in contrast quite straight forward and obvious. Is the abhorrence of the initiation of force really that obscure a notion? I'm no theologian, but some variant of it seems to be an important aspect of Christianity and every other world religion, even if the believers (and the founders themselves) often only pay lip service to it.

The bald fact is that the non-coercion principle is so simple that it is taught to millions of children every day, and that civilization, such as it is, couldn't survive in even its attenuated form unless most humans adhered to it most of the time in their everyday lives. The riddle wrapped in a conundrum wrapped in an enigma wrapped in putrefying gray matter is the peculiar mixture of superstition and corruption which prevents them from extending this laudable prin-

ciple to the activities of the mystical entity called the State — or, more accurately, to the lowlifes who pretend to function in its name.

I have no idea how to dispel the idiotic faith that attaches to the State, but I do believe that an elementary knowledge of human psychology would show that so potent and long-lived a demon is not going to be exorcised by the limp incantation "Government doesn't work," even if, or especially if, the spell is backed up by statistical studies. Such arguments never faze the True Believer; utility simply counts for nothing with him. An excellent argument against Jehovah is the appalling amount of waste He allowed into the world in the form of evil, but I doubt that even Mark Twain ever converted TBs with such dialectic.

The rejoinder of the natural man, reared on the State with his mother's milk, to the doctrine "Government doesn't work" (although perhaps only rarely articulated) is "Maybe not, but without government things might be even worse! Can you prove otherwise?" And of course you can't, although you might momentarily confuse him into thinking you have. One of the great lessons of Mises is that such things can never be proven empirically. Statism (and I am going to descend into nasty old Objectivist dogma here, so be warned) is based on a moral principle, and the best, and maybe only effective way, to fight it is with a superior moral principle. Granted, this stratagem is probably hopeless, given the current state of Homo Sapiens, but it strikes me as even more hopeless to combat the ancient, beloved leviathan with the younger, much less popular behemoth of positivism.

Kyle Rothweiler  
Bozeman, Mont.

### We Were Only Kidding!

I read with interest Scott Chambers's report "Unwitting Victims," (September) initially thinking it a pleasant change of pace to see satire printed in the pages of *Liberty*. Imagine my dismay when I realized that the author and those people referenced actually believe this stuff!

I'm acquainted with my share of IC people. Most are decent, honest, hard-

*continued on page 52*

# Reflections

**Elephants have bigger noses** — George Bush Junior's now saying it has been at least 25 years since he "might" have done illegal drugs. By my count, that means he was probably tooting up whilst daddy was the head of the CIA. (I'll bet there's probably a picture somewhere of GW shaking hands with Noriega.) I guess when Pops is in charge of the biggest Mafia on earth the sky's the limit. Didn't George Bush Sr. have to send troops into Panama to stem the tide of cocaine? And didn't a few brave young soldiers lose their lives in that skirmish? Has Junior's life ever been on the line? Naw, he skated through Viet Nam in the National Guard, serving alongside other rich kids like Dan Quayle.

—TS

## **Sing it, Dubya**

I get no kick from campaign.  
Mere folderol doesn't thrill me at all.  
So tell me, why should it be so  
That I get a kick out of snow.

—SLR

**Liberté, égalité, fraternité** — Those of you who do not believe that the path from the welfare state to the state of serfdom is a slippery slope, those of you who cherish the belief that societies can stabilize themselves at some point halfway between freedom and full collectivism, consider what is happening in France.

France, the homeland of *ideas* of liberty, supports its welfare state with savage taxes and regulations. As a consequence, the French economy is chronically ill. Unemployment is now at 12-13% — depression level. The government's latest response to the nation's economic plight is a scheme to reduce the work week from 39 to 35 hours, while commanding that workers still get paid for 39 hours.

The idea is that unemployed people will naturally be hired to take up the slack. This supposes that there will money lying around to pay them, which of course there won't be. And any government screwy enough to come up with a scheme like this can also come up with something even screwier when this one arrives at its inevitable failure.

Collectivism is inherently volatile. It can never fulfill its goals, and it can never rest until it does. When it is allowed to continue, it will consume everything in its reach. —SC

**Another triumph for libertarianism** — Of the 20 best non-fiction books of the 20th century, 17 are the work of libertarians. Five of the 100 best non-fiction books were written by editors of *Liberty*, and another five were written by other contributors to this magazine

So says a survey conducted by Modern Library. The list includes several books that are by any measure quite worthy: Ludwig von Mises's *Human Action* (8), Isabel Paterson's *The God of the Machine* (5), and arguably Ayn Rand's *The Virtue of Selfishness* (1). Mises's *Human Action* is a masterwork of meta-economics. Paterson's *The God of the Machine* is an

often-overlooked brilliant and idiosyncratic exposition of social theory. Rand's *Virtue of Selfishness* contains some important and original thinking, but its presence at the top of the list seems a bit strange, in that it is an anthology of periodical articles on related subjects, not written as a book nor even by a single author.

But what about the others? Coming in a strong third is Leonard Peikoff's *Objectivism: The Philosophy of Ayn Rand*, a book whose author admits does not contain a single original thought. Claire Wolfe's *101 Things to Do til the Revolution* is a fun book to be sure (I especially like #50: read *Liberty* magazine), but is it really the fourth best non-fiction book of the century? Vin Suprynowicz's *Send in the Waco Killers* is a collection of newspaper columns — how does it rank as #10 on the list?

The answer, of course, is that Modern Library conducted the survey on the Internet, and the libertarian books made the list as the result of ballot box stuffing. Libertarians may not be very influential in the world, but they seem to have a lot of time on their hands to surf the Net. Which also explains why so many obscure libertarian books made the list.

No doubt, we'll encounter the results of this survey in advertising for books and in libertarian public relations bullshit for a long time. —RWB

**Spies like us** — After the Berlin Wall fell, Western historians gained unprecedented access to the official records of Soviet Bloc nations. Even the staunchest anticommunists among them were shocked at the number of civilian informants employed by communist states. East Germany's Stasi, in particular, employed an extensive network of narcs, snitches, and stoolies: according to one estimate, the density of the informer network in the DDR was seven times that of Nazi Germany.

We Americans secretly enjoy such tales. We like to think we've got special antibodies against tyranny. Other peoples might turn in their neighbors to curry favor with authority, but we come from hardier stock; in a pinch we'd never turn on each other.

This is a myth, and perhaps it was ever so. During America's first Red Scare, the Wilson Administration's Justice Department relied on a privatized, volunteer spy network called the American Protective League. By 1918, the APL had over 250,000 members engaged in narcking on their neighbors for socialistic activity or insufficient Americanism. One APL leader, a Kansan, remarked that the League "had a great Moral Effect on the community by the people knowing that Uncle Sam was among them at all times and they not knowing who was keeping tabs on them."

But we needn't go back 80 years for examples of domestic finkery. This summer's newspapers provide plenty of current examples. As drought plagued the Northeast, Maryland,

New Jersey, and other states have enacted restrictions on water use reminiscent of Jimmy Carter's meddlesome and counterproductive energy conservation policies. In enforcing their water restrictions, these states can rely on a level of citizen cooperation that would do the East Germans proud. *The Washington Times* reports that police and public works departments across the Northeast are besieged with calls from officious do-gooders, seeking to turn their neighbors in for watering their lawns. A woman in Queen Anne's County, Maryland, complained that her neighbor was collecting condensation from her air conditioner for use in watering her plants. Police in Delaware shut off one offender's water after complaints that he was repeatedly sprinkling his lawn.

In Maryland — the "Free State," according to the license plate — Governor Parris Glendening has instituted one of the most draconian water-restriction regimes, despite the fact that the state's water reserves are more than adequate to compensate for reduced rainfall. Even citizens importing water from out of state to fill their pools can be fined up to \$1,000 and jailed for up to six months. Patricia Darling, of Darling and Daughters, a Maryland water-hauling firm, told *The Washington Post* that when her company's trucks have attempted deliveries, neighbors have forcibly intervened: "They have jumped on the sides of the truck. They have threatened the drivers." One particularly aggressive Marylander blocked the road with his car and declared: "You're not allowed to do this. Don't move; you're under arrest."

America is not a totalitarian state, and Gov. Glendening's water cops are not the Stasi. But in a way, that makes it worse. Eastern Europeans living under communism faced difficult choices, and many were coerced into informing. Americans rat on each other out of latent puritanism, envy, and malice. If ever we go fully Red or Green, the Powers That Be can count on the assistance of many officious little busybodies making social control easier. —GH

**Cable News Nitwit** — According to the Drudge report, Cable News Network founder Ted Turner, one of the world's richest men, told a gathering in Shanghai that he is "a socialist at heart." I think we should enact a Stupid Remark Tax. Anytime a billionaire states a preference toward Socialism, it automatically bumps him into a 95% tax bracket. That way, he can get a taste of what Utopia really

feels like. To make the idea even sweeter, why not forbid him from ever using any private health care, schools, or transportation again. —TS

**Honor thy father's killer** — In North Carolina, convicted cop-killer Lonnie Weeks was spared a date with his executioner after the Supreme Court stumbled on a technicality in the case against him. But that's nothing compared to the bizarre spectacle of his victim's children pleading for his miserable life. Meet Trevor Cavazos, 22, and Leslie Cavazos-Almagia, 26, appearing on National Public Radio. The brother and sister team are straight from central casting, he

with his halting inarticulation, y'know?, and she with her frantic psychobabbling. "It wasn't until after I got out of college that I fully processed yada yada yada." Interestingly, both agreed that when first told of their father's murder, they felt they should be able to "do [Weeks] some sort of physical harm." In a clemency petition to the governor, Trevor wrote: "At the time of my father's death I personally would have loved to harm Lonnie Weeks, but that was pure hate, and I've grown up a lot since then. Now I know forgiveness is better than vengeance, and that love is better than hate," he wrote. How nice for him. Note how they wished to avenge their father's pointless murder, until they went to college and "grew up." To me, this is yet more evidence of the corrosive effect of academic indoctrination on our gut loyalties, whether to family, tradition, our God or our principles. —BB

## Headlines we're bound to see:

• "Government Sues Gyms, Vitamin Makers to Recover Social Security Money"

• "Reno Says Profiteers in Life Extension Cost Taxpayers Millions" —SLR

**Kinky, kicky, quirky!** — In his first book, *The Rise of Theodore Roosevelt*, Edmund Morris proved himself a skilled exploiter of literary resources. Roosevelt lived an exciting life; Morris somehow found ways to convert the story of that life into ponderous dullness. Dullness has its rewards. President Reagan expressed his esteem for *The Rise of TR* by commissioning its author to write his own biography. Perhaps Morris seemed safe.

In writing that second book (which has now been published, with much attention from the press), Morris appears to have aimed in an opposite direction. He tried to produce a kinky, kicky, quirky, postmodern book. To do this, however, he needed to exploit but one resource. He turned to the tritest device of modernism — the idea of arranging a confusion of opposites.

The idea usually originates in guilt or embarrassment. Clergymen who would rather not admit that a church is, after all, a church, build "worship centers" that look like warehouses or supermarkets and function like Democratic Party precincts. Politicians who would rather not admit that government is, after all, a coercive institution masquerade as daddies and mommies and mental-health workers whose role is to "feel your pain." Composers haunted by the shadow of Beethoven and Brahms produce "scores" filled with "music" that is indistinguishable from its ancient enemy, mere noise. Writers who are bad at thinking up plots write reportage and call it "nonfiction novels."

Morris's particular way of being embarrassed by his job was to doubt his ability to understand Reagan's allegedly illusive character. He also doubted his ability to clue readers into the fact that historians aren't necessarily in command of the whole truth about their subjects. Of course, any reader who swallowed everything that an historian said would

## Who's Who

AWB	Alan Bock
AD	Adrian Day
BB	Brien Bartels
BL	Barry Loberfeld
CS	Chris Sciabarra
DC	Douglas Casey
GH	Gene Healy
JSS	Jane S. Shaw
KS	Ken Schoolland
LBY	Leland B. Yeager
RK	Richard Kostelanetz
RWB	R.W. Bradford
SC	Stephen Cox
SLR	Sheldon Richman
SS	Sandy Shaw
TS	Tim Slagle

probably mistake *Macbeth* for a political science text and consider reporting Lear's daughters to the nursing-home inspectors.

But no matter. Morris came up with a way of dealing with the supposed problem: he made his biography partly fictional, thus advertising the great truth that historians don't always write the truth.

It's all a matter of Personal Feelings, in the best late-twentieth-century way. According to an AP news report, Morris "was feeling stuck on the book he was supposed to write," so he "decided to break his biographer's block by inserting himself as a sometimes-fictional character in the narrative." Biography thus shed its guilt by becoming autobiography — and fact gave way to fiction, to the betterment of everyone's understanding that there is no absolute truth.

But just so we're not too clear on even this concept: Morris now sharply criticizes Reagan's old admirers for failing to accept his version of . . . the truth. —SC

**The "peace" dividend** — President Clinton in late September did the world-statesman shtick when Yasser Arafat came to Washington, promising to press tirelessly to jump-start (yet again) the decades-long Middle East "peace process" that has kept generations of diplomats gainfully (if not necessarily usefully) employed. But the first step, of course, is for Congress to come up with more money from U.S. taxpayers for both Israel and the Palestinian Authority — money supposedly promised under the Wye River accords in 1998. So the various parties will play nice if they're paid enough? Or is it more likely that they'll continue to indulge in verbal threats and the occasional bombing to highlight the danger and keep the money flowing? Would they be more likely to make peace if the U.S. stopped subsidizing the never-ending "process?" —AWB

**You get what you pay for** — State funding of offensive art is in the news again, this time in New York City. Again, the urban elite have mistaken childish rebellion for art. Simple economics would solve the issue, as subsidies are only required for art no one wants to pay for. I can't see anyone buying animal carcass sculptures for the dining room. "Ooh look Bradley, that pile of elephant dung would look perfect in the kitchen!" Even First Lady Hillary said that, while she would oppose cutting the museum's funding, she "would not go to see this exhibit." Purists might resent the notion of allowing the market to dictate which artists get to eat; and suggest Snoopy and Norman Rockwell lithographs are the only works that would ever be produced under such tyranny. This is simply not true. Andy Warhol was a master of marketing, and is still considered a genius. The Arts community is absolutely littered with cash, and would continue their patronage despite a lack of government funding. —TS

**Federalize this!** — The U.S. Supreme Court might actually strike a blow or two for federalism during its current term. It has accepted several cases that give it an opportunity to follow up on its 1995 *Lopez* decision (invalidating the gun-free schools law) and the 1997 *Printz* case (calling Brady Law background checks an unacceptable unfunded

mandate on local governments) that limited the previously almost unquestioned power of the national government. In the *Kimel* case, a professor in Florida sued to force the state university to enforce federal age-discrimination laws. The *Brzonkala* case challenges the federal Violence Against Women Act which gives women a right to sue attackers in federal court though they already have that right in almost every state.

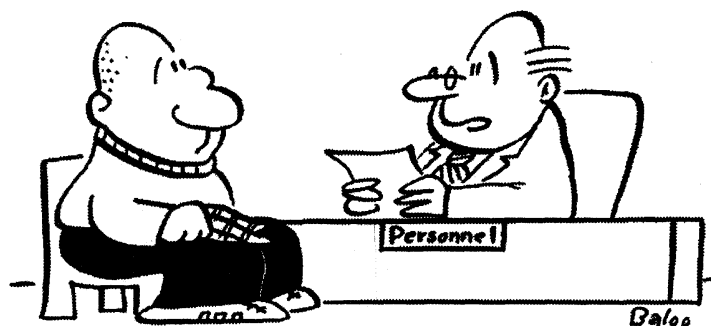
Might the Supreme Court do what it is supposed to do, and limit the power of the legislative and executive branches when they go beyond the powers the Constitution grants them for a change? This might be William Rehnquist's last year as Chief Justice and he could be interested in leaving a mark. Setting the high court on a decentralizing course would be a worthy mark, indeed, almost enough to suggest forgiveness for some of his other decisions. —AWB

**The fetal conceit** — On September 29, readers of *The Washington Times* were treated to a full-length interview with conservatism's latest Great White Hope, presidential contender Steve Forbes. First question: "What would be your first act as president?" Forbes' answer: "signing the ban on partial-birth abortions." Really? What constitutional authority could Forbes offer for such an enactment? The *Times* interviewer didn't ask, and Forbes didn't say. But there are only two possibilities, neither of which pass the straight-face test.

Most likely, the ban would rest on Congress's power, under Article I, Section 8, "to regulate commerce . . . among the several states." That power was granted in order to create a nationwide free-trade zone, but after the collapse of the Court in the New Deal era, it became a catch-all clause invoked for all manner of social and economic regulation. Given that Forbes poses as a constitutionalist and proposes to scale back much of the New Deal, it would be odd to see him employ the tortuous constitutional reasoning that undergirds it.

Consider the kinds of arguments Forbes's solicitor general would have to make before the Supreme Court, when the constitutionality of the law was challenged, as it inevitably would be. To support the law, he'd have to argue that partial-birth abortion "substantially affects" interstate commerce. And, in the course of making that argument, he'd have to rely on the "aggregation theory" employed in the infamous case of *Wickard v. Filburn* (1942). Farmer Filburn thought he might peaceably grow some wheat on his own

*continued on page 12*



"Do you have any skills *other* than making license plates?"



## THE COLLECTED WORKS OF JAMES M. BUCHANAN

*"My interest in understanding how the economic interaction process works has always been instrumental to the more inclusive purpose of understanding how we can learn to live one with one another without engaging in Hobbesian war and without subjecting ourselves to the dictates of the state."*

--James M. Buchanan

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Volume 9: *The Power to Tax*  
Volume 10: *The Reason of Rules*

Volume 11: *Politics by Principle, Not Interest*  
Volume 12: *Economic Inquiry and Its Logic*  
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*James M. Buchanan receiving the Alfred Nobel Memorial Prize in Economic Sciences from Carl XVI Gustaf, king of Sweden, 1986*

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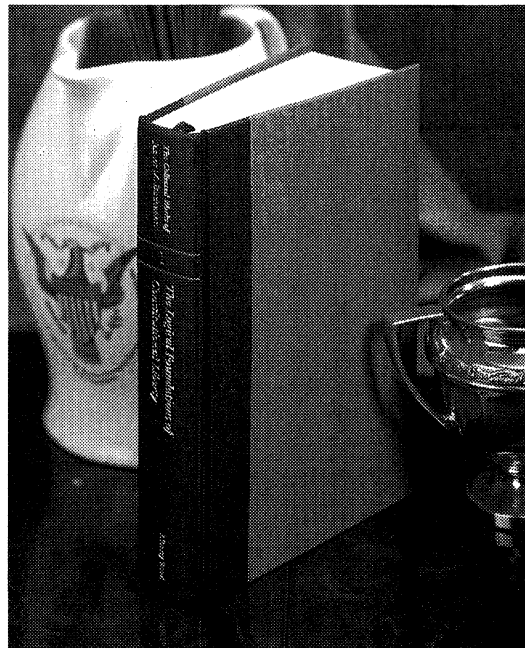
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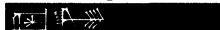
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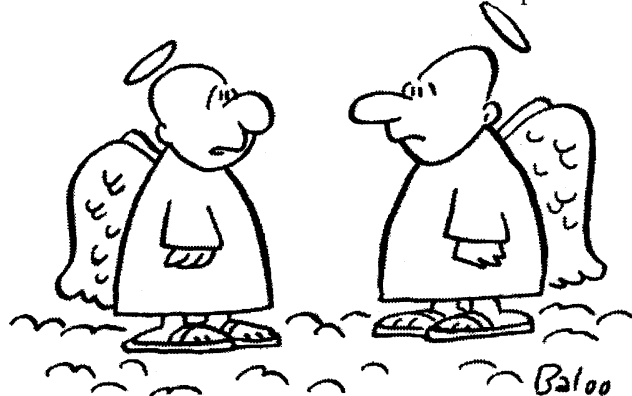
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farm to feed to his livestock. He ran afoul of a wheat quota set pursuant to the federal Agricultural Adjustment Act. Given that the wheat in question never left Filburn's property, let alone travelled in interstate commerce, you might think he had a pretty good argument that the fine imposed on him exceeded the bounds of Congress's power to regulate commerce "among the several states." Nonetheless, the Court upheld the penalty. Although Filburn's effect on interstate commerce was vanishingly small, the Court held, "taken together with that of many others similarly situated, [the effect] is far from trivial."

The constitutional argument for the partial-birth abortion ban would proceed according to *Wickard*: maybe one partial-birth abortion doesn't affect interstate commerce much, but all partial-birth abortions sure do. Across the country, quite a few future consumers are having their brains sucked out, leading to a considerable loss of purchasing power. Thus, using the aggregation principle, Congress can regulate purely intrastate abortions. And just about anything else. As Justice Thomas noted in his *U.S. v. Lopez* concurrence, "the aggregation principle is clever, but has no stopping point." In *Lopez*, which held that the Gun-Free School Zones Act exceeded Congress's power under the Commerce Clause, the Supreme Court took a cautious first step toward toward restraining the aggregation principle.

The second possible source for a partial-birth abortion ban is of equally dubious constitutional merit. G.O.P. legislators might ground the partial-birth abortion ban on the specious notion that the fetus is protected by the Fourteenth Amendment. Under this line of reasoning, the fetus is a "person" under the terms of the Fourteenth Amendment, and cannot be "deprive[d] . . . of life, liberty, or property, without due process of law." Nor can it be "den[ie]d... the equal protection of the laws." This is creative jurisprudence, to say the least. What would "due process" consist of, a trial? Does the fetus have a right to confront its accuser, or call witnesses in its behalf? How are we to understand the "liberty" of a fetus? And how do you deprive a fetus of "property"? What does it own? Amniotic fluid?

But bizarre as it sounds, the pro-life movement has tried the Fourteenth Amendment argument before. In 1981, Jesse Helms and Henry Hyde proposed the following statute: "Congress hereby declares that for the purpose of enforcing the obligation of the States under the fourteenth amendment not to deprive persons of life without due process of law, human life shall be deemed to exist from conception."



"Gee, I guess they were right — you can't fight city hall!"

Libertarian champions of the Fourteenth Amendment, take note. Your cherished amendment, our "last, best hope" for liberty, can, so long as five members of the Supreme Court agree, be manipulated to support all manner of federal regulation. After all, if the amendment can be used to ban partial-birth abortions, then why can't it be used to prescribe federal minimum standards for prenatal care? Make way for the pro-life, anti-smoking coalition!

Partial-birth abortion is a hideous procedure that surely tests the boundaries of "choice," even for those who favor that elusive concept. But the Tenth Amendment doesn't come with a "shock the conscience" clause, allowing federal regulation in the absence of an enumerated federal power. If no such power has been delegated by the people, responsibility for the matter is "reserved to the States respectively, or to the people." If conservative political candidates want to be taken seriously as constitutionalists, they ought to stop waving their pocket Constitutions — at least for long enough to read them.

—GH

## Another casualty of the War on Drugs

Hardly anybody who discusses the current crisis in Colombia bothers to mention that the U.S. Holy War on Drugs has made almost every aspect of the crisis worse. The basic reason is that military eradication efforts in Peru and Bolivia drove more growing to Colombia. Military and quasi-military eradication efforts in Colombia gave drug growers and traffickers a strong incentive in some areas to enlist the guerrillas, veterans of a 40-year civil war and in control of 40 percent of the country, or, in other areas, right-wing paramilitaries, as protectors. The War on Drugs means the most ruthless and capable of the guerrillas and paramilitaries now have more money, better weapons and more support — and less incentive to seek peace.

If the U.S. ended the drug war or even just its military aspect in Colombia the price of coca would fall, the resources available to the guerrillas would decline, and they would be forced to come to the negotiating table, setting the stage to resolve the civil war. The paramilitaries would likewise be weakened and face incentives to disband and go legit.

Naturally, the U.S. gummint wants to step up military aid to the Colombian government so it can fight the narco-traffickers. This might cull some of the weak sisters, which would make the most vicious traffickers even stronger, and would eliminate any incentive for the guerrillas to get real about peace. In other words, it would make almost every aspect of the Colombian crisis even worse than it is now.

—AWB

**The dung heap of history** — It was an ingenious move, really, by our second-term mayor Rudolf Giuliani to threaten to close the Brooklyn Museum for importing from London an exhibition titled *Sensation* — truly ingenious because his persiflage benefitted everyone involved. This exhibition, I should explain, contains such contemporary art-world curiosities as an animal cut apart and embedded in formaldehyde in successive vitrines (a version of which was recently shown for weeks across the street from where I live without more effect than titters), a bust com-

posed from nine pints of the artist's own frozen blood, and a stylized painting, titled "The Holy Virgin Mary," of a black-faced Blessed Mother, apparently naked, with elephant turd covering her breasts. (The last comes from a Nigerian, purportedly Catholic, who can use turds in ways forbidden to caucasian Londoners.)

Our Rudy, now hustling for the Senate against Hillary Clinton, made a move that would appeal to upstate voters few of whom know where to find the Brooklyn Museum. Meanwhile, the museum, historically a sleepy oasis in an outer burg, has gotten more press attention and thus more paying customers than ever before. (Within a few days, the it sold out all the t-shirts and trinkets it had produced for the duration of the show — now that's measure of success!) Sensation came from the personal collection of a British advertising mogul named Saatchi who has been notoriously successful at manipulating politicians and the media, whose investments have probably become more valuable thanks to the publicity. Another beneficiary is an international auction house that contributed to mounting the show, for it will receive greater commissions should the works ever be sold. (Rudy spoke of suing this auction house for exploiting a public venue, even though, should its receipts increase, he deserves a hefty cut of their pie.)

Newspapers benefit with a hot subject in a down time; the lens lice of the art world benefit along with the New York Civil Liberties Union, whose chief addressed a rally in front of the museum. An otherwise unknown artist with an Italian name got his minutes of fame by pouring hot elephant dung, fresh from the Brooklyn Zoo, on the Museum, and radio talk shows were scarcely able to consider anything else for a week. In short, multitudes benefitted from Rudy's hitting a monumental home run. Every art museum should be in a city with a mayor so smart, or stupid.

Given what I've said so far, you can imagine how shocked we all are to discover that Rudy apparently missed his own joke. Rather than taking credit for everyone's success, he seems ever more serious about withholding city money from the Brooklyn Museum and then evicting them from a city-owned building, just as he was zealous a decade ago about jailing unpopular financiers whose principal public "crime" was making too much money.

The weekend after the exhibition opened, the transit department suddenly announced that all stations near the museum would be closed until Monday for "track work." (That was a sick joke reminding me of how, during Ronald Reagan's last visit to West Berlin, the local constabulary suddenly closed off completely for the entire day the neighborhood from which protesters might come!) A photo of the Ofili dung painting showed on one side a museum guard with a smile and on the other a NYC policewoman with a gun. There hasn't been so much circus in Brooklyn since the Dodgers left.

Understand this lunacy, and you can wager that this dumb bunny, our mayor, won't become our next senator.

—RK

**The Mao Tse-Tung heap of history** — A good deal of blather was heard on the occasion of the 50th anniversary of Mao's takeover of China, muttering about the

transformations and unfulfilled promises of communist rule. Might it not be more helpful and accurate to start referring to the communist episode as simply one more gang of authoritarians taking over China and putting some new faces and a few new wrinkles into a history that has featured despotic rule almost exclusively? Call it the Red Dynasty and hope it ends soon — although if Russia's experience is any guide it might take more than a generation before communism is replaced by something fairly decent rather than simply by gangsters of a different persuasion.

— AWB

**Vox potuli** — Almost a year after the actual election took place, the results are in, and 69% of DC. voters approved Initiative 59, a measure to legalize the medical use of marijuana.

No surprise that in one of the nation's most crack-ridden cities, people are a little fed up with drug laws.

— TS

**Introduction to objectivist dianetics** — This spring, Random House announced a list, concocted by a number of supposed experts, of one hundred purportedly "best" nonfiction books. You can judge the quality of that list when you know that the no. 1 book on it is the excruciatingly pretentious *Education of Henry Adams*. The experts' list is a list for fogies, old and young.

But Random House also began a readers' on-line poll. That poll has now been concluded, after having logged almost 200,000 responses; and the readers' final list of the 100 best books has been made available at <http://www.random-house.com/modernlibrary/100best/>.

On-line respondents had crankier and more interesting literary responses than the "experts." An item of particular interest is the frequency with which they voted for libertarian works. Of the 100 titles on the free-zone poll, I recognize 24 libertarian books, and there are probably more that I don't recognize as such.

Also of special interest is the top of the list, where, after a long grudge match, Ayn Rand's *The Virtue of Selfishness* finally triumphed over the Scientology warhorse, L. Ron Hubbard's *Dianetics: The Modern Science of Mental Health*. Another Randian work, Leonard Peikoff's *Objectivism*, is no. 3 on the list.

Just below the top, there is a trio of libertarian classics: Isabel Paterson's *The God of the Machine* (no. 5), followed by Henry Hazlitt's *Economics in One Lesson* (no. 8), and Ludwig von Mises' *Human Action* (no. 9).

Clearly, libertarian works, even very demanding ones like *Human Action*, arouse deep and warm sympathy — the kind of sympathy that stuff like *The Education of Henry Adams* could never get. This, the experts' *beau ideal*, came in at no. 53 on the commoners' list.

—SC

**Posse kosovar** — According to promises made when NATO ended its bombing campaign against Kosovo and Serbia in June, the Kosovo Liberation Army was to be demilitarized, disarmed and demobilized within three months, by September 19. While the KLA did turn over some weapons to the NATO occupation forces, it has shown every sign of staying together as a fighting force. Some attacks against ethnic Serbs were undertaken by people in KLA uniforms. And Chris Bird of the British newspaper *The Guardian*,

reported that the KLA has hidden many modern weapons and "the weapons handed in are often ancient hunting rifles and rusty shotguns."

NATO has not wanted to get into an outright battle with the KLA, which was a *de facto* ally during the bombing campaign, but it knows the KLA makes ethnic Serbs, Gypsies and others nervous. So it came up with a plan to convert the guerrilla army into a civilian police force, though such a notion was not part of the UN Security Council resolution that established the NATO "peacekeeping" force. The new organization will be called the Kosovo Protection Corps and its 5,000 members are supposed to have only 200 weapons available for guard duty (though most will keep sidearms). But almost all its members will be former KLA members.

This is almost certainly an unworkable notion for many of the same reasons the idea of U.S. military personnel being at the federal siege at Waco is so upsetting to those who cherish traditional American liberties. The military and the police are different kinds of organizations with different missions. To imagine that somebody trained for one kind of mission can simply undertake another kind with little or no transition is unrealistic. To imagine that an organization created for military missions can become a civilian police force in a twinkling is fantasy.

A military force is designed and trained to seek and destroy an identified enemy and kill as many of them as possible. A police force is designed and trained to keep the peace and capture criminals in an essentially peaceful society, protecting the general public while respecting the rights of those accused of crime. Both missions are difficult and specialized. Though an argument might be made that police work requires more judgment and subtlety, some would say military work is more difficult. The key factor is that they are very different kinds of work.

The American founders and early lawmakers recognized

this and established civilian control over the military. In 1876, Congress passed the Posse Comitatus Act, which prohibits U.S. military forces from engaging in civilian law enforcement activities except with a special waiver from the president. An exception has been made in recent years for Drug War activities, but it has led to abuses and is still controversial.

To imagine that the KLA — trained not simply for military activity but for "irregular" military activity — will in a day or two become a police force able to enforce laws uniformly and dedicated to obeying laws itself is beyond unrealistic. Its creation is simply another acknowledgment of NATO's failure to build a civil society in Kosovo after destroying it earlier.

—AWB

**Political science** — What would you think of a gardening show in which roses were judged, not only for their form, beauty, and color, but also on the basis of their grower's income, neighborhood, sex, and color?

Well, that's pretty much the way the National Science Foundation (NSF) wants reviewers to judge applications for grants these days. Judges are to consider "impact" — everything from student learning to geographic diversity — to the *same extent* as the quality of the proposed science. According to a news item in the 1 October 1999 *Science*, this "impact" policy was put in place in 1997.

The story goes on to explain that a recent informal survey of 17,000 reviewers found that "only" 48% were actually considering the "impact" (nonscientific) provisions of NSF's reviewing criteria. NSF director Rita Colwell has now sent out an "important notice" to university presidents and others asking for their help in "conveying the importance of both intellectual merit and the broader impacts of research and education" to reviewers. While NSF deputy director Joseph Bordogna says that "concern would be too strong a

word" to describe the agency's reaction to the "noncompliance," the "important notice" they sent out suggests to us that "concern" might be too weak a word to describe their reaction.

Perhaps "panic" would better describe it.

—SS

**Finally, a use for the B-1** —

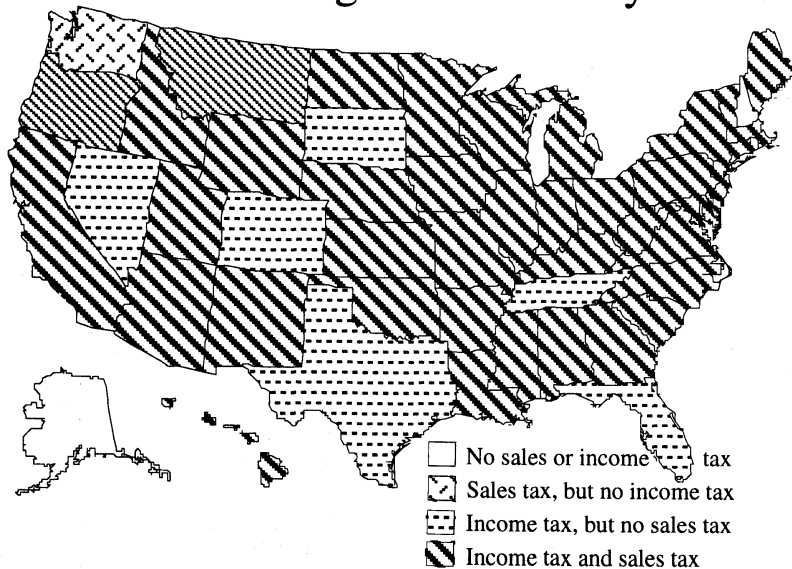
As Hurricane Floyd tore through the Bahamas, I heard on CNBC and elsewhere that it would be good for the economy because of all the reconstruction. If destruction is so good for the economy, why don't we bomb every city in America so we can rebuild them all?

—AD

**Are you being served?** — I first noticed the proliferation of "Help Wanted" and "Hiring Now" signs in 1997 while on a trip through New England. Now, of course, they are part of the landscape everywhere. The U. S. unemployment rate, 4.2 percent, is at a 30-year low.

What has surprised me is how little

## Methods of Legalized Theft by States





trouble this tight labor situation has caused me as a consumer. Yes, I see children helping their parents at restaurants; I've noticed job solicitations along with department store or utility bills; more cashiers are in training; and the minimum wage has been left in the dust.

But for the most part, customer service hasn't deteriorated. Now, once I voiced this opinion, friends began to come up with exceptions. Lines can be long at McDonald's and telemarketers are less skilled than ever. (But if the job of telemarketer is as bad as I assume it is, it is amazing that they're still around.) By and large, however, the labor shortage is invisible.

This is a far cry from shortages of government personnel. Not that there are actual shortages; government pay and security is a strong draw, but government budgets are always too small to get the job done. In the government, this is something to proclaim rather than hide.

When government managers want to boost their budgets, they adopt what Richard Stroup calls the "Washington Monument strategy." They threaten to shut down the most popular landmark. Yellowstone National Park did that a few years ago. Claiming budget cuts, it closed a campground and two museums. Visitors were outraged, Congressmen were shocked, and the next year the park budget went up \$1.8 million.

In the private sector, it's just the opposite. Because your budget comes from your customers, you must keep them happy. Survivors in the business world figure out how to cope with problems without alienating customers. As a result of their efforts, the economy hums along. —JSS

**Fly the inquisitive skies** — Crowded airports, packed planes, squalling kids, people dressed like they're coming from the gym (except they're usually too fat for that ever to be the case) — the whole atmosphere surrounding the experience of flying is reminiscent of Riding the Dog (taking a Greyhound bus) in years past. Actually, it's even worse, since bus travel never subjected passengers to impertinent questions, mandatory X-ray of luggage, or a possible strip-search by minimum-wage dingbats. If Hieronymus Bosch were alive today, he'd paint airport scenes.

I don't remember exactly when, although it seems like only a year or so ago, that they started the latest indignity: Ritual Interrogation Before Boarding. The FAA mandates that every passenger boarding a commercial flight in the US be asked, and answer, two (actually three) questions: 1) Have you packed your own luggage, and has it remained in your possession at all times since then? And 2), Has anyone unknown to you asked you to carry anything on this flight for them?

I abhor being interrogated, even when my wife attempts it, much less some robotic *petite fonctionnaire*. But, if you want to get on the plane, you have to submit. I closely observe fellow passengers as they answer these questions meekly, respectfully, often abjectly. It's as if they were grade-schoolers making their first confession. Watching this pathetic display fills me with disgust and makes me even angrier than the thought that I, too, will be subjected to a similar indignity.

But when you find yourself in a Kafkaesque situation,

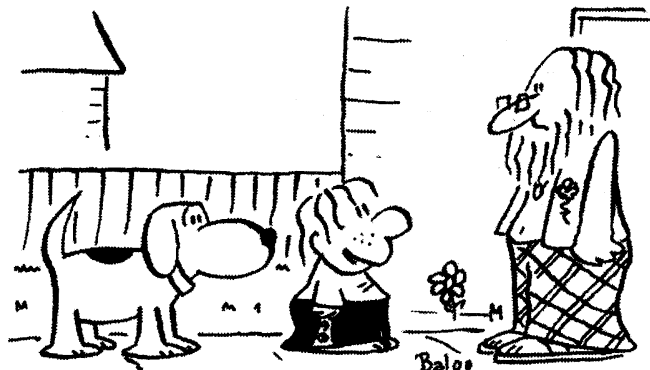
you just have to make the best of it. What I say depends partly on how I assess the intelligence and character of the person asking the questions, and partly on the mood I'm in. I have many wise guy responses, but I am careful to stay away from references to various controlled substances and objects; the idea is to subvert authority, not to make your life miserable. Examples. Q1: "Well, usually my butler packs for me, and my footman carries the bags; but since I knew you'd be asking, I did it all myself today". Q2: "No, my Mommy always told me never ever to take things from strangers."

Most often, however, I anticipate the questions and announce to the airline employee "In regard to the two pointless and degrading questions you're obligated to ask, the answers are 'no' and 'no'." Sometimes an especially dim clerk will then still ask me the questions. But more often than not they'll express exasperation at being forced to ask the pointless and degrading questions 500 times a day, as if both they and the passengers were no more than idiotic robots. Unfortunately, however, that's not far from the truth, since both parties play the game earnestly, with smiles on their faces.

You'd think the charade had gone on long enough at this point, but the situation is actually about to get worse. The FAA, an agency that still has air traffic controllers working with primitive computers from the 60s, is spending an incredible \$2.8 billion to monitor flyers by putting its new Computer Assisted Passenger Screening (CAPS) program online. CAPS will program information in the airlines' computerized flight reservation system to identify possible "terrorists."

Although bureaucrats won't reveal the specific suspicious characteristics they're looking for, it's safe to assume that visiting unapproved foreign countries, being a national of the wrong country, looking like an Arab or Muslim, travelling frequently, displaying a bad attitude, traveling alone, or buying your ticket at the last minute could get you tagged as a possible terrorist.

If you fit the "terrorist profile," security agents will pull you out of line, search your luggage, interrogate you about your travel plans, tag your luggage with bright orange labels, or escort you onto the plane. In a worst-case scenario, you could be X-rayed, strip-searched, or subjected to a body cavity search. You can forget about the Fourth Amendment, which is just another meaningless dead letter in the Constitution. Last year, 50,892 airline passengers underwent some kind of body search by airport personnel.



"He followed me home, Dad — can I radicalize him?"

The average American is such a whipped dog, such a spineless worm, that he'll graciously accept whatever indignities are imposed on him. And as the new CAPS program goes into effect, many who might otherwise protest will subserviently knuckle under for fear of getting in some kind of trouble, or getting put in a government computer bank.

Personally, I think maintaining your self respect is more important than having some bureaucrat put a gold star next to your name. —DC

**Bozart über alles**— If you really want to see first amendment rights trampled, why not rent a gallery and invite the "White Supremacist Artists Association" to do a show, perhaps in conjunction with NAMBLA. I imagine there are some tremendous works of art in Montana trailers that would really raise a few eyebrows. —TS

**Judge a man by the enemies he makes** — During the 1996 cycle of Pat Buchanan's perennial presidential campaign, Joe Sobran remarked that even though "Pat would leave government bigger than he found it" supporting him was hard to resist, given the caliber of enemies Buchanan's made.

I know how Sobran felt. The more the Respectable Right flusters and screeches about Buchanan, the better Buchanan sounds. Castigating Buchanan for his new book, *A Republic, Not an Empire*, most of the neocons have refused to debate the book's claim that U.S. involvement in World War II was unwarranted. Instead, they've engaged in the dissent-stifling tactic of *reductio ad hitlerum*. Virtue salesman Bill Bennett accuses Buchanan of "flirting with fascism." George Will also used the "f" word, denouncing Buchanan on ABC's "This Week." (Strong words, coming from the author of *Statecraft as Soulcraft*.)

Once again, the loudest squeals come from Bill Kristol, editor of what some disaffected right-wingers refer to as "The Weekly Reader." Kristol leads a pack of bellicose neocons, including Robert Kagan and David Brooks: puffy-faced armchair hawks whose closest encounters with hand-to-hand combat consist of throwing elbows at Georgetown hors d'oeuvres tables. Given to statements like "We'll kick [the Serbs'] skulls in!" Kristol and his lieutenants denounce dissenters from the interventionist party line with epithets like "McGovernik." It's no wonder that they find Buchanan's challenge to G.O.P. foreign policy orthodoxy so galling.

In the October 11 *Weekly Standard*, Kristol outlines a bill of particulars against Buchanan. Each charge therein sounds like a reason for libertarians to join the Buchanan Brigades. Buchanan's offenses? He "claim[s] that the United States had no business getting into World Wars I and II"; thinks "the American government has been hijacked by elite and ethnic interests that do America harm"; and "believes the American government [has] stupidly and malevolently sent hundreds of thousands of men to their deaths." Most disturbing of all, according to Kristol, is "the core belief" behind Buchananism: "that American government throughout the twentieth century has been a disgrace and a fraud." Yes! Sign me up! I'll man the phone banks! Gimme some bumper stickers!

Of course, when one achieves some critical distance, it

becomes clear that Buchanan isn't quite the state-hating savior Kristol inadvertently makes him sound. As *Liberty's* readers well know, Buchanan is an unrepentant statist and advocate of redistributionist policies. While Al Gore panders to the suburban anomie of Jane Cellphone, Buchanan courts Joe Sixpack with farm aid and trade restrictions. He's made his peace with Big Government, going so far as to criticize congressional attempts to slow Medicare growth. Buchanan's previous book, *The Great Betrayal*, is dedicated to the odd proposition that the American worker will benefit from an across-the-board tax increase on imports. His economic views consist of pernicious nonsense that no one seems capable of reasoning him out of.

Worse yet, Buchanan is given to using the royal "we," as well as talking about himself in the third person. There's a hint of megalomania here. How can you trust a guy who talks about himself as if he's a brand name? (Florence King satirized this tendency in 1996, imagining the teenage Bob Dole on the make: "You put out for all those other guys; how come you won't put out for Bob Dole?")

And even on foreign policy, Buchanan makes some significant mistakes. He's called for an increase in the defense budget, saying that America must "retrench and rearm." That's half-right. But why "rearm"? A peaceful "republic" doesn't need a quarter-trillion dollar defense budget. Indeed, the very existence of an oversized war machine feeds the imperial temptation. As Madeline Albright remarked to a flabbergasted Colin Powell: "what's the point of having this wonderful military you're always talking about, if we never get to use it?"

Libertarians know all of Buchanan's many flaws, and vigorously, even savagely, criticize Buchanan for them. Fair enough, but let's give credit where it's due. Buchanan is the only major candidate pushing withdrawal from the entangling alliances that threaten to embroil us in foreign wars, the only one to suggest that compulsive interventionism makes us vulnerable to terrorist threats at home. On foreign policy, he represents "a choice, not an echo," and this is a positive development.

And let's apply the same yardstick of ideological purity to the other non-LP candidates. I've heard self-described libertarians declare their intention to vote for Steve Forbes. It's true that Mr. Forbes often makes agreeable noises about tax cuts and Social Security, but on foreign policy — the one area over which a President has virtually unchecked authority — he's a hairtrigger interventionist maniac.

Forbes's foreign policy philosophy can be summed up as: intervene early; intervene often. Here are a few quotes from a recent *Washington Times* interview with Forbes. On China: "So you send the [U.S.] fleet to the Strait of Taiwan. Make it clear we will defend Taiwan." On East Timor: "The time to have sent in the peacekeeping force was before the referendum." On future Kosovos: "Make it clear to the Milosevics that if they want an offensive, we're going to hit them from the air. Don't wait for it to happen." On foreign policy, Buchanan takes his cue from Harry Elmer Barnes, Bill Kaufmann, and Murray Rothbard: our people; Forbes takes his cue from Bill Kristol.

I don't intend to vote for Buchanan, nor would I urge any libertarian to do so. I've only voted once since I read Gordon

Tullock's statement that one has a greater chance of being struck by lightning on the way to the polls than having a decisive impact on a state or national election. But I do intend to buy Buchanan's book, and I hope other libertarians do the same.

Years ago, the pugnacious young Buchanan was suspended from Georgetown University after kicking an abusive policeman in the balls. With *A Republic, Not An Empire*, Pat is up to his old tricks. The book is a well-timed and well-deserved shot to the Establishment's crotch. It took real courage for Pat Buchanan to challenge the dominant imperialist consensus, and weather the abuse that was sure to follow. Good for him.

—GH

**Politicians and elephant dung** — What do presidential candidates and elephant-dung artists have in common? Both want taxpayers to pay for their exhibits. Politicians want taxpayers to pay for election campaigns and artists in New York want taxpayers to pay for a display of elephant dung art in the Brooklyn Museum of Art.

Presidential candidates say they have a right to freedom of expression. Fine. Let them express any way they want — but with money they raise voluntarily, not the taxpayer's. Elephant-dung artists say they have a right to freedom of expression. Fine. Let them express any way they want — but with money they raise voluntarily, not the taxpayer's. Why is there a problem with this?

While politicians and artists claim to have a right to "freedom of expression," they should recognize that taxpayers have the same right. Freedom of expression includes the right not to pay for ideas that are repulsive.

In 1777 Thomas Jefferson wrote, "To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical." Surely Jefferson would be surprised to see what people are compelled to pay for today.

Some people say that forcing taxpayers to pay for political campaigns will clean up politics. I think not. Politicians will always sell favors so long as they have valuable favors to sell.

Some people say that forcing taxpayers to pay for art will serve up great culture. I think not. Artists will always sell elephant dung so long as they have taxes to promote it.

Presidential candidates and elephant dung really have too much in common. I say, free the taxpayer from both.

—KS

**Curiouser and curiouser** — In the October 1999 issue of *Liberty*, I wrote about my quest to find Rand's college transcript. The Ayn Rand Institute refused to share this document with me, making me go to considerable trouble to uncover it in the archives of the University of St. Petersburg. The results of my findings are published in the premier issue of *The Journal of Ayn Rand Studies* (Fall 1999).

Curiously, the October 1999 issue of an Ayn Rand Institute newsletter reports that a few items have been added to their in-house archives, including Rand's academic records and transcripts. The story is illustrated with a facsimile of "Ayn Rand's diploma from the University of Petrograd," which includes a Russian language listing of 23 of Rand's courses. It doesn't mention that the facsimile is

actually only one page of a larger document.

Suddenly, the Institute, which had previously guarded this information so jealously, has suddenly revealed it to the world, promising that it and other "materials will eventually be made available to serious scholars." Of course, there's no telling just what their definition of "eventually" is. And there's no telling what their definition of "serious scholars" is.

—CS

**Snowballing interventions and unexpected consequences** —

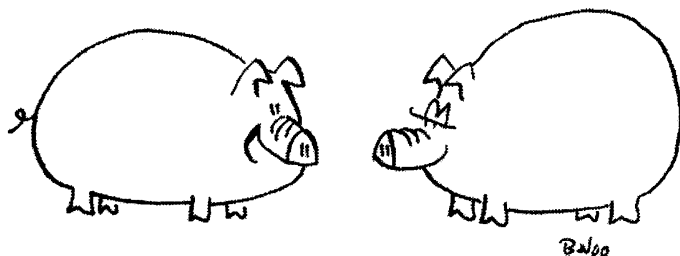
Ludwig von Mises explained how particular economic interventions can have consequences that seem to require remedial interventions, which bring still further unwanted consequences. The same phenomenon occurs in government and politics. Violation of some Constitutional provisions, like those separating and limiting government powers, may seem to recommend violating others, like the First Amendment.

What needs to be said about that Amendment and its bearing on campaign reform is obvious, yet often evaded. (Sometimes, as Peter Bauer has said, the main responsibility of an academic is to keep insisting on the obvious.)

The First Amendment does not merely bar Congress from suppressing freedom of speech. "Congress," it says, "shall make no law . . . abridging the freedom of speech, or of the press" (emphasis supplied). Now, any law limiting expenditures on access to the media (and on campaign travel and the like) or limiting contributions toward such expenditures does abridge freedom of speech and press. Obviously. (Whether the Constitution also prohibits the *states* from doing what Congress must not do is debatable. A federal system arguably requires tolerating some measures, even ill-considered ones, taken by the component units of government. Anyway, national limits to money in politics are mainly at issue.)

Campaign reformers — the limiters — argue that unrestricted expenditures and contributions buy disproportionate attention to the speech of wealthy interests and of candidates adept at fund-raising. Unheard speech has slight impact. Unequal access to media audiences violates the democratic ideal of equal influence on the political process — if indeed there is such an ideal. Regrettably, politicians must cater to special interests to get money for their campaigns. Contributors naturally expect something in return.

All this may well be true, but it does not set aside the text and the rationale of the First Amendment. Let those who would wriggle around it try to make a case for forthrightly repealing or emasculating it. Let them reflect on *why* money has become so important in politics. The reason is the same one that explains the proliferation of lobbyists in



"You're all sow, baby!"

Washington and state capitals. It is the vast power that government has acquired to grant or withhold favors and to impose or abate burdens. Special interests must try to bring money to bear, if only in self-defense. Relative neglect of the general or common interest is amply understandable.

The law of unintended consequences is illustrating itself again. We observe parallels to the snowballing of interventions that Mises explained. The notion of government as source of all sorts of benefits has produced an overgrown monster eroding its citizens' freedom in many dimensions. It has created the very problems, among others, that the would-be campaign reformers so clumsily address. And their anti-free-speech reforms, if maintained and extended, would further abridge our freedoms in ways that we can yet only partially foresee. —LBV

**Just say no! to nullification** — In the beginning of the '90s, a new and intriguing enthusiasm grabbed hold of many within the libertarian movement. This passion was for an idea since promoted as a bold strategy for bringing our country closer to the ideal of a free society. And although its claims have been deflated many times over, support for it continues to rise. That strategy? Jury nullification.

The term stands for the idea that criminal juries have a right to judge the law as well as the defendant. Good juries will nullify bad laws. Presumably, the scenario would go as follows:

A libertarian attorney assumes the defense of an accused drug dealer. The preponderance of evidence indicates that the defendant did indeed violate the statute. Fortunately, our freedom-loving lawyer delivers an eloquent speech enumerating the standard libertarian arguments against drug criminalization. Struck by his irresistible logic, the jury uses its new-found power to declare the statute null and void . . . by returning a verdict of "not guilty." This develops into a pattern, which soon leads to a de facto state of drug legalization in all 50 states. Eventually, the precedent extends to all victimless crimes. A new liberty is born.

But as near as I can figure, what we have here is a course of human events in which the rule of law is usurped by a rule of lawless juries — i.e., of men above the law. In this Brave New World of crime and punishment, jurors are no longer charged with the responsibility of determining only whether the accused actually broke the law — "guilty" or "not guilty." Rather, it is now theirs to decide — by God

knows what standard — whether the law should apply to the case before them. Yes, some juries might nullify drug laws; others, however, will not. What, then, is the law of the land? Even the most conscientious of citizens will never know until the verdict is announced.

There are no doubt many who will insist I'm granting criminal courts a "right to violate rights." Actually, I'm saying only that I'd love to know exactly how these emancipated-from-law juries will determine what are rights and what are wrongs. One example: A homeless black teenager is brought to trial for mugging a white factory owner — you get the picture. The defense attorney is a man who makes the late William Kunstler look like Robert Bork. He delivers an eloquent speech condemning our racist-capitalist nation and its oppressive laws. He explains that the accused is not a criminal but a victim; that he was forced by circumstances beyond his control to do what he did; that Society's haves have a duty to provide for the have-nots; that it is the factory owner, the plutocrat who procures his wealth through the exploitation of his workers, who is the real thief — and that the jury must base its determination of guilt or innocence on something "more important" than the evidence presented: Justice. Now the jurors, as it so happens, find this all very compelling — more so, in fact, than the case presented by the prosecutor, who tragically was laboring under the delusion that his sole responsibility was to prove beyond a reasonable doubt that the defendant committed the crime with which he was charged. Consequently, they return a verdict of "not guilty."

A jury empowered to nullify laws in deference to libertarian ideals is a jury empowered to nullify laws in deference to any ideals. There's no point in compiling a list of the possibilities; the given example is gruesome enough.

I suspect that many libertarians find jury nullification an attractive option because it emulates the manner in which the Supreme Court strikes down a law. But to do so, the Justices must prove (or at least offer a rationale) that the law violates the Constitution. A jury wishing to nullify a law must find that it violates . . . what? The former case involves a conflict between laws; the latter, an abnegation of all law. The point is, jury nullification isn't merely a bad means to a noble end — it is the abolition of that end. It is the rejection of limited government (where the rights of the individual, e.g., a defendant, are protected by law) in favor of its antipode: unlimited democracy (where the will of the collective, e.g., a jury, is subject to no law). It is the establishment of lynch-mob majoritarianism in our courts, especially given the trend away from unanimous verdicts. The right of the Jury "to Judge the law as well as the defendant?" That is the "right to violate rights."

In any mixed economy, the legal system that upholds laws that deny individual liberty is the same system that upholds laws that affirm individual liberty. Sabotage that structure and both will come crashing. Our only option is the removal of coercive statutes from that structure. In the plainest terms, this means judicial appeal and legislative repeal. That these have thus far not been very friendly to the aspirations of libertarians by no means suggests that jury nullification would — or even could — prove any friendlier. —BL



"What do you mean, you want a second opinion?"

# Russia Invades Chechnya Bleeds

by Yuri N. Maltsev

Russia's war against Chechnya began over two centuries ago.

It has become apparent that Russia's ruling elite finds incessant armed conflicts necessary for its survival. With the Russian economy in chaos, inflation out of control, accusations of top-level corruption being investigated by prosecutors in the United States, Switzerland, and Russia itself, unbridled crime and terrorist attacks in several Russian cities, Yeltsin's government is unleashing another genocidal war against Chechens and other Muslims of Russia.<sup>1</sup> This war once again illustrates the Old Russian tradition of creating new problems rather than solving existing ones.

It also resembles the "Wag the Dog" scenario — Russian style. Bombings of apartment complexes in Moscow and other Russian cities conveniently distract public attention from the grim reality of corruption at the very top of the Russian hierarchy. From Peter the Great to Stalin, Russians were persuaded by their governments to rely upon theories of conspiracy to explain their history as well as current developments. Politically bankrupt, Yeltsin and family decided to boost their popularity with an alarmed population by conducting a swift, victorious war against a convenient scapegoat — "Chechen terrorist wolves."<sup>2</sup>

## The Forgotten Nation

In almost all Western narrations on the war in Chechnya, all attention is devoted to the Russians. At best, the Chechens — who call themselves the Nokhchi — are present as some

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supernumerary performers on the bizarre stage of Russian politics. "There is something basic missing from most Western commentary on Russia's ferocious war against the secessionist Chechen Republic: the Chechens themselves," states the best Western authority on Chechnya, David Damrel of Oxford University. "While many analysts ponder Yeltsin's pursuit of his costly, unpopular war in the Caucasus or ask how the international community should respond to Russia's decimation of Grozny, the Chechens appear as little more than an unexplored foil to the Russians."

Most Western observers arrogantly dismiss the Chechens' hopes and aspirations, their culture and history. Last December an editorial in *The New York Times* decided that Chechens, unlike everybody else, lack any rights to freedom from oppression: "The three-year insurrection cannot be allowed to stand. Though a negotiated political settlement would be the best outcome, Mr. Yeltsin is justified in using military force to suppress the rebellion."

Only a few Western intellectuals are concerned with the fate of a small and proud nation that has been fighting for its independence for three centuries. Anders Aslund, a former Swedish advisor to Yeltsin, believes that "finally the West should stand by its values and call genocide in Chechnya by its true name and evoke the human rights provisions of the Helsinki Accords." "It is high time," writes Johanna Nichols, Professor of Linguistics at UC Berkeley, "to put a human face on a people of great dignity, refinement, and courage who have paid heavily for their resistance to conquest and

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1. The majority of the Soviet Union's 51 million Muslims gained independence with the dissolution of the USSR in December 1991 and became citizens of Uzbekistan, Turkmenistan, Tadjikistan, Kazakhstan, and other new independent states, some of them officially Islamic. The Russian Federation is still a multinational state of over 30 different nationalities. Over 15 million are Muslim peoples, the Tatars, Chechens, and Bashkirs, to name a few.

2. A wolf is the symbol of the Chechen Republic. This animal is respected among Chechens; it is a symbol of freedom and independence for them.



assimilation."

The story of Chechen suffering is long indeed. It is also the history of Russian expansion into the Caucasus — a mountainous territory between the Black and Caspian Seas with a rich ancient history of the interaction of Greek, Persian, and Roman cultures and later of Islam and Christianity. After the collapse of the U.S.S.R. in December 1991, four independent states — Russia, Georgia, Armenia, and Azerbaijan — divided the region. Over 50 religiously, culturally, and linguistically diverse nationalities and ethnic groups populate the Caucasus. Northern Caucasus, a long-suffering province of Russia, is the home of three "autonomous" republics: predominantly Muslim Chechnya,

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*With the Russian economy in chaos, inflation out of control, accusations of top level corruption, unbridled crime and terrorist attacks in several Russian cities, Yeltsin's government is unleashing another genocidal war against Chechens and other Muslims of Russia.*

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Dagestan, and Ingushetia. Chechnya is home to a unique blend of Islam. "Islam, when it arrived in Chechnya," writes Edward W. Walker, "was mixed with traditional religious beliefs and practices, which may help explain why the brand of Islam adopted by the Chechens for the most part was Sufism — a mystical form of Sunni Islam that involves the "journeying" of a disciple (the murid) under the tutelage of an adept toward God, and that in part rejects sharia law in favor of customary law (adat). In this respect, Sufism was particularly amenable to the Chechens' traditional highlander culture, with its village-based individualism, egalitarianism, traditional practices, respect for elders, and opposition to hierarchy."

Johanna Nichols picks up the historical thread: "The Caucasian highlands were apparently relatively populous and prosperous in ancient times. From the late middle ages until the 19th century, a worldwide cooling phase known as the Little Ice Age caused glacial advances and shortened growing seasons in the alpine highlands, weakening the highland economies and triggering migrations to the lowlands and abandonment of some alpine villages." This period of economic hardship coincided with the Russian conquest of the Caucasus that opened the first chapter in the ongoing tragedy of the Caucasus.

In the 1780s Russian Empress Catherine the Great<sup>3</sup> decided to expand Imperial Russia at the expense of its southern neighbors. Her troops under Field-Marshal Aleksandr Suvorov won a war against Turkey (1787-1792), and in 1792 signed the Treaty of Uassy, which confirmed the take-over of the Crimea and paved the way for the Russian annexation of the Caucasus. Russian troops, victorious over the Ottoman Empire, encountered fierce resistance by

Caucasian Muslims led by their spiritual leader, Sheikh Mansur Ushurma, who declared a jihad (Holy War) on the Russians. Sheikh Mansur and his Muslim mountaineers inflicted a crushing defeat on Czarist forces at the Sunzha River in 1785 and were briefly able to unite much of what are modern Chechnya and neighboring Dagestan under their rule.

In the beginning of the nineteenth century Russia succeeded in subjugating Chechnya. This subjugation, however, was only formal. Colonial administration was present only in the capital city, Grozny. De facto, notes David Damrel, the country was controlled by the Sufi orders: "Naturally secretive and disciplined, with broad-based social support and foreboding mountainous terrain for cover, these orders have proven formidable adversaries for whoever has tried to rule the Caucasus."

Full-scale armed revolt against the Russian occupation of Chechnya and Dagestan resumed in 1824, when a series of Naqshbandis Sufi leaders called Imams began a ferocious guerrilla war that would last for over 30 years. The Russian Empire resumed control of Chechnya only after the Crimean War, with the defeat of the religious leader of the Chechens, the legendary Imam Shamil. Young Count Leo Tolstoy, who served in the Russian Imperial Army in Chechnya in the 1840s, was appalled by the unjust and atrocious colonial war. He resigned from the army and wrote about the war, praising Shamil. Shamil and his followers belonged to a branch of the Naqshbandis Sufi order, an Islamic mystical brotherhood that originated in fourteenth century Bukhara. Damrel observes that, "More traditional Muslim religious leaders often attacked the Sufi 'cult of saints' for non-Islamic practices, but from early on in the Caucasus, Sufism helped attract converts to Islam at a popular level and offered a powerful source of spiritual guidance and social identity."

Under the leadership of these Sufi orders, Chechens rebelled against the Romanovs again in 1865, 1877, 1879, and the 1890s, and plagued Czarist rule in the Caucasus during the Bolshevik Revolution.

### **Chechnya Under Communism**

Vladimir Lenin referred to Chechnya as the most backward outskirts of the Russian Empire — that prison of nation-

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*Young Count Leo Tolstoy, who served in the Russian Imperial Army in Chechnya in the 1840s, was appalled by the unjust and atrocious colonial war. He resigned from the army and wrote about the war, praising Shamil.*

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alities — and declared that development of these regions would be the primary aim of the Bolshevik government. This promise became one in the long book of broken promises of socialism. A beautiful mountain country with proud and industrious people was completely destroyed by Communism. Stalin's purges of 1937 and consequent deportation of all Chechens and Ingush from their homeland to uninhabitable regions of Kazakhstan in 1944 belong in the

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3. Originally Sophia Augusta Frederica of Anhalt - Zerbst. She ruled Russia in 1762-1796, greatly enlarged Russian territory and increased its power. She also imported engineers, architects, musicians, and intellectuals from Europe to westernize Russia.

grimpest pages of the murderous history of the Soviet Union.

Chechens tried to fight back: the independence movement led by Sheikh Uzun Haji battled for eight years against the White and the Red armies to create a "North Caucasian Emirate." The categorical and uncompromising Uzun Haji, whose tomb remains a major pilgrimage site for Chechen Muslims, saw little difference between the Czarist Russians and the godless communists. "I am weaving a rope," he was quoted by his enemies, "to hang engineers, students and in general all those who write from left to right." His uprising was brutally suppressed in 1925 and he, with many of his followers, was executed by the Soviet regime.

Since then there have been various Chechen rebellions against Soviet occupation, as well as resistance to collectivization, to anti-religious campaigns, and to Russification. Branding the Sufis "bandits," "criminals" and "counter-revolutionaries," the Soviets continued to arrest, execute, and deport the freedom fighters until the beginning of the Second World War. During that war, when disturbances occurred in Chechnya in 1940 and again in 1943, Stalin responded with genocide. Accusing whole nations of collaborating with Nazi Germany,<sup>4</sup> he forcibly deported Chechens and Ingush, as well as Karachay, Balkar, Crimean Tatars, and Volga Germans en masse to Kazakhstan and Siberia.

These nations lost at least one-quarter and perhaps half of their population in transit.<sup>5</sup> All told, more than a million Muslims from the Caucasus were deported, and by some estimates one-third to one-half of the population of Chechen-Ingushetia alone — well over 250,000 people — disappeared after the republic was liquidated in February 1944. The former Speaker of the Russian parliament, Ruslan Khasbulatov (an ethnic Chechen), told me that over half the Chechens were exterminated as a result of Stalin's "wise policy towards nationalities." Chechens I met in Grozny told me blood-freezing stories of deportation: people crowded into cattle cars without food, water, or sanitary facilities for several days, corpses transported with children, killings of innocent protesters at the railway stations by KGB guards. Chechen publicist Mohammad Shashani gives the following description of Soviet atrocities during deportation:

On the eve of February 23, 1944 all citizens of the Chechen-Ingush Autonomous Republic were to celebrate the Red Army Day in the public squares of every town. Security forces surrounded each public square and the military commander read to the citizens of each town the Decree of the Supreme Soviet deporting the whole Chechen people to Central Asia with orders to report to specific deportation centers in a few hours . . . Some men reacted in defiance to the order and were shot on the spot. The rest of the people were collected from their homes by the security forces and forcibly loaded on trucks and taken to deportation centers. In some villages where transportation to the deportation depots was not available the people were herded into barns, doused with gasoline and burned alive. In one town called Khaybakh 700 people, including men, women and children

were burned alive, and this heinous act was repeated in twelve other villages in Chechnya. The deportation process itself was cruel and not worthy of human beings. Hundreds of people were packed into each wagon. I have talked to some survivors and they said that they had to stand in wagons packed like sardines with the windows of the trains boarded up and with no stops for food and hygiene. Many people suffocated and died and their bodies stayed in vertical positions until the train stopped at predetermined intervals and then and only then were the bodies taken out and dumped on the side of the railway with no permission to bury any of the dead. The deportation process included truck and train transportation and walking to reach the designated areas of banishment. Thousands died from lack of food and medicine. Typhus spread among the deportees and many perished from this disease. Once the deportees reached their destination they were sent to forced labor camps. The Chechens were the major source of slave labor that built highways in Kazakhstan, Uzbekistan and Kirghizia through rough mountainous terrain.

Chechens spent more than a decade in work-death camps in Kazakhstan. But by all accounts, the forced resettlement failed to break either the Sufi brotherhoods or Chechen national spirit. Describing the fearsome "psychology of sub-

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*Chechens are portrayed as possessing special "national" characteristics: "brutality, sadism, fanaticism and fascism." Chechens are even accused of "making Russians drunk by giving them vodka."*

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mission" that prevailed in Soviet relocation camps, Russian author Alexander Solzhenitsyn observed that only one people refused to be broken by the ordeal: "There was a nation as a whole — the Chechens — who rejected the psychological submission . . . they were openly proud and hostile to authorities and never tried to please anyone in search of favors or better conditions for themselves."

After Khrushchev's denunciation of "Stalin's cult of personality" at the Twentieth Congress of the Communist Party of the Soviet Union in 1956, the Chechens and other exiled victims of Stalinism were proclaimed "rehabilitated" and returned to their homeland. They found that their land had been "Russified." Hundreds of thousands of Russian and Ukrainian farmers brought in to work the land had become permanent residents and now comprised a quarter of the region's population. Chechens lost land, economic resources, and civil rights. Under both Soviet and Russian governments, they have been the objects of official and unofficial discrimination.

Upon their return from the Gulag, Chechens, Ingush, and Dagestanis also discovered that they were no longer permitted to profess Islam. Soviet authorities decided to prohibit Islam in the region, closing over 800 mosques and 400 religious colleges or "madrasas." Mosques were demolished, converted into state museums, or made inaccessible. These measures against mainstream Islam had, however, very little impact on the Sufi brotherhoods, who had never relied on mosques and madrasas as their centers. Indeed, the orders themselves — particularly the Naqshbandis — are noted to

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4. Tens of thousands of Chechens were conscripts in the Soviet army and were fighting against the invading Nazi armies at the time of deportation.

5. Communist genocide of the Chechen people in 1944 is well described in Robert Conquest's book *Nation Killers*.

this day for organizing their own clandestine Arabic classes and schools to teach the Holy books of Islam. A new Sufi brotherhood, called the Vis Haji after its founder "Vis" Haji Zagiev, was founded during the deportation years in the camps. The order combines adherence to fundamentalist Islam with fierce anti-Soviet and anti-Russian rhetoric. Damrel writes:

Vis Haji zikr, employing violins and drums, accounts for some of the order's popularity. Attractive even to nonmembers, zikr performances sometimes provide the basis for public assemblies and displays during religious holidays in Chechen villages. In another unique practice, women are welcome to participate in Vis Haji zikr, and there are reports

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*Gore visited Russia during the first day of war. Russian fighter-bombers and helicopter gun ships completely destroyed the capital city of Grozny and numerous villages, a cowardly, unfocused, nighttime bombing that went unpunished.*

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of women shaykhs leading their own circles of female adepts. Crucial in preserving Chechen Muslim identity during the exile, the Vis Haji are recognized today as the most active and innovative order in the Caucasus.

In 1978, Soviet authorities in the Caucasus decided to urban Islam. They allowed 40 mosques to reopen and staffed them with 300 registered ulema.

### Kremlin's Madness

It was no surprise that long suffering Chechens declared their independence immediately upon the collapse of the Soviet Union in December 1991. So did fifteen other nations recognized today by the United States and the world community. But the case of the Chechens was different. According to Stalin's Constitution of 1936, only "sister union" republics were granted a right to independence — not "autonomous" republics like Chechnya.

The only difference is that Stalin assigned different status to different parts of his empire. Surely Chechens or Tatars or Dagestani have as much right to nationhood as, say, Georgians or Armenians, or East Timorese. The Chechens are a colonized people who have been conducting a struggle against imperial Russia and the imperial Soviet Union for more than 200 years. It is remarkable that Stalin's Constitution, repealed even by the Russian Parliament, is still a valid legal document for the Clinton administration and other Western governments now refusing to recognize the right of the oppressed nationalities of Russia to self-determination.

Although regularly stressing that Chechnya's residents were Russian Federation citizens, Russian authorities unleashed an unprecedented racist propaganda campaign against Chechens as a nation. In recent years, the Russian media have depicted Chechens as thugs and bandits responsible for organized crime and street violence in Russia. Russian "journalist" Yuri Mogutin wrote in the journal *Novy Vzglyad* (A New Glance) about the Chechen nation that "it

had given the world absolutely nothing except international terrorism and drug business." He remarked also "that any Russian feels towards the Chechens a zoological, genetic, animal hatred."

Russian government propaganda (following traditions of Soviet indoctrination and employing the same people) is trying to portray Chechens as criminals and fanatics. One of the anti-Chechen publications, called *Criminal Regime: Chechnya 1991-1995*, is published by the Ministry of Interior of Russia. This publication tries to portray Chechnya as a "state of slavery." One of the chapter titles is "Slaves of the 20th Century." There are so many ethnographic and even geographic mistakes in the carefully crafted "accounts of witnesses" (the writers even mistake the Caucasus for Central Asia) that this falsification disappointed even Russian observers. Chechens are portrayed as possessing special "national" characteristics: "brutality, sadism, fanaticism and fascism." Chechens are even accused of "making Russians drunk by giving them vodka."

The aim of Russian propaganda against Chechens was exposed by the Director of the Institute of Ethnology and Anthropology of the Russian Academy of Sciences, Valery Tishkov:

Thanks to the press not only in Russia but also abroad, an image of 'Chechen Mafia' has been created, which neutralized the sympathy towards Chechens that had formed internationally as a result of the war. If it was not for that image, the international support for Chechens would have been even more tangible. I also do not agree with the image of 'Medellin cartel' or criminal zone that has been thrust upon people. This is a myth. The level of crime among Chechens is no higher than among Georgians or Russians in Moscow. At the same time Chechens are very successful in business.

It is little wonder that the Chechens discern a direct continuation of Czarist and Stalinist politics when they read in the press utterances by Russian generals such as "we need a Caucasus without Caucasians," and "we are ready to fight until the last Chechen." Russian Prime Minister Vladimir Putin publicly accused the Chechens of criminal character

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*U.S. taxpayers help pay for the war on the Chechens by financing economic and military aid to Russia. This is the true "money laundering" scam.*

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and of running organized crime networks in Russia. Mikhail Barsukov, once a minister in the Russian government, told the press after the Russian military defeat in Pervomaiskoye in January 1996: "A Chechen is only capable of killing. If he cannot kill, he robs; if he is not capable of doing that, he steals, and there is no another kind of Chechen."<sup>6</sup> This is the Russian political view of Chechens!

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6. In 1991, the Soviet Communist Party weekly *Glasnost* in its effort to smear Yeltsin's reputation carried an interview with an anonymous police official who offered the absurd claim that "Yeltsin was the behind-the-scenes head of the 'Chechen Mafia,' a criminal gang coming from a particular Caucasus ethnic group . . ." (Scott Shane, *Dismantling Utopia: How Information Ended The Soviet Union*, Elephant Paperback, Chicago, 1994, p. 275).

The racist myth that all crime in Russia is perpetrated by Chechens makes many Americans parrot phrases like "the Chechen Mafia." "Maybe this is why both Democrats and Republicans, engulfed in the crime wave hysteria here, are giving Yeltsin the green light," writes Alexander Cockburn. If crime is Russia's number-one problem and if the Chechens supposedly run all "organized crime" in Russia, then the way for Yeltsin to fight crime is to wipe out the Chechens. It's his version of an anti-crime program.

It is unlikely that Boris Yeltsin and the Russian Federation can succeed in Chechnya, where generations of harsh, repressive rule and even genocide have failed. Because of an irresponsibly adventurous clique in the

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*The immorality of Russian actions and of Clinton's support of Yeltsin is apparent. So is the futility of winning the war: Russia and its army are in decay and Chechens have a long history of resisting tyranny.*

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Kremlin, Russia is facing a long-standing confrontation with Chechens and the Muslim world at large. Earlier this year, Chechens moved to the neighboring republic of Dagestan, and the end of the Chechen war became as elusive as the Sufi orders themselves. In this tired battle of wills between Moscow and the Chechen Muslims, Boris Yeltsin and the Russian Federation rank as their weakest opponents yet.

Today the Russian government, with the silent blessing of the Clinton administration (good relations with Russia are one of its very few achievements), continues its aggression against vastly inferior but, apparently, highly motivated Chechen freedom fighters. The U.S. government brings confidence to Yeltsin, who first got his "Go Ahead" from Al Gore in 1994; Gore visited Russia during the first day of war. Russian fighter-bombers and helicopter gun ships completely destroyed the capital city of Grozny and numerous villages, a cowardly, unfocused, nighttime bombing that went unpunished. Today Chechnya is infested with Russian land mines, and Chechens are being killed or maimed by them every day.

Russian government statements reinforce fears that another deportation may soon come. Those fears stem not only from the sad memory of the 1944 deportation of Chechens and Ingush but also from the ferocious ethnic cleansing of the Ingush population from Prigorodnyi Raion in 1992 and 1993. This is an event completely ignored by the pro-Russian media and government policymakers of the West. Officials of the Russian Federal Migration Service have admitted that accommodation has been arranged for refugees from Chechnya in seven regions of central and southern Russia and that an operational group had been set up to coordinate the action. (Russia's Ministry for Emergency Situations claims that the number of refugees is close to 150,000.) But migration accommodation is a window-dressing used by Russian propaganda apparatchiks for a forced ousting of Chechens from their homeland while their aspirations for independence are crushed. In response, Chechen President Aslan Maskhadov declared martial law

"to protect the country's sovereignty and territorial integrity." The economy will be placed on war footing, and Chechnya's Muslim clerics are expected to call for a new jihad — a "holy war" against Russia.

The "terror" in Moscow is the pretext for the new war on Chechnya. But there is little or no evidence linking any of the apartment bombings in Moscow to "Chechen terrorists," as has been charged. General Aleksandr Lebed, one of the most popular candidates for the Russian presidency next year, believes that the so-called "terrorist bombings" were actually fabricated by the Kremlin itself. Chechen rebel leader Shamil Basayev has proudly admitted to previous terrorist attacks on Russia, including a 1995 attack on a hospital in the village of Budyonnovsk, Southern Russia. This time, however, he denies having anything to do with the bombings. Like Lebed, Basayev believes these bombings are the work not of Chechens, but of the Kremlin or its politically active secret services, as a way of provoking chaos and sinking the coming presidential elections.

Vladimir Putin, an ex-KGB operative, may be the lynchpin: he is trying to secure his claim to the presidency in June 2000 in the aftermath of the present nationalist hysteria. Russian statists from Aleksandr Barkashov, the leader of the fascist Russian National Unity Party, to Grigory Yavlinsky and Alexei Arbatov, leaders of the so-called Liberal Democrats, have endorsed the war in Chechnya.

### What Is Next?

Today the Clinton administration is still blindly pro-Yeltsin and seems to hold that the offensive against Chechnya is justified because of the "terrorist attacks" and because of the Chechen rebels' incursions into Dagestan. This position is similar to that of V. Zhirinovskiy, who is openly anti-Muslim and anti-Turkish (he spent some time in a Turkish prison as an exchange student), and the communist leader Gennady Zyuganov, who are professing the preservation of Greater Russia and an expansion to the Southern Muslim world at large. Moscow Mayor Yuri Luzhkov has ordered a crackdown on residency permits aimed at forcing Chechens and all other non-ethnic Russians out of the city.

Meanwhile, U.S. taxpayers help pay for the war on the Chechens by financing economic and military aid to Russia. This is the true "money laundering" scam. American journalist Wayne Madsen, who specializes in intelligence matters,

*continued on page 30*



"We're supposed to go to Canaan and do some ethnic cleansing, whatever that is."

# An Opportunity for the Libertarian Party

*by R. W. Bradford*

After spending tens of millions of dollars and hundreds of thousands of hours of hard work, the LP is not able to get even half of a percent of the popular vote in presidential elections. It's time to try something new.

The Libertarian Party presidential ticket finished fifth in the last election, gaining only about one-half of one percent of the vote. In response to that lamentable showing, the leadership of the party developed a strategy, which it implemented as "Project Archimedes," that sought a massive increase in party membership — and a similar increase in financing. The theory was that by getting 200,000 members, each of whom could be cajoled into donating the same amount that the average party member donated during the previous presidential campaign, the national campaign would have \$50 million to spend — enough to ensure that it could not be ignored.

But Project Archimedes has failed. It has failed abysmally. First, the goal was cut from 200,000 to 100,000. Now the target is set for July 4th of next year rather than December 31st of this year.

Besides, the party is not on its way to 100,000 or 200,000 members. The last I saw, membership was around 33,000. When Project Archimedes started, it was only 22,000. Now 11,000 new members is a considerable achievement. But there's virtually no chance of getting another 167,000 needed during the next three months to reach Project Archimedes' original target. Or even 67,000 new members needed during the next nine months to reach the second, revised target. (See chart on page 23.)

And even if membership growth were on target, the numbers would not add up. You're not going to be able to get 100,000 or 200,000 people to make the same average donation that the first 20,000 — the hard core — make, especially if you start raising funds only five months before the election.

What we are looking at is a repetition of our past experience, and possibly something a good deal worse. It seems safe to say that at least four parties (Democrats, Republicans, Reform, and Green) will finish ahead of the Libertarians in

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the next election, and there is a real possibility that five parties will. Most people don't pay much attention to any fringe parties except their own, but I have paid some to the Constitution Party — formerly the U.S. Taxpayer Party — and I've noticed that it shows real growth. It has a chance to outpoll the Libertarian Party if Pat Buchanan is not selected as the Reform Party nominee. The nomination of Buchanan would hurt the Constitution Party; contrary to its name, its primary appeal is to pro-lifers, and Buchanan is sufficiently identified with that point of view to get a lot of pro-life votes.

However that may be, a somewhat ungainly but interesting fate may await the Libertarian party: it will cease to be a real political party and become a social organization that has more in common with a church than with anything else. Right now, the LP's principal function is to provide a place where people come to meet like-minded people and discuss what they don't like in this world. They — or, as I should say, we — put a little money into outreach (saving souls). When someone new joins the congregation, we extend our fellowship to them. Single people can meet one another and find someone to marry within the faith. When LP officials start making visitations to hospitals, I'll know we've gone all the way.

This isn't the worst fate in the world. But it isn't the best fate either. I retain at least some hope that the Libertarian Party can have a substantial impact on American politics. The problem is that you don't have much impact when you get one half to one percent of the vote at the presidential level. People in the Libertarian Party know this. In the past



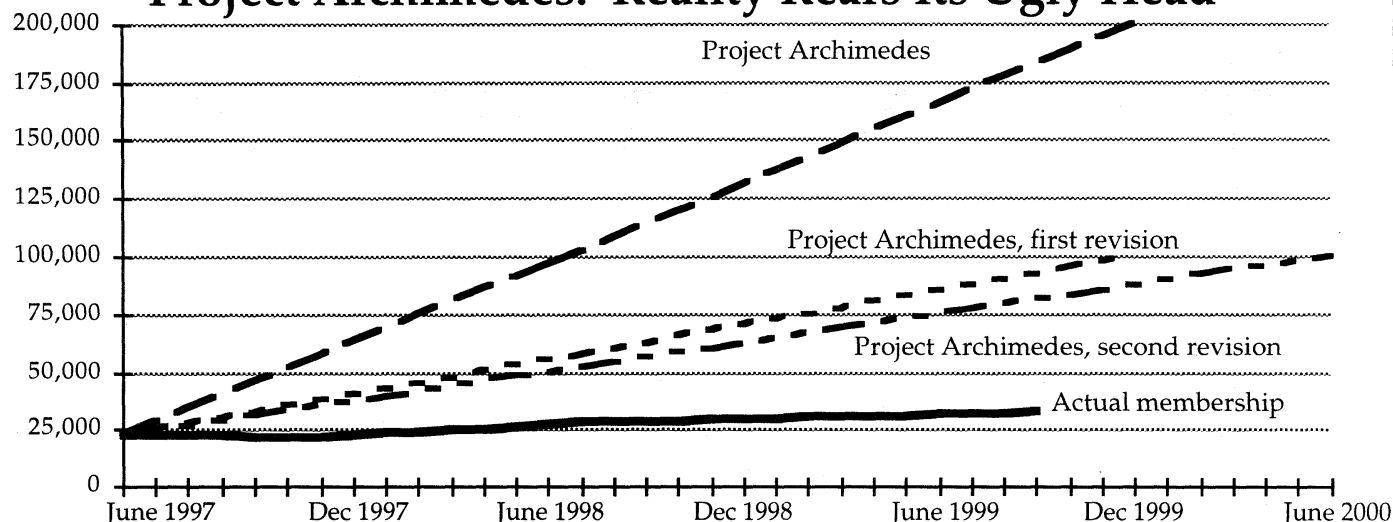
year or so we have seen a huge increase in Libertarian Party organizations working to get people elected to city councils and on various other non-partisan elections, for the very good reason that elections of this kind allow you to run without labeling yourself a fringe candidate by a fringe party label attached to your name.

I think we have at least one other strategy left to try. I

sense of electing people to office. But right now we are not even on the landscape. We are not a factor in the national political dialog. Getting 4 or 5 percent would put us in league with really credible third party efforts. Perot got 6 percent. And there's a wedge issue that can get us our 5 percent.

I am talking about drug legalization.

## Project Archimedes: Reality Rears Its Ugly Head



realize that there isn't a libertarian alive who doesn't think that if only the movement would do what he wants it to do we would all win. But I'm trying not to be one of those. I'm going to suggest an approach whose prospects for success I am frankly unsure about. But I think it's worth trying. Here is my theory.

For the last 15 or 20 years, the Republicans and Democrats have used what they call "wedge issues," issues on which people's opinions are strong and that can therefore be used to induce them to abandon their traditional political behavior. The first wedge issue that we know about in American political history was slavery, an issue that, beginning in the mid-1840s, caused people to abandon their tradi-

*What the LP needs today is a "wedge issue," and issue that can get major party voters and independents to ignore their lifelong habits and vote for a Libertarian. And I believe there is such an issue.*

tional political behavior and established the Republican Party as the nation's majority party by the end of the Civil War.

It seems to me that there really is a wedge issue that would allow Libertarians to be victorious, provided we redefine what "victory" means. I think the Libertarian Party would enjoy a great victory if it could get 4 or 5 percent of the presidential vote. Of course, that is not a victory in the

I'm *not* talking about medical marijuana; I don't think that impassions enough people. That's a good issue to use at the state level, because you can actually get a majority vote for it. But the surveys seem to show that most people who vote for medical marijuana don't feel very strongly about the issue. We didn't have revolution in Arizona when the state legislature undid the results of the medical marijuana initiative there.

But marijuana legalization can get us our 4 or 5 percent of the vote. Depending on which survey you read, which I suppose depends on how much people are lying to the pollsters on any given day, somewhere between 5 and 15 percent of Americans claim to have smoked marijuana fairly recently. These people are not all deranged loners sitting in their garret apartments smoking marijuana; very often they have families. And most of their families don't want to see them put in jail. Very often parents who know that their teenagers are smoking marijuana have another strong reason to favor legalization; under current practice they are liable to have their homes taken away because someone in their home possesses marijuana. Even parents who aren't sympathetic, who are ready to go out and hire a deprogrammer to kidnap the kid and force him into a drug program, want to keep their home. I suspect that some of those people would vote for a legalization candidate because they don't want to lose the family house or family car.

I think that the constituency for legalization is there, and I think that if enough noise is made it is possible for an LP nominee to get 5% of the vote by running on that issue. I'm not saying I'm sure that this would work, I'm saying that the strategy is plausible. And I don't know any other strategy

that is. Ordinarily, I'm an advocate of testing strategies before rolling them out — and testing them on a very low scale. But I don't think this is an issue that can be tested except at the presidential level. I don't think that getting a congressional candidate to run aggressively would work: most people are going to realize that it isn't going to make a big statement if the LP candidate gets 5 percent of the vote in the 17th congressional district. A good presidential campaign could easily run ahead of a congressional campaign.

I have discussed this with Peter McWilliams, a person I thought might be a good presidential candidate. Peter has AIDS and cancer and is using marijuana to alleviate the nausea that is a side effect of the anti-cancer, anti-AIDS drugs he

is taking. Peter has two problems about running for president. First, he can't leave California because, as a person who publicly admitted to using marijuana for medical reasons, he has been arrested and charged with a felony. Second, he thinks it would be a better idea to have a celebrity candidate.

Well, I'm all for a celebrity, but if we can't get one I don't think it makes a great deal of difference. I think, for example, that if Harry Browne, the LP's most recent presidential nominee, would follow the strategy I've outlined, Harry would be a wonderful spokesman. So would Ron Paul. Both are highly respectable people who present themselves very well. If either of them were running for president and talked about legalizing marijuana, I don't think that people would be snickering behind his back and saying that he's probably running to his hotel room at night to smoke a few joints.

The important thing, however, is to give this new strategy a try.

We have invented the wheel and we have run it six or seven times, and

*Right now, the LP's principal function is to provide a place where people come to meet like-minded people and discuss what they don't like in this world.*

except in 1980, when we had a very large amount of money, our method has resulted in less than half of one percent, no matter how good our candidate has been, no matter how hard he worked, no matter how hard all of us worked. As they say, "If you always do what you've always done, you'll always get what you've always got." In our case, that means spending millions of dollars and doing tens or hundreds of thousands of hours of campaigning and getting so few votes that we remain irrelevant, even invisible.

Making drug legalization the central theme of the Libertarian Party's 2000 campaign is not a magic bullet. It won't allow the LP to elect a president or even a member of Congress. But it just might help us leap over the hurdle of irrelevancy, that invisible barrier that keeps the Libertarian vote well under one percent, that keeps our candidates out of debates, that leaves us off the political landscape. □

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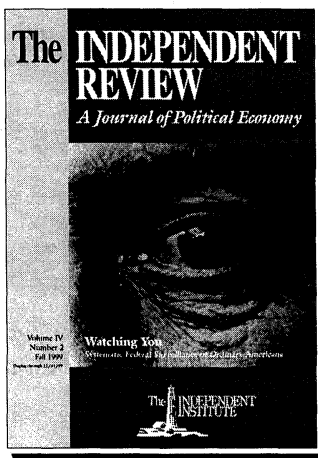
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# The First Anti-Slavery Amendment

by David Kopel

The greatest human rights struggle in our history had a potent weapon in the Second Amendment's individual right to bear arms.

Slavery and firearms don't mix. If slaves had guns, they wouldn't be slaves for very long.

This has been true all over the world, in all ages, including the period when slavery existed in the United States. That's why some of America's greatest anti-slavery activists were strong advocates of the Second Amendment.

Lysander Spooner, for example, wrote books and pamphlets on scores of subjects, from intellectual property to the right to jury trial. But his greatest passion was anti-slavery. He was one of the leading radical theorists of the pre-war period, and a hero to many anti-slavery activists, including John Brown, whose 1859 raid on the federal armory at Harpers Ferry, Virginia (intended to spark a national slave revolt) was inspired by Spooner's writings.

Spooner's pre-war writing remained influential after the Civil War, making him among the most important of the abolitionists whose constitutional theories eventually became law through the enactment of the Fourteenth Amendment, which restricts the ability of state and local governments to infringe constitutional rights.

In contrast to abolitionist William Lloyd Garrison, who denounced the Constitution as pro-slavery, Spooner argued that slavery was unconstitutional. In the widely-distributed and frequently reprinted book *The Unconstitutionality of Slavery*, Spooner argued that the Constitution should be interpreted according to principles of natural justice. In applying this interpretation to the Second Amendment, Spooner wrote:

The right "to keep and bear arms," implies the right to use them as much as a provision securing to the people the right to buy and keep food, would imply their right also to eat it. But this implied right to use arms, is only a right to use them in a manner consistent with natural rights as, for example, in defence of life, liberty, chastity, &c. . . . If the courts go beyond the innocent and necessary meaning of the words,

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and imply or infer from them an authority for anything contrary to natural right, they could imply a constitutional authority in the people to use arms not merely for the just and innocent purposes of defence, but also robbery, or any other acts of wrong to which arms are capable of being applied. The mere verbal implication would as much authorize the people to use arms for unjust, as for just, purposes. But the legal implication gives only an authority for their innocent use.

Spooner's explanation challenges modern anti-gun activists who claim that by recognizing a right to keep and bear arms, we can't stop people from using guns for murder and robbery. But as Spooner understood, the right to own and carry guns does not create a right to misuse guns any more than the right to drive a car from New York to California implies a right to run down pedestrians along the way.

## The Second Amendment as Tool of Abolition

Spooner also used the Second Amendment to argue that slavery was unconstitutional: A slave is a person who cannot possess arms, but the Second Amendment guarantees that all persons can possess arms, and therefore no person in the United States can be a slave. He elaborated:

These provisions obviously recognize the natural right of all men "to keep and bear arms" for their personal defence: and prohibit both Congress and the state Governments from infringing the right of the people, that is, of any of the people to do so; and more especially of any whom Congress have power to include in their militia. The right of a man to keep and bear arms, is a right palpably inconsistent with the

idea of his being a slave. Yet the right is secured as effectively to those whom the States presume to call slaves, as to any whom the States condescend to acknowledge free.

In other words, since the Second Amendment guarantees that everyone can own a gun, and since a person with a gun cannot be a slave, slavery must be unconstitutional.

Spooner continued:

Under this provision any man has a right either to give or sell arms to those persons whom the States call slaves; and there is no constitutional power, in either the national or State governments, that can punish him for so doing; or that can take those arms from the slaves; or that can make it criminal for the slaves to use them, if, from the inefficiency

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*The right to own and carry guns does not create a right to misuse guns any more than the right to drive a car from New York to California implies a right to run down pedestrians along the way.*

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of the laws, it should become necessary for them to do so, in defence of their own lives or liberties; for this constitutional right to keep and bear arms implies the constitutional right to use them, if need be, for the defence of one's liberty or life.

The right to keep and bear arms, Spooner reasoned, implies the right to buy and sell arms, and the right to use arms to defend liberty.

Spooner frequently used the Second Amendment's individual right to arms in his arguments. For example, in his 1850 pamphlet *A Defence of the Fugitive Slaves*, Spooner advocated the right of fugitive slaves to use weapons to resist recapture. He also cited the Second Amendment to bolster his point that neither slaves nor anyone else had an obligation to obey the federal Fugitive Slave Acts, which required everyone to assist in the recapture of runaway slaves:

The constitution contemplates no such submission, on the part of the people, to the usurpations of the government, or the lawless violence of its officers. On the contrary it provides that "The right of the people to keep and bear arms shall not be infringed." This constitutional security for the right to keep and bear arms, implies the right to use them . . . [Spooner then repeated his analogy that the right to buy and keep food would imply the right to eat it.] The constitution, therefore, takes it for granted that, as the people have the right, they will also have the sense, to use arms, whenever the necessity of the case justifies it. . . .

Spooner next argued that unconstitutional laws need not be obeyed pending their repeal; to require obedience to unconstitutional laws would be "to allow the government to disarm the people, suppress the freedom of speech and the press, prohibit the use of suffrage, and thus put it beyond the power of the people to reform the government through the exercise of those rights." Thus, the right to arms provided one of the ways in which people could reassert control over an erring government.

Second only to Lysander Spooner as an anti-slavery theorist was Joel Tiffany. Tiffany made his living as reporter for

the New York Court of Appeals, as an author of legal treatises, and as publisher of *Tiffany's Monthly* magazine. But like Spooner, he was consumed with the anti-slavery cause. The Spooner and Tiffany theory that the Constitution guaranteed certain rights to all citizens was the intellectual foundation of what would become the Fourteenth Amendment's guarantee that no state could violate the "privileges or immunities" of American citizens.

Like Spooner, Tiffany argued that the Second Amendment's guarantee of a right to arms applied to all persons, and since a slave could not be armed, slavery was unconstitutional:

Here is another of the immunities of a citizen of the United States, which is guaranteed by the supreme, organic law of the land. This is one of the subordinate rights, mentioned by Blackstone, as belong to every Englishman and is accorded to every subject for the purpose of protecting and defending himself, if need be, in the enjoyment of his absolute rights to life, liberty, and property. And this guaranty is to all without any exception; for there is none, either expressed or implied. And our courts have already decided, that in such cases we have no right to make any exceptions. It is hardly necessary to remark that this guaranty is absolutely inconsistent with permitting a portion of our citizens to be enslaved. The colored citizen, under our constitution, has now as full and perfect a right to keep and bear arms as any other; and no State law, or State regulation, has authority to deprive him of that right.

After the Civil War, Tiffany remained active in public affairs. In 1867 he authored *A Treatise on Government and Constitutional Law*, in which he explained why the Second Amendment, in order to ensure there is a strong "militia," guarantees that "the people" have a right to keep and bear arms:

The second amendment of the constitution provides that the right of the people to keep and bear arms shall not be infringed, because a well-regulated militia is necessary to the security of a free state. The militia are citizen soldiers, as distinguished from those who are trained to arms as a profession, and who constitute the elements of a standing army. To be an efficient militiaman the right to arms is essential.

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*In contrast to abolitionist William Lloyd Garrison, who denounced the Constitution as pro-slavery, Spooner argued that slavery was unconstitutional.*

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This provision had its source in that jealousy of power in the hands of the central government, so manifest in the people, at the time the constitution was adopted.

## Slaves Today

Lysander Spooner and Joel Tiffany were great human rights heroes of American history. Their words remain relevant today. Slavery still exists in some parts of the world, including the Sudan and Arabia. You can be sure that the slavemasters in those countries make sure their slaves do not have weapons. Moreover, one of the largest "trading partners" of the United States, Communist China, also makes

*continued on page 33*

# Tobacco War in a Small Place

*by Gary Gissell*

A lesson in prohibition, in miniature.

During an eight-month stay at the Federal Prison Camp in Sheridan, Oregon, I was able to get a firsthand look at what a prohibition on the use and possession of tobacco products would produce in society. As one might expect, the results mirrored our country's earlier experience with alcohol prohibition.

Although the society I was in was made up of male federal prisoners, it did give something close to a cross-section of society in general: young, old, poor, rich, educated, uneducated, blue collar, white collar, and mostly white.

I "camped" with gangbangers, construction workers, truck drivers, college students (and at least one professor), doctors, lawyers, bankers, counterfeiters, entrepreneurs (some very creative); generally, a picture of working and non-working Americans.

By far, the most common federal charge was violation of the drug laws. My unscientific poll showed at least 50 percent of those doing time were there on drug charges.

The camp, with no fences, cells, handcuffs, or gun towers, seemed closer to an adult version of summer camp than a federal prison, except that the counselors (prison guards) were not as educated or compassionate as one would expect to find at summer camp. Most seemed to be getting revenge for all the times the school bullies took their lunch money.

The tobacco-free prison camp? Well, it happened a few years back when the bureaucracy at Sheridan decided that for the good of the prisoners (and general political correctness), Sheridan would become the first and only prison in the federal system to prohibit the use of all tobacco products by prisoners (the guards and staff could smoke and chew all they wanted).

And the reaction to Sheridan's tobacco prohibition by the prisoners? A black market (free market?) production and distribution system was quickly in place.

Production of tobacco products came through the various

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methods prisoners have always used to get contraband into prisons. With heroin easily getting into maximum security facilities, it was inevitable that tobacco products would find their way into a minimum security camp.

Even with the relative ease of bringing in tobacco products, supply could not keep up with demand. Guards spent much of their time intercepting a portion of the supply, and most prisoners were reluctant to be producers because they didn't want to break the law.

Possession of a single cigarette could be punished by a 90 day loss of commissary and telephone privileges. Being caught or even suspected of being a producer meant a stay of at least 30 days in the "hole" (locked down in a two-person cell virtually 24 hours a day) at the FCI (medium security facility across the road). Loss of good behavior time (54 days per year served) and transfer to a facility in another part of the country often followed a prisoner's time in the hole.

As should be expected, producers in the camp charged whatever the market would bear for their tobacco products.

Cigarettes that sold for less than three dollars per pack in free Oregon were easily selling for ten dollars in the camp. Chew (Copenhagen, Skoal, etc.), usually sold for about the same price.

During one critical shortage, I saw cigarettes sell for twenty dollars per pack for a short time, until the supply increased and prices stabilized around the expected ten dollar level.

Another result of Sheridan's tobacco prohibition was that many prisoners who smoked before coming to Sheridan

were now also taking up the habit of chewing. A pinch of chew was usually undetected by the guards and could satisfy the desire for a nicotine rush until the prisoner was able to have a smoke sometime later, in a relatively safe smoking environment away from the guards.

While there were many methods of procuring tobacco products at Sheridan, the most common was probably the simple expedient of having friends or relatives drive the roads near camp and drop a package at a designated site. Later, at night, the prisoner could leave the dormitory between bedchecks and retrieve the package.

Of course, anything could be in the package along with a carton of cigarettes (drugs, alcohol, pizza, etc.)

One prisoner I met at Sheridan was accused of conspiring with his wife (all telephone calls are subject to monitoring and taping) in a plan by which she would drop a package off when leaving in her car after an approved visit. One of the contraband items they were accused of conspiring to bring into the facility, besides a few cartons of Marlboros, was a 30-day supply of Rogaine. His suspected conspiracy cost him over 30 days in the hole, loss of a portion of his good time, loss of visiting rights with his wife, and eventually a

transfer to a facility in a different state where he and his wife would have a much more difficult time cooking up conspiracies.

After about four years of Sheridan's tobacco prohibition, a prisoner brought about its downfall. While using his right of access to the law library, he decided to research the BOP (Bureau of Prisons) operating regulations. He found that the BOP required all prison wardens to provide a smoking area for prisoners who wanted to smoke.

The inmate began a paperwork war with the system that eventually led to a federal court ruling that Sheridan was in violation of BOP regulations. The warden was given a court mandate to allow the use of cigarettes by prisoners in some kind of reasonable fashion.

Needless to say, most of the guards were pissed. One of their favorite tools to hassle lesser beings was being taken away.

I finished my time at Sheridan about a week after the tobacco war (actually just one battle in a bigger war) ended.

Two days before leaving, I saw the updated prisoner commissary list: generic cigarettes, available with or without filters, for \$1.90 per pack. □

## Maltsev, "Chechnya," continued from page 23

believes that Clinton's National Security Agency helped Moscow kill popular Chechen President Dudayev in 1995:

Both Moscow and the West wanted a quick end to the Chechens' two-year long war for greater autonomy. The conflict had become a mini-Afghanistan. It was draining the lives of hundreds of Russia's young soldiers, the country's precious cash reserves, and Yeltsin's chances for winning the June 16, 1996 presidential election against Communist leader Gennady Zyuganov. The West was eager to prevent the Chechen conflict from helping the Communists at the polls. For President Clinton, who also faced reelection, a Communist win was especially unwelcome. The rallying cry of "Who lost Russia to the Communists" would be heard over and over again at the Republican convention and would certainly have been used against him in the televised debates.

Dudayev was a moderate politician. He had risen through the ranks of the Soviet Air Force as a pilot and served in Afghanistan, attaining the rank of general. His last position was that of commander of a division of Soviet strategic bombers in Estonia from 1988 to 1991. He was reportedly very proud of having served the Soviet military. He was

married to an ethnic Russian, lived only very briefly in Chechnya as a boy (he spent most of his youth in a deportation camp in Kazakhstan), and spoke Chechen poorly. There is no reason to believe that before 1990 he was deeply anti-Soviet or a Muslim fanatic.

The Chechen constitution adopted under him was essentially liberal and democratic. It established a secular democratic state and provided for freedom of religion and expression, partly because Dudayev hoped for, and expected, support for Chechen "self-determination" from the West. Dudayev's secularism began to fade only after it became apparent that the West would support Yeltsin, rather than Chechen demands for independence. In 1994 he visited Iran and called for a jihad against Moscow.

Like Dudayev, current President Maskhadov was an officer (Lieutenant Colonel) in the Soviet military. He is considered the head of the most moderate faction in Chechen politics. But with unexplained obstinacy Yeltsin's regime is trying to undermine and overthrow him and all other Chechen politicians who are willing to compromise and negotiate with Russians.

The immorality of Russian actions and of Clinton's support of Yeltsin is apparent. So is the futility of winning the war: Russia and its army are in decay and Chechens have a long history of resisting tyranny. "Instead of the hammer-blow of a powerful fist," comments the *St. Petersburg Times*, "what we saw was the clumsy groping of fat blindly spread fingers." The result will be more corpses of Russian soldiers and innocent Chechen civilians.

There is only one possible solution to the Caucasian crisis: the Russian government should immediately curb its military strong-arm tactics and permit independence-seeking regions like Chechnya to secede and decide on their own future. □



"Knock off the impersonations and balance my checkbook!"



# Truth vs. Power

by Kyle Rothweiler

What happens when the will to power emasculates the will to truth.

There are nuggets of language, aphorisms or axioms, which through unintelligent overuse have had their manifest truth rubbed away until they've become dull and trite, pretty much ignored except by those who, for rhetorical purposes, want to trot out a well-worn bromide. One such dictum is Lord Acton's once-celebrated "Power tends to corrupt and absolute power corrupts absolutely." At this stage in the history of human mentation these wise words could be printed on a fortune-cookie scroll as uncontroversially as "Skunk who go to church must sit in own pew," and with about as much chance of massaging anyone's cerebrum. It is a dreary fact of human nature that at some point the anti-alchemy of stupidity and stupor converts wisdom into wallpaper, gold into dross.

And yet those nine words, if properly studied and heeded, might conceivably be instrumental in preventing the human race from destroying itself. I should state at once that by "preventing the human race from destroying itself" I don't mean that Acton's words should be used to inspire or to justify or to rationalize or to whitewash any political or social reforms. Such things don't interest me any more; the sorry history of them is sufficient argument against them, and besides, I find few things more abhorrent than the use of the products of human genius for the purposes of political propaganda.

No, I think the purpose of "Power tends . . ." is to be found, as the purpose of all such creations is to be found, in its influence on the behavior and character of individual humans. Rightly understood, it is not a political statement at all. It is a personal one, one which gives the most concise possible case for the loathing, dread, and shunning of power. It is addressed to the individual consciousness and points out to it why status-seeking is not to its advantage. If enough of us monkey-people understood what it means to be a corrupt primate, then perhaps we would drop our power-lust like a red-hot banana — and if that happened,

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then the apparent necessity for political reforms would evaporate, for it is exactly in the near-universal yearning for power that our political woes consist.

The *raison d'être* of virtually every political organization, party, or pressure group in existence at present is "empowerment." Everyone wants it and no one sees anything wrong with wanting it; more precisely, no one sees why the acquisition of power is a dangerous thing to those who acquire it, because although everyone knows Acton's saying, no one pays any attention to it.

## Corrupt Me!

Besides, who minds being corrupted today? To whom does it occur that it might be a fate worse than death, an abyss of character annihilation, an acid that destroys integrity, a strangler of spirit, a soul-destroyer? Nobody! Or if it does, they simply don't care. On the contrary: the ululation that pierces the heavens, the swan song of the vast flock of decaying 20th century birdbrains is: "Corrupt me! Corrupt me!" Most of 'em, so far from dreading it, are begging for it.

One can get a bead on the concerns of men and women about such things by studying their manifestations in the popular media. I am well aware of the trap of trying to squeeze too much significance from trivial cultural artifacts, but the fact remains that one can sometimes get a clearer picture of the engines driving general human nature from trashy magazines than from periodicals dealing with ideas. Example: in *Cosmopolitan*, issue of September, 1998, we find the article "Get a Man-Size Ego," which explains that,

according to a psychologist, "power is a difficult concept for women," and includes, in its advice on how women can be more like men, (why on earth they should want to be like men is beyond my comprehension, but the depressing fact is that they do) the following imperatives:

**BRASHLY BRAG TO YOURSELF THAT YOU CAN DO ANYTHING.**

So you have the big job interview, the crucial presentation, the hot date. But you're nervous, worried, not sure you can pull it off. So do what a typical guy would do: Fake it. Pretend you're the smartest, sexiest, most capable person ever. Not only will it work — most people are far too deep into their own insecurities to notice you're bluffing — but you may even start to believe it yourself.

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*The raison d'être of virtually every political organization, party, or pressure group in existence at present is "empowerment." Everyone wants it and no one sees anything wrong with wanting it.*

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This, I suppose, now supplants Polonius's corny advice about being true to thine own self. (Maybe it always has.) There is no doubt that *Cosmo* has supplied a painfully accurate assessment of the mentality of the male mean of Homo sapiens, as well as sound counsel for the acquisition of power. But if it isn't also a lesson in the acquisition of corruption, then I honestly don't know what is. There is no more corrupt act than lying to oneself about what one is. I would like to think that women had better sense than to embrace the male delusion that one should develop as monumental an ego as possible instead of one that's just the right size.

The *Cosmopolitan* article is, of course, commonplace stuff these days, quite orthodox in its advocacy of mendacity. Under such cultural conditions, power holds no terrors; indeed, as a route to corruption, as well as on its own merits, it seems altogether tantalizing. The end not only justifies the means, but the means are their own justification. Like it or not, I think this is a fair summary of the current attitude of the world and the worldly to power and corruption. All this sad state of affairs results, possibly, from an inadequate comprehension of the meaning of corruption; and could be reversed, conceivably, by striving for such comprehension, which could lead, perhaps, to the renunciation of the power which tends to it.

### Fibbing as a Law of Nature

One could begin the effort, I believe, by tracing back the connection of the "will to power" with the "will to corruption" to fundamental biology, where the latter exists simply as the "will to deception." For years I have studied the habits of various members of the animal kingdom (in books, magazines and television only; I'm too fat, lazy and impatient for fieldwork) and if there is a general conclusion one can come to about the birds and beasts and bugs it is that they are all liars. Deception is the great law of life.

Of course, this does not take the form of verbal dissimulation, but of behaviors and appearances intended to mislead. Camouflage is a basic tool in the eternal struggle to eat and avoid being eaten; the tiger's stripes aid his efforts to remain incognito in jungle terrain and the zebra's stripes provide a like service in his attempts to escape the tiger's relatives on the African plain. Ostentatious finery is used by birds in attempts to dupe a potential mate. The staggering feather architectonics of the peacock or bird of paradise are in effect an elaborate ruse, as sneakily dishonest as a circus sideshow poster.

One could vastly amplify the catalog of lies which the animal kingdom indulges in; it should be sufficient to merely point out that the two main interests of animated nature, mating and eating, are thoroughly steeped in such legerdemain. I would be tempted to say that about the only time an animal isn't perpetrating a fraud is when it's asleep, except that some zoologists have theorized that sleep itself is a form of camouflage, a means of forcing a creature into an ersatz inanimate state so that it will hold still and shut up when potential enemies are about.

This hypothesis indicates how intricately deception is intertwined with animal life and how innocent it all is. It would be patently absurd to attach any moral evaluation at all to such behavior; my point is to show how unconsciously and naturally power leads to deception in the animal kingdom, but it would make no sense to call this "corruption." Corruption occurs at the point where this unconscious animal behavior is permitted by H. sapiens to flow unchecked within itself, and more especially where we allow it to control us in the form of self-deception. And the tendency seems to be almost inevitably for deception and self-deception to be reinforced and made a *modus operandi* when they are effective in the acquisition of power.

### Why Power Corrupts

The reason that power corrupts is that sooner or later the possessor of it comes to believe that he deserves it. That is not the only deception and delusion of the powerful, but it is the elemental one. The "alpha male" of a primate colony, the big-cheese chimp or baboon, is often not much stronger physically than the other males, but has faked his way to the top by tricks of intimidation or by inflating his chest or

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*The two main interests of animated nature, mating and eating, are thoroughly steeped in legerdemain.*

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cheeks a bit more than his competitors. The political subspecies of H. sapiens does the same thing with a tricky media campaign or inflated rhetoric. His bid for power is based on manipulation, on deluding his fellows, and if he is successful, he tends to forget this bald fact and to attribute his new power to his own superiority. Unlike the jungle ape, he believes his own propaganda. This is corruption in its essence and the model of the process Acton (and *Cosmo*) referred to.

It would, in fact, be hard to imagine a more horrible man-

ifestation of corruption than to lose oneself that way. It isn't for nothing that the ancient wisdom of Socrates and others admonishes us: "Know thyself." If one starts with that as the first step on the road to truth and sticks to it unswervingly, one can't go far wrong for long. And, contrarily, to the degree that one is estranged from oneself, to that degree is one handicapped in the search for truth. The degree of power that one holds is inversely proportional to the degree of self-knowledge that one possesses. "Power tends to corrupt and absolute power corrupts absolutely" can be paraphrased another way: "For what shall it profit a man, if he shall gain the whole world, and lose his own soul?"

Corruption is the process of losing one's own soul, and this is the tendency of power because it leads away from the "will to truth," the struggle for understanding, which is the most sublime activity of the human spirit — one could even say that it is the human spirit — and leads towards the "will to deception" — the path of least resistance which is characteristic of animal behavior and therefore requires no struggle at all. Fakery is easy; it is like a marble rolling down a groove in a bannister, and it takes a degree of character, of

spiritual effort, to jump out of that groove into a more exalted path. It is precisely that effort, the fruit of a strange, unfathomable, mysterious yearning, that enables us to transcend our zoological heritage.

But perhaps there are those who think Acton underestimates human possibilities, who think that the "will to power" and the "will to truth" are compatible, that one can pursue political power and truth at the same time, that one can control one's fellows and simultaneously maintain an unlimited uncorrupted capacity for understanding, that one can be a philosopher king. This ancient myth is no doubt reinforced by the modern superstition that there are no limits on human desires, that anyone can have it all, that one can have both the whole world and his own soul. Anything is possible, of course, but unfortunately all the evidence points in the opposite direction. Personally, I'd prefer not to risk my soul, such as it is, in the pursuit and pretended pickling of so questionable a chimera as power, and perhaps there is a possibility that others who give due consideration to Acton's maxim may come to the same conclusion. □

## Kopel, "Slaves and Guns" *continued from page 28*

extensive use of slave labor. Many of the cheap Chinese goods which Americans buy are cheap because they are manufactured with slave labor.

In one of the classic episodes of the television series "All in the Family," Sammy Davis, Jr. paid a visit to Archie Bunker's house. Archie was a racist, but he wanted to make a good impression on his famous guest. So he told Sammy Davis that "I've always been against slavery." Archie's daughter Gloria and her husband Meathead made fun of Archie, since being against slavery in 1971 — over a century after American slavery had been abolished — wasn't exactly a sign of being a progressive thinker.

But, it turns out that Meathead and Gloria were wrong. In modern times, it's not so easy being against slavery. Even if a person doesn't own slaves, if he purchases slave labor products (Alabama cotton in 1855, or Chinese goods in 1999), he is giving practical support to slavery.

If men of high character and principle, like Lysander Spooner and Joel Tiffany, were running our country today (in contrast to men like Bill Clinton), it is doubtful that they would encourage Americans to buy slave labor products from China. Instead, President Spooner and Secretary of State Tiffany might be formulating plans for sending a modern John Brown into China, to arm the slaves and begin revolt against Communist

tyranny. The next time you have to choose between buying a product "made in China" and one made by free labor, think about what Lysander Spooner and Joel Tiffany would do. Archie Bunker was against slavery. Are you? □

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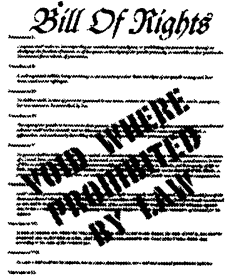
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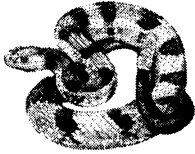
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Thomas Jefferson

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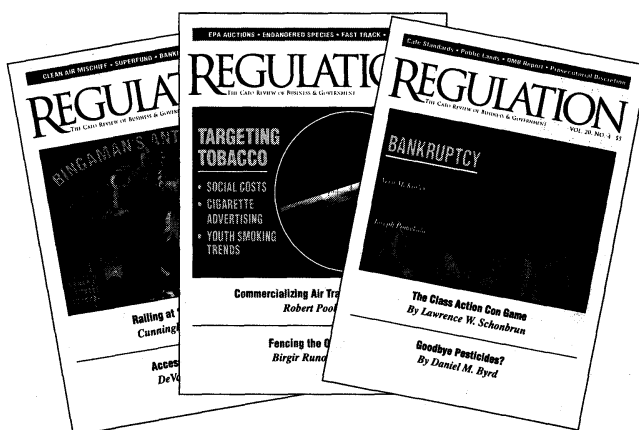
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# The Poverty of the Non-Aggression Imperative

by R.W. Bradford

Sometimes, the “moral high ground” is a dangerous place to stand.

It takes only a single white rose to disprove the proposition that “all roses are red.”

But suppose that, upon being presented with a dozen white roses, advocates of the proposition “all roses are red” responded, “Our belief that all roses are red does not require us to resolve definitively the question of every one of these white roses.”

Would anyone take such an argument seriously?

Yet this is precisely how advocates of the non-aggression imperative — the proposition that it is always wrong to initiate force — react when they are presented with the equivalent of a white rose. “A moralistic argument,” assert Dyanne Petersen and Jeffrey Hummel in a peculiar aside in their review of a biography of abolitionist William Lloyd Garrison (*Liberty*, November), “does not require libertarians (any more than it required Garrison) to resolve definitively every one of the age-old ethical conundrums.” Petersen and Hummel specify that they direct their words at my essay “The Rise of the New Libertarianism” (March), in which I very carefully directed my criticism not at morality in general or libertarian morality in particular, but at what I consider a weird subspecies of libertarian moral thinking, the non-aggression imperative.

In their view, it is a huge mistake to abandon this imperative, despite the fact that it has apparent exceptions (those “age-old conundrums”). For them, indeed, the non-aggression imperative is just plain common sense:

With or without religious conviction, most people agree that it is wrong — it is immoral, not just impractical — to steal, cheat, or rape, to murder, kidnap, or enslave. Philosophical quibbles about life-boat exceptions to the non-aggression axiom are not even germane.

P&H start here on solid ground: most people do believe that in a general way it is wrong for an individual to commit acts of aggression. And it is also true that most people reject “philosophical quibbles” in discussions of this sort. But the reason why most people are uninterested in the “quibbles” that undermine the non-aggression imperative is that they

don’t believe in the non-aggression imperative to begin with.

Most people see non-aggression as a general policy that has a great many exceptions, all evident in everyday life: taxes, conscription, regulation, licensing, etc. Since they are surrounded with exceptions to the general moral rule, and are fully favorable toward many or most of them (witness their voting behavior), they see no reason to attend to the sort of exceptions that critics of the non-aggression imperative find to illustrate the absurdity of accepting and applying the general principle in the way that so many libertarians do.

Petersen and Hummel are not content to observe that people generally believe individual acts of aggression are wrong. They continue:

A moralistic argument does not require libertarians (any more than it required Garrison) to resolve definitively every one of the age-old ethical conundrums. It merely applies to the State the same moral principles, however imperfect and imprecise, that govern individual interaction. Like Garrison, moralist libertarians take shared premises and insist upon greater consistency.

But there is no “shared premise.” There are two distinct premises:

1) *It is generally wrong to initiate force.* This belief forms the moral basis of civil society; not surprisingly, it is shared by most human beings.

2) *It is always wrong to initiate force.* This is the moral basis of the libertarianism of Murray Rothbard and the libertarianism that grew out of Ayn Rand’s thinking.<sup>1</sup> Except

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1. Actually, Rothbard’s libertarianism and the libertarianism that grew out of Rand’s thinking are one in the same; certainly, they are the same in essential respects.

for a few doctrinaire libertarians, virtually no one believes this.

That is why the Randian-Rothbardian typically has so little to show for his efforts.

Convincing people to accept the non-aggression imperative is not a simple matter of convincing them to be less "imperfect and imprecise" in applying a belief they already have. It requires them to abandon their belief that force initiated by individuals is generally wrong, and to replace it with the belief that it is *always* wrong for any person or combination of people to initiate force.

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*The reason why most people are uninterested in the "quibbles" that undermine the non-aggression imperative is that they don't believe in the non-aggression imperative to begin with.*

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P&H conclude their criticism of my attack on the Rothbardian-Randian libertarianism with these words:

*If libertarians descend from the moral high ground and choose instead consequentialism or gradualism, who will articulate the moral superiority of our ideas? If libertarians do not loudly proclaim that taxation is theft, conscription is slavery, and war is mass murder, who will? If libertarians do not burn with righteous moral outrage at such State atrocities as the killing of children at Waco and the bombing of innocent civilians in Kosovo, who will?*

P & H plainly intend these as rhetorical questions, each to be answered with a thunderous "No one!" thereby devastating the criticism I offered of Rothbardian-Randian libertarianism. But, as you may suspect, I find such questions singularly undevastating, and I am quite happy to answer them.

*If libertarians descend from the moral high ground and choose instead consequentialism or gradualism, who will articulate the moral superiority of our ideas?*

The moral superiority of liberty over statism will be articulated by everyone who believes that liberty is morally superior, most assuredly including people like David Friedman and me who have explicitly challenged the Rothbardian-Randian orthodoxy, as well as others, like Ludwig von Mises, Friedrich von Hayek, H. L. Mencken, and Milton Friedman, who have embraced liberty but eschewed the notion that initiated force is always wrong. And what's this stuff about "abandoning the moral high ground"? Who says that the Rothbardian-Randian position is the moral high ground? That's what we're arguing about, after all. If standing on "moral high ground" requires me to believe something as fallaciously derived and as absurdly and patently wrong as the non-aggression imperative, then let me walk the slippery slope any day.

*If libertarians do not loudly proclaim that taxation is theft, conscription is slavery, and war is mass murder, who will?*

These slogans will be loudly proclaimed by their adherents, I suppose, or at least by those who think such sloganizing does any good. I am not convinced that proclaiming "Taxation is theft" is a particularly effective way of advancing the cause of libertarianism.

*If libertarians do not burn with righteous moral outrage at such State atrocities as the killing of children at Waco and the bombing of innocent civilians in Kosovo, who will?*

Have P&H ever read this magazine? The ashes of Waco had hardly cooled when the June 1993 issue hit the streets boldly charging the federal government in general and Janet Reno in particular with the crime of mass murder. Throughout the entire Kosovo war, *Liberty's* editors and other writers railed against it, excoriating the U.S. and other NATO powers; the "bombing innocent civilians" was only one of the outrages we charged.

Ironically, it has not been the Rothbardians or Randians among *Liberty's* editors and writers who have most vigorously criticized the U.S. government's murder of innocent people at Waco and in Kosovo. The task of attacking those murders has been taken up most vigorously by David Ramsay Steele and me, people who are among the many libertarians who reject the facile but fallacious non-aggression imperative of Rothbard and Rand.

It seems that P & H have somehow come to think that unless one embraces the same morality that they embrace, one cannot claim to be moral at all. Frankly, I am tired of this crude *ad hominem* means of attack. The notion that libertarians like Milton Friedman, Leland Yeager, David Ramsay Steele, David Friedman, and me have abandoned morality altogether simply because we are critical of the non-aggression imperative is simply ridiculous. It is quite possible to oppose slavery and mass murder without buying into the non-aggression imperative. People condemned slavery and mass murder on moral grounds for centuries before Murray Rothbard or Ayn Rand was born. But knowledge of history has never been the strong suit of puritan moralists.

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In the "Letters" section of the same issue in which Petersen and Hummel dismiss my criticism so cavalierly, Curt Howland raises another frequently heard objection to my way of criticizing the non-aggression imperative. Howland is not impressed by my observing that in certain hypothetical situations, one's life could require violating another person's rights to a trivial extent. He suggests that the initiation of force is still wrong, but it can adjudicated by the courts:

*It is wrong for me to violate [another's] rights, and I would expect to be held accountable [if I did so in an emergency.] A jury might find that it was a minuscule infraction on my part, and merely slap my wrist.*

Howland is heading in the right direction. Of course, if one is lost in a snowstorm, freezing to death, and comes across a cabin in the woods where he might find warmth and shelter, he should ignore the "Positively No Trespassing" sign, break into the cabin, and face the consequences. But this doesn't solve the problem faced by the consistent proponent of the non-aggression axiom, whose morality requires that he should *never* initiate force and *always* condemn the initiation of force as immoral. Nor does it solve the problem of the moral standard by which the "jury" should judge guilt or innocence. Besides, if one suggests that morality requires one to act immorally and face the consequences, one is no longer engaged in moral thinking; a moral theory that advises one to do something that it condemns as invariably evil is no moral theory at all. □



# The New Branden vs. the Old

by Jeff Walker and Bryan Register

The strange career of Ayn Rand's intellectual major-domo.

I doubt that it's due to Bryan Register's powers of observation that he "couldn't help but notice" the near-repetition of certain passages about Leonard Peikoff and Joan Blumenthal in *Judgment Day* and *Taking Responsibility* ("Nathaniel Branden Speaks," September). I would bet he noticed it because I pointed it out in *The Ayn Rand Cult*.

Branden's chuckling excuse for exposing supposed failings of Joan Blumenthal and Peikoff brought out in therapy — namely that he and his Objectivist psychologist colleagues made this standard practice for everybody within the cult back in its heyday — is appalling, given that the albeit-feeble cult excuse certainly does not apply to continuing such exposure decades later before a new audience of tens of thousands. Moreover, Branden's effort to diffuse personal responsibility with the passive-voice comment that "Everything that was wrong with anybody or thought to be wrong was publicly discussed" couldn't possibly pertain to all the revelations that typically arise in therapy. That is, unless the very prospect of public exposure persuaded clients to withhold what was most embarrassing from their therapist, which would indeed make for the kind of shallow, ineffective therapy that Robert Hessen attributes to Branden in those days.

Branden's denial of his ex-wife's characterization of him as being a worse holy terror than Rand when judging and denouncing students merely avoids Barbara Branden's rationale for that characterization: that what he lacked in Randian fury he more than made up for in the kind of psychological devastation that only a denuncnee's therapist could unleash. That's why Rand was a pussycat in comparison, and why Barbara Branden would likely reaffirm her opinion in this matter.

Nathaniel Branden also tries to squirm his way out of conceding that an important reason for his keeping Rand dangling romantically was to obtain a glowing introduction to *The Psychology of Self-Esteem* before their inevitable split.

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"That's new to me" he blurts, forgetting that an interviewer for the newsletter *Full Context* had already extracted this admission from him. He does say that his thinking during that period was that such an introduction, owed him by Rand, "shouldn't have been contingent on whether or not I was in love with her." Well, it probably wasn't. It certainly was contingent on delaying her discovery that he had lied to and manipulated her for four years, a different matter entirely. Branden even proudly discloses that "close to six months prior to our break, Ayn Rand was declaring at public lectures that Nathaniel Branden is the apotheosis of what she writes about, and the embodiment of her philosophy." Even someone as critical of Rand as I am can only be appalled at the extent and duration of the gross lying and deception on Branden's part that perpetuated that delusion.

Register says to Branden: "Jeff Walker claims that you were a cult by eight of nine criteria that he lists." No, I was using Budd's criteria for whether a cult qualifies as a "destructive cult" or not, and I provide a rationale for why the ninth criteria can be disregarded in the case of Objectivism.

Branden insists in the interview that "[u]nlike Leonard Peikoff, I prefer not to offer assessments of books I haven't read" and assesses *The Ayn Rand Cult*, which he says he hasn't read, negatively for "mak[ing] a great many allegations and claims for which [Walker] doesn't offer anything remotely resembling evidence." The presumably worst (and most personally offensive) case of this is my allegedly having cited him as "if only through negligence, complicit in . . .

Patrecia's death." Yet in the one paragraph pertaining to this issue (on page 154), the word "negligent" is applied (hypothetically) not to Branden but to Patrecia's doctor, and the word "complicit" cannot in its dictionary definition be applied to Branden's not having intervened to the extent that a truly-loving mate might have been expected to. So not only does Branden flatly contradict himself on not assessing books he hasn't read, the worst-case example in his second-hand critique is a non-starter. Unfortunately Branden has chosen to emulate his former mentor in this, Rand having refused "on principle" to read Whittaker Chambers's review of *Atlas Shrugged* because of what an acolyte whose judgment she trusted had said, quite erroneously, about the review. Branden accepts an erroneous paraphrasing of a single para-

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*What Branden lacked in Randian fury he more than made up for in the kind of psychological devastation that only a denuncree's therapist could unleash.*

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graph of *The Ayn Rand Cult*, instead of simply reading some proffered photocopy of that page, and states further that "on that ground alone, I don't buy or read those kind of books." Yet no one is asking him to buy or even read the book, only to read the offending several lines first-hand. Even Peikoff, I seem to recall, had the courage to read parts of an early draft of *The Passion of Ayn Rand*. Branden hasn't sufficient Peikoffian courage for even a single paragraph.

Contrary to Register's remarks, I didn't "claim" that Branden didn't have to write a master's thesis at NYU; Branden states this in his memoir. The real reason why he gets away with this omission is what Branden sidesteps and I provide.

It's certainly convenient for Branden that he's "not a person who's ever been especially excited about credentials" seeing as he has next-to-none. Oddly though, he never misses an opportunity to flaunt his (barrel-bottom-scraping) Ph.D. and Dr. credentials. Bravely he opts to be judged on the basis of his insufferably-moralizing junk-science tome *The Psychology of Self-Esteem* (or one of his dozen or so re-jiggings of it under new titles). Actually, the reason that credentials are very much worth examining here is that bogus or deficient ones — like Branden's — are so depressingly typical of cult leaders.

Branden claims I didn't do my homework in apparently not knowing that one technically can obtain a psychologist's licence with only an unaccredited California Graduate Institute Ph.D. Yet once again it is Branden who hasn't done his homework. I state that CGI is "no mere diploma mill" on page 156 and on page 157 I make plain that Branden's Ph.D. did make him eligible to take exams for licensing as a California psychologist.

As for Register's suggesting that I characterize the California Board of Psychology's dealings with Branden as "run-ins," I did not. Branden insists that "the authorities were never harassing me." Who said they were? Not I.

It's gratifying to see Branden admitting that it was far, far, far easier to get licensed as a psychologist in the east than in

California, so the east is where he got licensed, despite his intent to practice in California. This reluctance to do the work required to get a California license he excuses with his "real interesting story" of how finding so many screwed-up current and former Objectivist clients in L.A. — "incredible" as he puts it — got him too busy to bother with obtaining the California license. Soon the District Attorney's office even calls, ostensibly about a petty complaint against him having nothing to do with his lack of credentials as a psychologist, but mainly it seems just to have an opportunity to acknowledge to him personally that, "Dr. Branden . . . you are a very, very well-known, very, very successful psychotherapist," doubtlessly a precise, authentic quote. Branden adds that, not wanting to encounter any further similar problems, he then on his own initiative asked his publisher to cease referring to him as a psychologist on the jackets of his new works. (Reprints of already-published books would remain unaffected.)

Actually, and "this is real interesting," when I spoke with the director of the California Board of Psychologists decades later, I believe it was 1992, he told me he'd never heard of Branden prior to a very recent complaint about Branden trying to pass himself off on book jackets as a psychologist. It was only after the Board queried Branden about this complaint that he responded by contacting his publisher. The California Board of Psychology had never heard of Branden, but according to Branden himself, "the whole world calls me a psychologist . . ." It would appear that Branden's instructions to his publisher came at the behest of the Board rather than on his own initiative, given that the Board eventually phoned him again to object that, still, he was implying he was a psychologist within the text of a new book ("an oversight," concedes Branden) and in blurbs on back covers (this, Branden avoids mentioning). Once Branden explains that his books, much like L. Ron Hubbard's and Mary Baker Eddy's I suppose, have even been translated (into English and other languages foreign to Objectivists?), and are taught in psychology courses (at CGI?), the Board comes to appreciate Branden's "special situation."

As for the revised version of *Judgment Day*, his spring-publication vehicle for cashing in on the spring airing of the Showtime movie *The Passion of Ayn Rand*, he concedes "that unless you read the book very, very carefully, you're not even going to notice [most changes] . . ." (This is just as true when trying to distinguish later from earlier self-esteem tomes coming off the Brandenian assembly line. And who on earth would feel the necessity of reading *My Years* "very, very carefully"?) So much integrity does Branden bring to publishing that unless bookstore browsers read through a bunch of boring stuff to get to the second page of the preface, (s)he may remain unaware that the book is actually 99.9 percent — not day-old donuts — but decade-old donuts. Nothing on the front or back covers indicates this crucial fact. Hundreds, perhaps thousands, will doubtlessly be thus hoodwinked into buying, as was an angry customer-reviewer at the Amazon.com Internet site for the book.

Register flubs again in reporting that Branden shocked an Institute for Objectivist Studies audience a few years ago by conceding, in effect, that Objectivist philosophy is as visibly riddled with holes as a Swiss-cheese. In fact, the shock must have worn off long before, given that Branden was merely

reiterating what he had written in a fall of 1984 *Journal of Humanistic Psychology* article. While Branden concedes that aspects of Rand's philosophy made him apprehensive prior to the 1968 Break, it was an unshakable intolerant sense of absolute certainty without any apprehension whatsoever that Branden was hypocritically communicating to his students.

Branden says he didn't "systematize" Objectivism but did "lay it out in a non-fiction . . . highly accessible academic format." Well, you couldn't call *Atlas Shrugged* a systematic presentation of Objectivism, whereas you could say that of Branden's lecture course on Objectivism. It really wouldn't kill Branden to haul out a dictionary every decade or so; this time I would suggest he look up the word "systematize."

Branden's refusal to peruse Mary Gaitskill's *Two Girls, Fat and Thin*, even just the parts of it that satirize himself and the rest of the Objectivist movement, doesn't do much for the cause of undoing Objectivism's reputation for being humor-deprived.

## Bryan Register Responds

In his letter, Jeff Walker takes me to task for improper behavior.

Walker would bet that I learned that Nathaniel Branden talks about Leonard Peikoff and Joan Blumenthal both in his memoir and in one of his self-esteem books by reading his own book! Of course, it's only monumental conceit that leads a person to believe that such a pedestrian observation is somehow his own invention and could not possibly have been noticed by anyone else. What's interesting isn't the question of whether I noticed this myself, but the fact that Walker is criticizing me for having read his own book! All I can say is, it won't happen again.

Walker also seems to think I am wrong to say that he argues that Objectivism is a cult because it meets eight of nine criteria that he cites for being a cult (the ninth not being relevant to Objectivism). This charge leaves me even more confused than the last. The objection seems to be that I am wrong because he argues that Objectivism is a cult because it meets eight of nine criteria that he cites for being a cult (the ninth not being relevant to Objectivism).

Walker is also annoyed that I say that he says that Branden didn't have to write a master's thesis. According to Walker, he does not say this, because he cites Branden's own memoir as the source of the (tedious) detail. Well.

Walker would prefer that I not use the term "run-in" to describe Branden's encounters with California's psychological licensing boards. Where I come from, a "run-in" is exactly what Walker and Branden describe. Perhaps Canadians do not use this phrase the way Texans do.

Walker charges that "Register flubs [elegant term] again in reporting that Branden shocked an . . . audience a few years ago by conceding . . . that Objectivist philosophy is . . . visibly riddled with holes. . . . In fact, the shock must have worn off long before, given that Branden was merely reiterating what he had written in [the] fall of 1984. . . ." Now, Walker wasn't at that lecture, and I was, and the audience response in the break between the lecture and the evening after the lecture can safely be characterized as, in at least some cases, mild shock. Walker pretends to a deep concern

with getting the facts straight. He should therefore attend to eyewitness testimony.

I interviewed Nathaniel Branden because I wanted to ask him about certain differences between the two editions of his memoir. But I am sure he agreed to be interviewed in part so that he could respond to some of the allegations that have been made about him, including those that came from Walker. In general, I found Branden's responses frank and sincere.

But Walker, who is deep in the grip of a theory, seems unable to understand what Branden said in response to some of my questions. Many of Walker's objections appear to rest on irrelevant verbal distinctions that seem to have been invented for the sake of having something to complain about.

Walker is bothered by the fact that Branden doesn't especially want to read his book. Of course, there are billions of people who feel that way; why should Branden be any different? But Walker seems puzzled that Branden apparently thinks that a book which accuses him of having been complicit in the death of his own wife, and a book that provides not even the thinnest shred of evidence for this bizarre accusation, is beyond the pale. I don't know how to respond to this.

But here's something that I will comment on. Since I've gotten in the middle of this thing, let me put up a statement, for the record, of what I think about Nathaniel Branden. This is for anyone who cares, or who was puzzled by the end of my interview with him.

I think that Branden has done some very smart work in psychology, and I know that some of it has helped me understand my own life better. I think that he has been a tad repeti-

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*I think that Branden has done some very smart work in psychology, and I know that some of it has helped me understand my own life better.*

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tive in an effort to reach different audiences with the same message. I think that he unknowingly led a cult in the 1960's. I think that he has done a great deal to make up for it. I think that his book, *Judgment Day*, was a very unkind book. I think that he sincerely, and for the most part effectively, tried to make up for it with the new edition. I wish he had done a somewhat better job. I think that he makes mistakes, some of which Walker points out in the more fact-based parts of his own book. But I think that he does a lot of things that are not mistakes: His books seem to have helped some people actually put their lives in order, not by some wacky cult definition but in the ordinary sense. I think that outweighs the harm he's done, but I would understand if the harmed thought differently.

The story of Branden's life and career is one of significant achievements and relevant failings. But this is true of everyone worth talking about.

If you can find neither adulation nor condemnation in that, it's because neither is there. In a black-and-white world like Rand's and Walker's, this won't make much sense. For people in the real world, it's the best we can do. □

# A Loyal American

*by Bertram Benmeyer*

Loyalty has different meanings at different times.

"You are Harold Greene, Sir?"

The two men who had come up to him in the parking lot smiled. He liked their polite manner. Greene acknowledged his identity.

"We're from the Federal Safety Bureau. I'm Agent Jacobson. This is my partner, Agent Garner." Not as tall as Greene, they were bulky men; both held wallets in their hands. Flipping them open, they pushed their credentials at his face. Their fingers were large and thick. He looked at the small pictures barely long enough to confirm who they were. Jacobson's mustache was there, and Garner's fleshy face almost seemed a caricature of itself.

The sun had baked the parking lot all day. Greene could feel the hot concrete through the soles of his shoes. The interior of his car would be burning. After the comfort of his air-conditioned office, he found standing and chatting unpleasant. Perspiration formed on his body, but he was mildly intrigued at being approached by agents of a Federal bureau.

"What's this about? Federal Safety Bureau? I've never heard of you guys. What do you do?"

"Sir, we know it's late in the afternoon," said Jacobson, "but we have some questions to ask you." His raspy voice was flat, as if he were reading aloud. It vaguely reminded Greene of movie mobsters. "Would you mind coming with us? It will only take a little of your time and would be of great service to your government."

"Now?" Greene responded. "Sorry, guys, but this is the end of the day. I've got a date with a lovely lady named Susan, and I need to get home to clean up."

Jacobson frowned. "Sir, this is rather important. I'm afraid that I'm going to have to insist. "There might have been a slight smile on Garner's face, but Greene was intent on Jacobson.

"Gentlemen," said Greene, "give me a call tomorrow. My number is . . . what the hell are you doing? Hey, that hurts!"

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Garner had stepped behind him and twisted his arm. After a moment his grip eased, but Greene remained sandwiched between the two men. Jacobson's breath was minty with a sour undertone.

"Sir," continued Jacobson as if nothing unusual had happened, "I must insist."

Greene stood well over six feet and half-seriously lifted weights. But he had moved through life as if protected by some invisible force that kept anyone from trying to hurt him. Violence was something he watched on television, not part of real life.

"Hey, you guys. Hey. Back off!" he half-shouted, not sure if he should make a public disturbance.

"The car is this way, sir," said Jacobson who, turning, took Greene's free arm and pulled him forward. Garner pushed him from behind. In a moment they were in the car, Jacobson driving and Garner sharing the rear seat with Greene.

"You are both in deep shit," Greene said, his voice almost an octave higher than normal. "You can't treat a citizen this way. " They ignored him. "Wait until I talk to your boss. Wait until I tell my congressman about this. Your asses are grass." Nothing moved the agents. Greene lapsed into silence. He trembled slightly.

The car moved with the afternoon traffic to I-70, turned west onto the highway and drove past downtown Denver toward the foothills.

"What the hell is going on?" His heart pounded. His dry mouth slurred his words. "Where are you taking me?"

Jacobson drove, indifferent to his questions. Garner looked bored. After traveling west about half an hour, they exited the highway at Morrison. Another few minutes brought them to an isolated frame house surrounded by trees.

"This is preposterous," said Greene. "You can't be government agents. No agents would treat me like this. What do you want with me? Whatever is going on, you've got the wrong man."

Jacobson got out and opened the door on Greene's side. "Sir, if you would please come in we'll get our business with you taken care of and then we can all get back to the city. You want to go on your date and we have families that are waiting dinner for us." That they were family men was

*"The car is this way, sir," said Jacobson who, turning, took Greene's free arm and pulled him forward. Garner pushed him from behind. In a moment they were in the car, Jacobson driving and Garner sharing the rear seat with Greene.*

reassuring.

They entered the house. Greene looked around. It was empty, bare, not a picture on the walls, no curtains in the windows, nothing except two straight-back chairs on one side of a scuffed conference table and a similar chair facing them. Greene had assumed there would be an office with file cabinets and a secretary. There was no one here to give him the proper complaint forms. Jacobson looked at Greene and pointed to the single chair. The three men sat down.

"Look, whoever you are, you've got the wrong man. You've made a mist . . ."

Garner's hand slapped hard against the surface of the table. The sharp crack startled Greene with its sudden violence. Jacobson seemed indifferent to it. "Sir," he said, "agent Garner is somewhat unhappy these days. He's having a hard time with his wife and doesn't want to be later than necessary. Please, just speak when you are spoken to. Just answer our questions. We'll get out of here a lot faster that way." He placed a small tape-recorder on the table.

"Now," he said to Greene, "tell us your full name."

"For God's sake, don't you know who I am?"

Jacobson frowned. "Sir, can we just get this business taken care of? Tell us your full name."

"Harold Greene."

"Where do you live?"

"1414 Semaphore Street, in Aurora."

"Occupation?"

"Accountant. I work for the government, just like you guys."

"Who is your contact in the Pentagon?"

"What? What did you say?"

"Who is your contact in the Pentagon?"

A flood of relief rushed through Greene's body. He laughed out loud. "Good grief, you guys have made a big mistake. Whatever Greene you're looking for, it's not me. The Pentagon? You think I'm some sort of spy?" He grinned at them. I'm Harold Greene, loyal American. Two years ago,

I won the *Rocky Mountain Journal's* good citizenship award. Hey, I'm a scoutmaster, for God's sake."

"Who is your contact at the Pentagon?"

"Don't you get it? I'm not the man you want. You've made a mistake."

"Who is your contact at the Pentagon?"

"The hell with you morons. Am I under arrest? I'm getting out of here, or are you going to tie me down, or what?"

Jacobson leaned back in his chair. "It's not up to me." Garner rose to his feet, dragged his chair to the door, and sat in it.

"You're in charge," said Greene, looking directly at Jacobson. "Tell him to let me out."

"Why no, sir, I'm not in charge. Agent Garner outranks me. This is his operation. Why don't you ask him?"

Greene stood and approached Garner, whose face was crinkled in an enormous grin.

"Uh, excuse me, Agent Garner, but I think I'd like to leave now." At first, his voice was tremulous. "Unless you want to put me under arrest. Yeah, the hell with it. Put me under arrest. The joke's on you." His voice became stronger. "You guys are a perfect example of government incompetence. I can't wait to see the headlines: 'CIA Agents Arrest Wrong Man.'"

"We're not CIA" Garner responded, "we're FSB." His voice was soft, hardly menacing, but while speaking he took an enormous blackjack out of his coat pocket and began slapping his hand with it. Greene shuddered at the sound.

"If you don't start to cooperate I'm personally going to beat the shit out of you." The grin never left his face but it altered in some fashion so that he now seemed ready to leap at Greene and smash him to the ground. Greene's legs became weak. He staggered backward to his chair and collapsed into it.

"Oh . . . well, there's no need to get crazy . . ." Tears trickled down his cheeks. His body trembled. "Don't you see?" he quavered, "You've got the wrong man. I'm Harold Greene." The two agents were silent. He continued to cry.

Finally Jacobson spoke; his raspy voice sounded kinder. "Don't you see, sir, how much better it would be to cooperate?" Greene nodded and wiped his face with his handkerchief.

*"This is preposterous," said Greene. "You can't be government agents. No agents would treat me like this. What do you want with me?"*

"What is it you want from me?"

"Sir, who is your contact in the Pentagon?"

"As God is my witness, I don't know what you're talking about. You've got to believe me. What can I tell you? I don't know what you're talking about." Garner stirred. "For God's sake, Mr. Jacobson, keep him away from me." Greene began to tremble violently.

"Well, sir," said Jacobson, "if you insist on your charade, let me tell you how much we already have on you." Greene looked at him. "You have been spreading the idea that we will have a dictator in this country within the next fifteen to

twenty years. The only way you could know about that is if you have a confederate in the Pentagon privy to the Domestic Alteration Committee's proceedings. We know about you, but we need to know who he is."

Greene stared at Jacobson. "That's what this is about? You guys are crazy. It's a joke, for God's sake. You've got to understand. I've been kidding with people about it. It's sort of a game we play with each other, telling each other preposterous things and trying to make them sound plausible. You can't take that seriously. Wait a minute. I've only been dis-

*"Everyone worried about using the numbers for ID when they first devised the system, but no one pays attention any more. Just read your little card. It says that it isn't supposed to be used for ID, but who doesn't use it that way?"*

cussing it on the Internet. How the hell do you know what I've been saying?"

Jacobson smiled at him.

Greene stared back, careful to avoid Garner. "Do you mean that you've been monitoring me on Intertalk? How the hell can you do that?"

Jacobson looked at Garner, who shrugged and then nodded.

"Sir, we didn't start out monitoring you. We monitor Intertalk and other computer interactive systems to make sure that subversives don't use it to communicate with each other. We just look for key words. Dictatorship is one of them. By itself, that's no big deal, but when it came up in combination of fifteen to twenty years, that caused quite a stir. You began talking about the coming dictatorship about a year ago. We've been focusing on you ever since. It's obvious that you couldn't know what's going on unless you've been getting it from the Pentagon. We need to know who your contact is and what you do with the information."

"You monitor computer systems? That's outrageous."

Jacobson scowled. "Sir, we are straying from the subject. Who is your contact in the Pentagon?"

Greene leaned forward. "You dumb jackass," he shouted, "I don't have any contact in the Pentagon."

Jacobson leaped to his feet and shouted back. "Well, how the hell could you know about our plans?"

Dumbfounded, Greene stared at him. "Plans, what plans? Don't you get it? don't know anything. I've just been playing a game. And it's simple, when you think about it. So many disaffected groups hate the government that it's hard to see how we've kept going this far. Explosions are becoming a way of life for us. Over the next few years, it will become worse. It's not only the "patriot" groups, but also the minorities who can't seem to get into the mainstream. Don't you see?"

Greene's passion pressed the words out in a rush. "If they ever get organized, look out. And hardly anyone votes anymore. Presidential elections will become almost meaningless. One of the incumbents will just appoint someone, maybe his son, anybody, to run the country during the last year of his

office. Then when the next election comes up, the few people left who actually vote elect him. After a few elections like that, the president declares that he's going to stay in office to protect our freedoms in 'the developing crisis' or some other political double-talk. Hell, even before that we'll all have our social security numbers tattooed on our arms."

Garner and Jacobson gave each other troubled looks. "That's all very interesting, sir, but it's all absurd," Jacobson finally responded. He leaned forward and stared straight at Greene. "That's the story you tell to cover up what you really know. Oh sure, some of it's right, but you're being cute.

"You know as well as I do that there are groups in this country who want to get back to the real Constitution, not the abomination that you damned statist, leftist traitors have made of it — and that they've been infiltrating the army and ..."

Garner roared at him. "Shut up. Whatever he knows you don't have to confirm it. Keep your goddamn mouth shut." He turned back to Greene. "But who told you about the social security numbers?"

Fascinated for the moment, oblivious to his danger, Greene laughed. "Everyone worried about using the numbers for ID when they first devised the system, but no one pays attention any more. Just read your little card. It says that it isn't supposed to be used for ID, but who doesn't use it that way? And no one complains. Don't you understand?" Greene pounded the table with his fist. "No one complains. What's more logical than to have it tattooed on our arms so that we can be instantly identified?"

"Sir," said Jacobson, "you are describing outrageous things. Why won't there be any protests?"

"Protests?" Greene laughed. "No one believes in freedom anymore. As long as government takes care of us, why should we complain? Hell, people lost interest in freedom a long time ago. And the ones who are still interested? By then, everyone will be under some form of surveillance. Hell, the process has started already. You guys are monitoring communication systems. I bet in fifteen years there'll be a computer with everyone in it. All you guys will have to do is

*"Good grief, you guys have made a big mistake. Whatever Greene you're looking for, it's not me. The Pentagon? You think I'm some sort of spy?"*

just punch in a name or a number and you got our entire life history to play with. You'll know who the potential troublemakers are before they figure it out themselves." In a burst of awareness, he said, "Hey, wait a minute! Hell, all you have to do is stick microchips in them like ranchers are doing with cattle for ID." Greene sagged back in his chair. He did not see the consternation on Garner's face.

"Oh, the hell with it," Greene said, "I need to take a leak. One of you want to come and watch me?"

Jacobson pointed to a door. "Through there. Hurry it up. You'll be a good guy, right? Don't try to escape, or anything. Right?"

In his passion, Greene had forgotten about his situation,



but Jacobson's rasped warning brought him back. He trembled so hard that he missed his aim and wet the floor. Afterwards, for a respite, he sat on the toilet trying to pull his thoughts together. He imagined he might go out the window and run for help. Everything looked green and peaceful outside. He heard distant cars drive by. But the memory of the blackjack dulled his energy. He washed his face and returned to his chair.



They injected him with sodium pentothal. Everything became relaxed and comfortable for him. He wanted to please these two men who grossly misunderstood him. There was no secret he would not tell them to reassure them that he was a good person worthy of their friendship. Jacobson's raspy voice was reassuring. Time dissolved.



"I've had enough of this," Garner said to Jacobson, cutting through one of Greene's lengthy answers. "He's giving us the same patriotic gibberish over again. Hell, he doesn't know anything. Mary is going to be pissed because I'm late. What a job. This jerk's just a jerk. Let's get the hell out of here."

"Listen," Jacobson said, "maybe we should dump him." Garner thought for a moment. "Nah, there's no need. He's just a guy with only the barest notion of what's going on. Let him stew in it. I don't want to have a body to dispose of. If I get back too late, Mary will kill me." They both laughed.

He turned to Greene who had sleepily listened with polite interest. "Into the car."



"Sorry to have troubled you," Garner said. They were back in the parking lot. "You're an honest citizen. We just needed to check you out. Look, you're in no shape to drive. Agent Jacobson will take you home in your car. I'll pick him up there and that's the end of it as far as we're concerned."

Greene had trouble focusing his eyes. "You're letting me go?"

"Sure. Why not? You're a loyal American. Anyway, you don't know anything. You just made some guesses, right. No problem. Oh, I know tomorrow you'll be pissed. You'll complain to our boss if you can find him, or maybe go to the newspapers and tell how the Pentagon is going to take over the country. Well, you're a citizen. You have rights. Right? No problem. There's just one question. Who'll believe you? Better go and call Susan. If she's anything like my wife, you're in trouble."

Because of the Pentothal, Greene slept well that night. The next morning he went to his computer, eager to tell his friends about his adventure, but he remembered he was being monitored. He stared at the screen for a while and then turned away from it. At work, he was so confused that his secretary asked if he had a hangover.

That night he dreamt he was alone, diving deep into the ocean. Sharks kept him from swimming to the surface where rescue boats searched for him. He felt his lungs begin to burst and woke up screaming.

The next day he called the FBI. "Damn it," he screamed at the agent, "I'm a loyal American. I served in the Army. I

don't deserve to be treated this way. You've got to do something about this FSB, or whatever they are."

"Well, sir," the agent responded, "I don't rightly know about them, but I'll check and call you when I get more information. No point in calling me again unless something else happens. Have a nice day, sir."

The police learned that the house in which he had been interrogated had been rented under his name. They concluded he had been the victim of an elaborate hoax.

His congressman's aide promised to find the FSB, but never returned his calls. Desperation and rage forced him to call again. "Sir," said the aide, "I was about to call you. Something very peculiar is going on. Could you meet with the congressman tomorrow at 3:30? A car can pick you up."

Greene laughed. "Can I meet with him tomorrow? Are you crazy? Wild horses couldn't keep me away. Thank God someone is taking me seriously."

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*"Sir, we didn't start out monitoring you. We monitor Intertalk and other computer interactive systems to make sure that subversives don't use it to communicate with each other."*

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"Yessir," said the aide.



"Well Mr. Greene," the congressman said, "I gather you were given a rough time by the FSB. They sometimes go too far, but they do important government work." He smiled. "But after all, we all agree that something has gone wrong with the country. The Supreme Court has changed it so much that the Founding Fathers would think . . . God only knows what they would think."

"What? What are you talking about? The Constitution? That's what I'm talking about. They kidnapped me and treated me like a . . . like a, like a damned enemy. I'm a loyal American and they can't do things like that to me."

With a frown the congressman said, "Look, Mr. Greene, we can't have an important agency like the Federal Safety Bureau embarrassed over a minor mistake." His eyes narrowed and his voice became harder. "My advice, my very sincerest advice, is that you drop your inquiries immediately. Do you understand what I am saying?" He stared hard at Greene who could only gape back at him. "You have a good job with the government and can look forward to a solid pension." He stood and screamed at Greene, "Don't do anything to jeopardize it or I'll have your ass thrown out by the end of the week. Get it?" Greene could not speak. "I said, do you get it?"

His throat still constricted, Greene could only nod.

"Now get your whining ass out of here, you stupid son-of-a-bitch!"

An impotent rage Greene slammed doors, kicked things. At work he was more restrained, but his sharp tongue kept his secretary away from him. Susan told him that he had become a pain in the ass, and dropped him. He screamed helplessly whenever television told him that the rest of the world was learning to follow the American ideal of freedom and justice.

Spring blurred into summer that blurred into autumn. Greene morosely walked through a mall. He thought vaguely that he'd have to pull himself together, but "What's the point?" stopped each attempt to get back to himself. He walked as if there were nothing in the world of any importance — and bumped into a woman. Off balance, he went down.

"Goddammit . . ." he began as he stared up at her. Passersby glanced at him and continued on their way. He saw dark hair, a green dress, and a face that stared back at him, perhaps more amused than concerned. He got to his feet, but the urge to scream at her dissolved into the pointlessness of his life. He walked away.

"Wait," she called, then walked swiftly after him. "My

*"We all agree that something has gone wrong with the country. The Supreme Court has changed it so much that the Founding Fathers would think . . . God only knows what they would think."*

name's Helen. Please, let me buy you a drink," she said, then took his arm and gently pulled him with her.

She sipped Chardonnay and casually looked around the dimly lit bar. He fiddled with a beer, then said, "Thanks, but I guess it's time for me to go." He slid off the barstool. She grasped his arm before he could take a step. "Sit back down, you idiot, we have to talk." Astonished, he complied.

"Don't say anything, just listen. I know what happened to you, but don't say a word" He gaped at her. "Damn it, look normal, smile or keep your mouth shut, but . . ."

"You know what happened to me?"

She smiled. "I told you to keep your mouth shut." His mouth hung open. "Damn you, grin at me like I'm making a joke or coming on to you." She looked around. "There aren't any of them here, I don't think, but we can't take any chances. They've got our offices bugged and we need to meet in places like this to do really confidential work."

Horried, he tried to get off the stool, but her hand, high on his thigh, held him in place. His sense of public decorum, a holdover from the time of a more rational life, kept him from demanding to be released.

"We've got to be careful. There are revolutionaries everywhere." She searched the room once again, then turned to Greene.

"Look," she said, "Jacobson and Garner were way out of line when they interrogated you. They are mindless drones who just go out to do a job without thinking of the consequences." She snickered in a sour way. "Once they picked up a ten-year-old who carried on about becoming the country's first dictator, and what they did to him . . . I mean," she scowled, "they don't have a brain between them." Greene stared at her. "So, I'm here to apologize for the FSB." Her voice shifted to a soft monotone. "On behalf of the FSB, I wish to tender our regrets for the discomfort and harm that has been done to you." Greene could only continue to stare. "So, just settle down. There's more to come." She turned and

called out to the bartender, "Dump the beer and bring my friend a single malt, and keep them coming." Greene, drained of all sense of self, remained quiescent while the bartender cleaned the area in front of him and poured his new drink.

A couple came in and moved to the bar as if to sit not far from Greene. Without a fuss, Helen arose and stared directly at the man who had been propelling his companion toward the empty seats. She looked at him, stared at him, pushed at him with her eyes. He stared back, then seemed confused and, still pulling his companion, veered off. The woman complained, "Are you crazy?" but let herself be led away. Helen reseated herself and sipped more wine.

Greene tossed the scotch down, then shuddered as the amber liquid burned its way down his throat. The bartender poured another; Greene again tossed it into himself and again shuddered, but not as deeply. He watched as the bartender poured yet another. That one went down smoothly.

As if created by the alcohol, a different Greene popped into place. He suddenly stood, looked down at the woman, and snarled. "You apologize? You admit your goddamned organization did me dirt and you apologize? What does that buy me, a bus ride, or a five-cent beer, a used rubber, or can I turn it in for a wooden nickel? You apologize? Goddamn you . . ." While he spoke, the bartender poured him another drink. He swiftly drank it down, again missing the subtle nuances of its flavor.

Helen's eyes narrowed. "Stop! Listen to me. We need people like you."

The hovering bartender poured him another drink. As Greene slugged it down, she said, "Come work for us. You've been causing trouble and, well, we need someone who's relatively sane. We can't let the Jacobsons and Garners take the damned place over."

Angry, Greene started to shake his head, but the drinks made it impossible to remember why. He felt strong, capable of destroying monsters. He grinned at her. "You want me as a counterbalance to those bastards? Sounds good, but what do I know about pushing people around? You think I'm qualified?" He sipped at the glass again filled by the bartender. "Hmm. Interesting taste." The bartender smiled.

"Training is all you need," she said. "It's an acquired skill and you sure are big enough and strong enough to do it; your record is clean and you're patriotic and proud of it." She opened her arms wide to him as if providing nothing but the truth. "So, with the right attitude and a little education, presto, we have us a reasonable alternative to the goons."

Greene sipped more of his drink. He felt as if whiskey fumes had permeated into every cell of his brain. Jacobson and Garner floated into his mind, but melted and dissolved into a meaningless sludge that dribbled down the drain of significance.

"Do I get to kick ass, particularly their asses?" She grinned. He thought he saw the barest of nods. "OK, here's the deal. They go down the tubes assisted, of course, by yours truly" — he gave her an enormous wink — "and you're included, right?"

She giggled and sipped more Chardonnay. Just before he slumped over, Greene thought about how it paid to be a loyal American. □

# Reviews

*A Republic, Not an Empire*, by Patrick Buchanan. Regnery Publishing, 1999, 300pp.

## Pugnacious Peacenik

Bruce Ramsey

In his new book, *A Republic, Not an Empire*, Patrick Buchanan argues that America might have stayed out of World War II and avoided fighting Hitler.

Oh, my goodness.

"His comments are grossly insensitive to those Americans who gave their lives," said Elizabeth Dole.

"Buchanan denigrates the memory of those Americans who gave their lives," said Donald Trump, who's seeking the Reform Party's presidential nomination and the \$13 million pot of taxpayer money that comes with it. "I am proud of the role that the United States played in defeating the Third Reich."

"I don't believe that Pat Buchanan is a part of the Republican Party when he uses statements and beliefs that we should not have fought against Hitler's Germany and Tojo's Japan," said Sen. John McCain. McCain's father commanded a submarine in the war, and his grandfather commanded a carrier force.

Buchanan had *insulted his ancestors*.

What had pugnacious Pat said? That it was morally wrong to fight Hitler? No; all he said was that we weren't morally obligated to do it. After all, we

had not felt morally obligated to fight Stalin — history's massest mass murderer — or, for that matter, Mao Zedong, Pol Pot or Fidel Castro. That we avoided fighting Stalin does not make us Stalin-lovers.

Buchanan argues that had Britain and France not given Poland a sudden pledge of military assistance in 1939, Hitler would have left the West alone. It was in the East that he wanted to seize *lebensraum*.

By the summer of 1941, with France and Britain no longer a threat, Hitler turned his attention east. The German forces that had so easily mastered French and British forces the year before were redeployed for the great assault against the Soviet Union. Though isolated, Britain was effectively out of immediate danger. At this point, six months before Japan attacked Pearl Harbor, the war in Europe had become a fight between Nazis and Communists. America, argues Buchanan, could simply have let the two tyrannies slug it out, while continuing to aid Britain (and perhaps the Soviets, if that was in our interest) while building up our own defenses. "But Roosevelt," Buchanan writes, "immediately after he was safely elected to a third term, began to maneuver the United States into the war."

Buchanan is right about that. Even

Roosevelt's friends admit the truth of that, and none of Buchanan's critics have faulted him on this account. What set them to sniffing was their feeling that Buchanan insufficiently appreciated their loved ones' sacrifices. But his point had nothing to do with appreciation, or with honor. His point — that the war might have been avoided — has nothing to do with denigrating or showing insensitivity toward "those Americans who gave their lives," as his critics have cried. Of course, there is no way to verify that America could have avoided the battlefields of World War II. No American president would have found it easy to stand by and watch the Nazis invade Britain or the Japanese invade the Philippines. World War II would have been a tough bullet for Roosevelt to dodge. Buchanan doesn't say it definitely could have been dodged; he merely says that Roosevelt didn't try.

Now, this is all very interesting stuff, but Buchanan is not a historian, and people aren't going to read *A Republic, Not an Empire* as a history book. It's a political book. It is an explanation of why Pat Buchanan, presidential candidate, follows a certain political line now.

All the emotion about Buchanan praising the America Firsters in a nation that gloried in "Saving Private Ryan," is a way of dismissing his arguments. *I will not talk to him because he insults me*. It's amazing how you can still use that one and get away with it. But sometimes you can.

For those who have not been insulted, the argument of this book is that America should look out for its own "vital interests." It should not, in the words of John Quincy Adams, go "abroad in search of monsters to destroy."

Buchanan argues not for a moral imperative, but for a strategy. Whether that strategy would have worked in 1941 is a side issue; the question is whether it would work now. Our world today is different from 1941.

Buchanan writes: "No malevolent empire threatens us today." Of China, he says, it "does not threaten any vital U.S. interest, and its emergence as a world power need not mean inevitable conflict." Of the Middle East, he writes, "No vital U.S. interest is at risk." And, "despite the efforts to create a new Hitler in Saddam, he falls short of the mark."

Buchanan was against the Gulf War, a conflict that was supposedly about America's ability to buy oil. Buchanan argues, in essence, that it mattered little to us that Saddam Hussein seized Kuwait; we could have bought Kuwaiti oil from him just as well. "Oil is worth-

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*Buchanan is not a historian, and people aren't going to read A Republic, Not an Empire as a history book. It's a political book. It is an explanation of why Pat Buchanan, presidential candidate, follows a certain political line now.*

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less, even to hostile nations, unless they can sell it for cash," Buchanan says. "The United States does not need to defend the oil fields of the Near East to have access to their production."

Buchanan is also against defending Taiwan. "Our last two Far East wars cost 100,000 lives, sundered our country, poisoned our politics and crippled two presidents. We are not going to send another army to fight a third. The nation would not tolerate it, and no vital interest justifies it."

He is for pulling American troops

out of South Korea, while still helping the South Koreans, and for removing U.S. troops from Europe. He writes, "We are not Romans; we cannot remain in Germany four hundred years."

He is for ending an automatic U.S. guarantee of NATO, which effectively would mean U.S. withdrawal from the Atlantic alliance. He writes, "The Balkans are not our backyard; they are Europe's backyard."

Of Israel, he writes that the Palestinians should be given "a flag and land of their own," that the West Bank, Gaza and the Golan Heights should be demilitarized, that Israel should have "access to U.S. weapons" but that the \$5 billion a year in aid to Israel and Egypt should end.

Buchanan argues that the United States has been acting as an imperialistic power, expanding its commitments while cutting its military budget. It is riding for a fall, as a result of "imperial overstretch."

He writes: "There is a fundamental question any foreign policy must answer: What will we fight for?"

This is a question worth asking — and not one the present establishment likes to hear. The establishment theory is that the way to a peaceful world is to weave a web of alliances and commitments. It holds that the world is safer in 1999 than in 1941 *because* of the UN, NATO, the Rio Pact, etc., etc. Our foreign policy elites can make a case for that; but it is worthwhile to hear the opposite case — that every commitment is a liability, that the liabilities rest on the United States, and that if the guarantees are ever called, we will have an insolvency of power.

All presidential candidates should have an answer to that question, "What

will we fight for?" Buchanan has one: We will fight for ourselves and our vital interests, and no more. He says it forcefully and clearly. And despite his pugnacious manner, and the attempt by his enemies to portray him as friend of brownshirts, Buchanan is not a war-

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*Buchanan's point — that the war might have been avoided — has nothing to do with denigrating or showing insensitivity toward "those Americans who gave their lives," as his critics have cried.*

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monger. He's not piling up grievances against other countries.

His other book, *The Great Betrayal*, did cultivate such a feeling — that America was wronged by other countries' low-cost goods and services. I cannot abide by Buchanan's economic nationalism, his hostility to immigration or his speaking of Mexicans, Chinese and other groups with disrespect. And as a practical matter, I'm leery of electing a president who has never run anything, a man who has built a professional career by making arguments. I have a career something like that, and it doesn't qualify me for executive office. I have not voted for Pat Buchanan, and probably never will.

But I like this book. It says some things that need to be said, and says them well. What my ancestors would have thought about it, I don't know. But then, I don't get insulted easily, and when I do, it's rarely on account of them. □

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"It works!"

*Guns, Germs and Steel* by Jared Diamond. W.W. Norton, 1999, 480 pp.

# Who Survives?

Fred L. Smith

*Guns, Germs and Steel* is a fascinating book that deals with one of the most basic topics facing society — what accounts for mankind's "successes" and "failures"? Why do some societies prove winners, others losers? Diamond rejects the racial determinist theories that are implicitly behind much of the thinking of modern liberals, seeing instead accidents of biology and geography.

Population, the bugaboo of modern Malthusians, is a positive factor in civilization according to Diamond. "A larger area or population means more potential inventors, more competing societies, more innovations available to adopt — and more pressure to adopt and retain innovations, because societies failing to do so will tend to be eliminated by competing societies." Inventions need inventors and users — neither likely in small societies isolated from others. Moreover, a larger population with crop/animal compatible linkage corridors can more readily serve as a transmission belt of knowledge in both directions — allowing a discovery in one region to migrate swiftly to others, allowing people to recover lost technologies at lower cost.

Diamond reviews several situations where societies either lose or reject some technological advance. Tasmania — cut off from the Australian mainland by rising waters — lost almost all the skills required for agriculture and reverted to hunting and gathering. China and Japan, in contrast, elected to reject established technology (sea-going technology and the gun, respectively)

and became stable albeit stagnant societies until outside pressures forced change many centuries later. Competition between states, Diamond suggests, is a good thing.

Diamond makes much of the Eurasian landmass's east-west axis, which allows crops and animals domesticated in one area to spread rapidly to others. An animal or crop domesticated in Turkey, for example, migrates easily to China, which shares a similar climate.

The Americas and Africa, in contrast, have north-south axes, making migration of agriculture and technology much more difficult: the crops of Mesoamerica would not again be viable until they reached Peru or even further south. Similar problems blocked the colonization of the Cape area of South Africa by the Bantus: when they migrated into the Mediterranean climate of that region, they had to abandon their agriculture, which depended on winter rains, and revert to hunting and fishing until the Dutch arrived in the 17th century.

Those fearful of change will find much evidence that progress is dangerous. After all, the "strength" of the Spanish — their resistance to disease — had been acquired by centuries of high-death rates. Moreover, many of these diseases were mutations of diseases afflicting domesticated animals. Living in a risky world makes us less prone to some risks, at the cost of incurring others. The push for world government makes sense in this framework — leaving anyone free to innovate means that the rest of the world is at risk. Only if one imposes uniform freezes on technology can one be sure the world is secure. Diamond is reluctant to endorse

this position. His view — "Without human inventiveness, all of us today would still be cutting our meat with stone tools and eating it raw, like our ancestors of a million years ago" — suggests that he views progress as a useful, albeit messy, process.

In any book of this scope, the reader will have many questions of the "But what about . . . ?" nature. Mine dealt with the question of why the Polynesians, who colonized virtually the whole Pacific/Indian basin from Easter Island to Madagascar, failed to colonize South Australia. The strong role suggested by geography leads one to countless "what if" questions. Suppose, for example, the Americas had been rotated around their north-south axis so that the Carribean Islands had been in the Pacific — would the Polynesians have colonized America as they did New Zealand?

Timing is also important. Diamond notes that the Spanish took Peru rather

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*Civilization is the slow move from tribal socialism to individual freedom and responsibility. Societies that have approximated that form of social structure are clearly out-performing those who have not.*

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than the converse because the Spaniards had writing, horses, guns and germs. But suppose the Spanish exploration of America had been aborted (as was the earlier Norse exploration) for a few hundred years — giving time for the diseases of the old world to become endemic, for escaped horses and livestock to diffuse throughout the continent much earlier, and for the Peruvians to adopt writing. Would the Indian empires that collapsed so readily have rebounded and become less subject to assault? Diamond does not explore such issues of timing — sometimes a foothold takes, sometimes the invading power retreats and never returns.

Diamond argues that "a large society must be structured and centralized

if it is to reach decisions effectively." He seems unfamiliar with classical liberal thinking on this score; at any rate if he is familiar, he doesn't bother to comment on it. He focuses more on the problems associated with traditional hunting band and tribal societies. As Richard Posner has noted elsewhere, primitive cultures resolve conflict by crude methods such as blood guilt — each family (as the more knowledgeable risk-avoider) is responsible for disciplining its errant members. The family unit is held collectively responsible. As societies grow, this form of conflict control becomes unwieldy and formal central governmental rules emerge.

I don't doubt that centralized hierarchy often will reduce such problems. But it does so at the expense of limiting society's ability to harness the energy and the creativity of its members — that is, it impedes progress. So while Diamond is right to observe a zero-sum society cannot compete with a "daddy-knows-best" society, he fails to realize that the latter cannot compete with a free society.

Developing the institutions of liberty, however, is not an easy task and we should not be surprised that mankind made little progress along those lines until the last few centuries. As Hayek notes, civilization is the slow move from tribal socialism to individual freedom and responsibility. Societies that have approximated that form of social structure are clearly outperforming those who have not — but that story moves us to recent history, the era that Diamond does not address.

Diamond discusses the failures of some civilizations and attributes them to their failure to achieve sustainable practices, but fails to discuss the evolution of cultural institutions in detail — dealing only with the gross categories — the hunting band, the tribe, the chieftdom, the state. He notes that the Fertile Crescent lost its fertility because of the damage its agricultural practices caused in an ecologically fragile area. He discusses how China lost its technological lead when its hydraulic civilization proved incapable of managing common property resources — the land, the forests, the waters, wildlife — in ways that ensured sustainability. He notes that the political fragmentation of

Europe made it obvious that "unilateral disarmament" would swiftly prove suicidal. But isolated China and Japan viewed the outside world as non-threatening, and military innovation stopped.

I would have enjoyed Diamond's thoughts on the role of alternative institutional frameworks — for example, the gradual evolution of secure private property rights and contracts in Europe

— and the energies these released. He does not explore in any depth the aspects of cultural evolution explored by Thomas Sowell in his series of books tracing the movements of peoples around the world. Diamond's readers will profit from reading Hayek or Sowell to link these features with the elements that Diamond emphasizes. □

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*A History of the American People*, by Paul Johnson. HarperCollins, 1998, 1088 pages.

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## Defending the American Empire

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Gene Healy

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Toward the end of his life, the irrepressible Murray Rothbard ended a speech with the rallying cry: "We shall repeal the twentieth century!" Libertarians who share Rothbard's quixotic goal owe a debt of gratitude to Paul Johnson for his *Modern Times: A History of the Twentieth Century*. Never was the case against the twentieth century — the century of collectivism and genocide — so forcefully made.

But those who admired *Modern Times* for its blistering indictment of statism may be disappointed with Johnson's treatment of American history. His *A History of the American People* is history as envisioned by the neoconservative mind. Throughout the book Johnson espouses a messianic American exceptionalism and applauds America's slide from Republic to Empire. Each state-building president, each move toward national consolidation comes about at precisely the right time to move America closer to its destiny as Superpower Savior of the West. Bill Kristol's "National Greatness" Conservatives will embrace *A History of the American People*. But those true patriots who love their country and hate their government will find an evening with Johnson's tome as

exasperating as a morning spent listening to NPR.

Consider Johnson's treatment of the Civil War era. Johnson calls Virginia's desertion of the Union "shabby beyond belief." But Virginia, which had stayed its hand during the initial secession of the deep South, seceded only when Lincoln determined to keep the Union together by force. As Jeffrey Rogers Hummel put it in *Emancipating Slaves, Enslaving Free Men*: "Previously unwilling to secede over the issue of slavery, these four states [Virginia, North Carolina, Tennessee, and Arkansas] were now ready to fight for the ideal of a voluntary Union." The Civil War was in many ways a battle between two competing views of the Constitution, and of political obligation. Johnson needn't agree with the Southern perspective on these matters, but we might expect him to treat the issue with more subtlety and nuance than Ken Burns's docudrama.

The real embarrassment in the Civil War chapter is Johnson's hyperbolic fawning over Abraham Lincoln. Lincoln was "a kind of moral genius"; one who, "invariably did the right thing, however easily it might be avoided." He was "of a different order of moral stature, and of intellectual heroism." In fact, "It was as if [Lincoln] were of a different kind of



# The Nationalization of Income

by Jacob G. Hornberger



It's election time and Republicans are making their quadrennial call for income-tax cuts. Democrats are opposing them because the federal government needs the money to shore up Social Security and Medicare. The entire debate obscures an uncomfortable truth — that in 1913, the 16th Amendment to the Constitution effectively nationalized the income of every American.

Although most Americans honestly believe that the income they earn in their jobs and investments belongs to them, nothing could be further from the truth. Because by having the power to determine how much money people are permitted to keep, the federal government, not the people, has become the ultimate owner of everyone's income.

People are born with certain talents and abilities that they use to sustain their

life through labor. For example, suppose a farmer plants crops on land he has acquired. When the crops mature, he sells the produce to others in return for money that he then uses to purchase clothing and other essentials.

Although society benefits from the farmer's production of food, it is self-evident that the personal talents and abilities that the farmer uses to bring the crop to maturity are his and do not belong to "society." That is, other people have no "right" to force the farmer to devote his life and energies to them. The same holds true with respect to the crops — they belong to the farmer, not society, because they are the fruits of the farmer's own talents and abilities.

Suppose, however, that the government passes a law that decrees, "All farmers are now required to devote their efforts full-time to government service. All crops are now owned by the government, but farmers and their families will be provided their housing, food, medical care, and other necessities of life."

Most people would agree that this would constitute the very essence of slavery. After all, isn't that the relationship that plantation owners in the Old South had

with their black farmhands?

The enslavement of people in a representative democracy such as the United States has required much more sophistication because it has necessitated the consent and approval of the very people who are being enslaved. Nevertheless, by empowering their own government officials to control how much income they will be permitted to keep, the plight of the American people is no different in principle from that of other slaves in history.

In essence, the federal government has decreed to the American people: "You are free to work for whom-ever you want and to make as much money as you can. However, you and your employer are required on pain of fine and imprisonment to send us a certain percentage of the fruits of your earnings. We will periodically advise you of the exact amount of the percentage."

If the percentage were to be set at 100, every American would easily be able to recognize his enslavement. He would be devoting all of his life's energies to serving people he had been forced to serve rather than serving others voluntarily in the marketplace in the process of serving himself. To put it another way, if slaves in the

Old South had had the right to elect their taskmaster (who undoubtedly would have advocated "reform" during election time), they might have been considered "free" in a political sense but certainly not in an economic one.

What do Americans receive in return for their enslavement? The same thing that slaves throughout history have received — a promise that their masters will take care of them (with the money that has been taken from them). In fact, government officials now use the promise of government-guaranteed care as the principal justification for the perpetual existence of the income tax and the IRS.

What we need in this country is not the customary quadrennial discussion over tax cuts and tax reform. What we really need is a national debate over such fundamental issues as the meaning of human liberty and the role of government in a free society.

*Mr. Hornberger is founder and president of The Future of Freedom Foundation in Fairfax, Va., which has recently published Your Money or Your Life: Why We Must Abolish the Income Tax by Sheldon Richman.*

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humanity: not a master-race, but a higher race." If the Johnson of *Modern Times* was the historian as hanging judge, the Johnson of *American People* is the historian as White House intern.

Those who appreciated *Modern Times*'s rehabilitation of the much-maligned "do-nothing" presidents Harding and Coolidge, may be unpleasantly surprised by Johnson's praise for certain other chief executives in *A History of the American People*. Johnson's rhapsodizing over Lincoln is echoed later when the author turns to Woodrow Wilson. Of Wilson's election, Johnson writes: "Thus does providence intervene: for the second time in its history, the United States got itself a great president because the ruling party split." "Great" presidents? Lincoln and Wilson? The first murdered federalism and laid waste to half the nation to secure perpetual, coercive Union; the second was a self-righteous national headmaster, who, in the name of making the world safe for democracy, sent over 100,000 conscripts to their deaths and contributed to the rise of Hitler. If this is "providence," the Lord certainly works in mysterious ways.

Johnson's powers of assessment don't get any better as the book progresses. In Johnson's paean to Harry Truman he calls him "decent, gentle, thoughtful, prudent" and, the real howler, "a constitutionalist." This about the man who tried summarily to nation-

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alize the steel industry under the rubric of executive authority. The diminutive haberdasher's power-grab was too much even for a post-New-Deal Supreme Court given to rolling over for the political branches. The Court, in *Youngstown Sheet & Tube Co. v. Sawyer* (1952), struck down Truman's order to seize the steel mills, noting gently that "the President's power, if any, to issue the order must stem either from an act of Congress or from the Constitution itself."

When Johnson decides he likes a

particular president, he can be as reflexively partisan as James Carville. For instance, nothing can shake him loose of the idea that the country was gravely wounded when Richard Nixon was driven from office. Of Watergate, he writes: "It was an ugly moment in America's story and one which future historians . . . are likely to judge a dark hour in the history of a republic which prides itself in its love of order and its patient submission to the rule of law." (904) What on earth is he talking about? Ousting Nixon was nothing if not a victory for the principle that no man is above the law. Occasional regicide can be therapeutic for a republic. The post-Watergate era, with its heightened cynicism about politicians, illustrates this.

Alas, the book is rife with unintentionally ridiculous statements, always expressed categorically and with disdain for opposing viewpoints. "Without the income tax, the United States could not in practice have played an active role in international affairs, or begun to address the inequalities of American society." (640) If there are better arguments against the 16th Amendment, I've yet to hear them. Left-wing criticism of bombings in North Vietnam was misplaced, since "the proportion of civilians killed [by America in Vietnam], about 45 percent of all war deaths, was about average for 20th-century wars." (882) Wow, not even half! So we hit a few hundred thousand noncombatants — at least we were more careful than Hitler and Stalin!

But disappointment in a historian's political judgments needn't translate into disgust with the book. The historian is, in a sense, an artist, and art ought not be judged by purely political standards. Any libertarian who adopted such a litmus test would find his reading list drastically narrowed. And, in fact, there's much to admire in sections of *A History of the American People*. At his best, as in *Intellectuals* and *Modern Times*, Johnson has an unerring eye for the grotesque detail, the out-

geous quotation that captures the spirit of the age. Johnson hasn't lost that talent entirely. In a passage on Castro-worship by '60s leftists, Johnson quotes Abbie Hoffman: "[When Castro stands erect] he is like a mighty penis coming to life, and when he is tall and straight the crowd immediately is transformed."

But in the end, the few bright spots in *A History of the American People* are not nearly enough to redeem it. For one thing, there's too much missing in Johnson's treatment of American history: There is no index entry for the Second Amendment, only one cursory reference to federalism, and none for baseball. For another, the book seems pasted together — a series of ad hoc observations on historical events and figures, forcefully

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expressed yet smacking of an ipse dixit approach to the subject matter. As Johnson grinds on through the 20th century, *A History of the American People* begins to feel like another exercise in heavy lifting: "You've Seen Him Do Christianity, Judaism, and the 20th Century — Now Watch Him Tackle the United States of America!" It's hard not to be impressed with the breadth of Johnson's learning and the audaciousness of his task. But it should take more than that to convince most readers to join him on the Long March through 1000-plus pages. □



"I'm not getting tired of you, dear — I just said we could have more fun together if you'd learn to talk."

*A Guide to Pennsylvania's State Sales Tax.* Pennsylvania Department of Revenue, 1998, 24 pp.

# A Tax Upon You

Ralph Reiland

The last place anyone would go for comic relief is to the stacks of dull publications that are pumped out by Pennsylvania's state government. Who'd ever expect, for instance, to find any laughs in *A Guide to Pennsylvania's State Sales Tax*? Well, as it turns out, we may have vastly underestimated the comic value of red tape and bureaucracy.

On and on, for 20 pages of tiny print, the sales tax booklet lists which items are taxable and which aren't. Way back, when the sales tax was first enacted, politicians apparently tried to take it easy on the poor and soak the rich, i.e., exempt the necessities and tax the luxuries — to even things out a bit between the beer hordes and the wine cliques. They also seemed to try to follow the theory of taxation that says it's best to tax the things you want to discourage and exempt the things you want to promote.

And so, right off the bat in Section 1, we find there's a sales tax on comic books but not on Bibles. Comics, along with every other periodical and magazine, are taxed, as well as "instruction books for needlecraft, embroidery and knitting," plus crossword puzzles and dictionaries, but not "religious publications sold by religious groups." Seems like the moochers and crooks at the state capitol decided we need a pinch more religion.

With clothes, the politicians have shot for some economic leveling by taxing all "formal day or evening apparel," while specifically imposing a zero sales tax on "aprons." Fur gets taxed, too, of course, but only if it's on "articles made

of real, imitation or synthetic fur where the fur is more than three times the value of the next most valuable component material."

Untaxed are the more basic wardrobe staples like belts, boots, and suspenders (this may change now that suspenders are popping up on the BMW crowd), while the more vain "accessories" and "ornamental wear" get fully taxed. There's no sales tax on work clothes, work uniforms, safety clothing, and yard goods ("to make clothing"), or girdles and underpants — and no tax on even some less essential items like leotards, tights, neckwear, headwear, lingerie, handkerchiefs, gym suits, stockings, scout uniforms and "camp clothes."

With gloves, things get tricky. They're untaxed if made of "cloth, leather and kid," taxed if made of "fur" or "sheepskin," and taxed if used for "baseball, golf, racket, etc." With "rainwear," it's all untaxed, unless it's an umbrella.

With big events like weddings and Halloween, the politicians have hit both the rich and the poor, taxing all "Halloween costumes" as well as all "corsages, boutonnieres, and bridal apparel and accessories," except garters and garter belts.

For farmers, "artificial breeding equipment" goes untaxed. But build a nice cozy shed where the animals might be encouraged to breed more naturally and the state taxes every nail and board. Cooling equipment on the farm is taxed. But not farm ice. Brooms and fire prevention equipment are taxed but not "dehorners" and "debeakers." Vegetable seeds are untaxed if bought by a farmer but taxed if "purchased by any-

one not engaged in the business of farming." Unless, of course, the seeds are "purchased with food stamps." Farm fences are taxed if permanent, untaxed if portable. So are dentist's drills — they're taxed if reusable, untaxed if disposable. The same with hospital needles and bedsheets — taxed only if reusable.

At home, there's a sales tax on almost everything from ant traps to wigs, unless you're hurt or into sewing. There's no sales tax on zippers, buttons, buckles, thread, gauze and arm slings. But with what they label "Toilet Goods," politicians have thrown out every theory about not taxing the basics — and tossed aside all concerns for gender equity. Here, just about everything is taxed except toothpaste. On election day, Pennsylvania's women might want to remember that the boys in the state legislature have declared every single

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*Vegetable seeds are untaxed if bought by a farmer but taxed if "purchased by anyone not engaged in the business of farming." Unless, of course, the seeds are "purchased with food stamps."*

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one of the following items to be fancy-shmancy, silly items that should be hit with the full sales tax: bath crystals, bleach creams, blush, bouquet liquids, breath sweeteners, bubble bath, antiperspirants, colognes, cocoa butter, compacts (including, in the rules from the boys in the legislature, "refills"), cosmetics, dusting powder, essences and extracts, eyebrow pencils, eyelash mascara, eye shadow, face creams and lotions and powders, face packs, foundation makeup, freckle removers, hair things (including "bleaches, conditioners, dressings, rinses, lotions, dyes, coloring, tints, pomades, removers, restoratives, sprays, straighteners, tonics, oils and creams"), lip ices and salves, lipstick (including "refills"), liquid lip color, manicure preps, mask preps, massage creams, mousse, mouthwash, nail things (including "bleaches, polishes, lacquers, paste, powder, liquid

or enamels"), polish remover, perfumes (including "novelties containing perfume"), rouges, sachets, scalp lotion, shampoos, permanent things (including "waving creams, lotions, kits and neutralizers"), liquid and cream powder bases, skin balms (including "creams, bleaches, fresheners, lotions, oils, tonics and whiteners"), sunburn allergy creams and preventatives, talcum powder, tissue creams, water piks, wave sets, wrinkle removing preparations, and vanishing creams.

My wife says she thinks she has everything on that list, give or take a few. All I have is a bar of soap and a disposable razor. What we're looking at, in short, is a special tax on women, a case of some tax-hungry and non-powdered dirtballs in the legislature making all the rules, men who don't know a sachet from a pomade. If it was me, and I was being soaked big time with taxes on all that stuff, I'd say it was time to apply some vanishing cream to the grubby chauvinists at the state capitol. □

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## Letters, from page 6

working salt-of-the-earth types who have managed to have successful careers, own their own businesses, serve our country and raise decent families. That is because they never once considered themselves victims. Instead they used common sense and intestinal fortitude to overcome life's obstacles.

Then there are those IC people who are smart enough to work the artificial wealth systems of welfare, Food Stamps, Medicaid, disability and prison to perpetuate their kind, while honest working folks such as the previously mentioned and myself pay the bills.

Mr. Chambers's article espouses a new class of "victim," a group that deserves our compulsory altruism because "it's society's fault." Certainly not the kind of thinking one would expect to see published in a libertarian magazine.

Steve Weir  
Fly Creek, N.Y.

## When a Man Begs

In September's issue of *Liberty*, we had an entire piece on Nathaniel Branden's "relationship" with Ayn Rand, which, in my opinion, simply serves to make *Liberty* the individualist's *National Enquirer*. Now, in October, we get a story on Ayn Rand's Russian roots, as if anyone is interested. My question is this: why is *Liberty* so fixated on Ayn Rand? Yes, she was hip, dynamic and before her time; however, she was ugly, immoral and ran around with another woman's husband!

To be perfectly candid, I'm getting "sick and tired" of reading about not only her, but her cult of followers. Yes, she had a lot to say, most of which I heartedly agree with, however, she was *not* a candidate for sainthood . . . nor were her moral standards anything to write home to Mother about.

Gentleman, every day our freedoms are being eroded, and our worshipping the ground Saint Ayn walked on will simply not reverse this trend. Let's get off the Ayn Rand bandwagon and concentrate our efforts on preserving our God-given freedoms (Sorry! I forgot that Saint Ayn was an atheist).

Please, Please, Please, enough with Ayn Rand and her cult of sainthood.

Fred Bluestone  
Lauderhill, Fla.

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# Terra Incognita

## Massachusetts

Eternal vigilance is the price of protecting the Leader of the Free World, as recounted in *Military Vehicles Magazine*:

State police issued an all-points bulletin in Massachusetts and surrounding states to be on the lookout for armed and dangerous people driving across New England in convoys of military vehicles. The bulletin warned that the vehicles, which included a tank, were armed with .30 and .50 cal machine guns and that they might be heading to Cape Cod where President Clinton was vacationing. Police officers with guns drawn stopped several vehicles, handcuffed their occupants — including two young boys — and seized non-firing replica machine guns before realizing that the convoys were heading to a military vehicle collectors' rally.

## New Orleans

Singer Linda Ronstadt shares her insight into American-Cuban relations, from *Off Beat*:

"What we're doing to Cuba is so deeply inhumane. I've been there — it's a wonderful country with a government that really puts their people first. Anybody that tells you differently is lying. If you've heard different it's just propaganda. I've been in a lot of different Latin American countries and I've never seen a higher level of deliberate attempt to prioritize based on the needs of the people first.

"And it's racist. The people who left Cuba did so because Castro made it very apparent that he was going to completely involve black people in the government, in every aspect of it. Many Cubans are very racist. It's very much based on color. The lighter-skinned you are, the higher your status. And when Castro made it clear he was going to include people of color in his government, they all left. I hope there's somebody who can fill Castro's shoes when he's gone. He's been a very, very fine leader for his people. I hope there's someone who can fill his shoes."

## U.S.A.

Interesting new vacation idea, reported by Reuters:

A New York travel agency is booking guests for NowAge 2000, a cruise aboard the Norwegian Cruise Line vessel *Norwegian Sky* to be hosted by Suzanne Northrop, author of *The Seance: Healing Messages from Beyond*. During the cruise, Ms. Northrop will say a prayer and invite any dead persons on board to make themselves known. Northrop will be joined by "intuitives" Jeffrey Wands and Kim Allen for seminars and workshops dealing with psychic powers, intuitive healing, astrology, and holistic medicine.

## San Francisco

Meaningful activism in the epicenter of Social Change, reported by the *San Francisco Examiner*:

A group of anti-nuclear activists led by Patch Adams, the doctor portrayed by Robin Williams in a recent movie, marched nude to publicize the potential dangers of a catastrophic Y2K atomic meltdown. Chanting "Disrobe for disarmament," the group warned nuclear accidents could occur around the world if computer systems can't handle the date change.

## Canada

More evidence of the superiority of Canadian public education, reported by the *San Diego Union-Tribune*:

Prime Minister Jean Chretien told the forum that Canada was founded in 1863. Several hours later, Quebec Premier Lucien Bouchard said Canada was founded in 1868. Actually, Canada's official founding was in 1867.

## Outagamie County, Wis.

The process of economic development in the Badger State, as reported in the *Milwaukee Journal Sentinel*:

Mike Maes Construction, Inc. has been ordered to pay Francis Grady \$6,700 in disability benefits because the firm didn't offer him another job even though Grady was in jail without work release privileges.

## Hong Kong

Capitalism survives in Hong Kong, more than a year after its takeover by the People's Republic of China, as reported by Reuters:

A woman lost \$15,440 after con men persuaded her to buy stomach pills they said would cure the Y2K millennium bug. The con men convinced the woman that she could make a big profit by reselling the pills.

## U.S.A.

The progress of historical revisionism, quoted from President Clinton's weekly radio address:

"The stakes are high. If our Senate rejected [the Comprehensive Test Ban] treaty outright, it would be the first time the Senate has rejected a treaty since the Treaty of Versailles which established the League of Nations after World War I.

"We all know what America's walking away from the world after World War I brought us in the Depression and the second world war."

## France

A rare uprising in the paragon of welfare states, reported by Reuters:

Hundreds of French chefs wearing chef's hats and banging pots attacked riot police with eggs and flour, prompting police to respond with tear gas to keep them away from the National Assembly. The chefs were protesting the tax placed on meals in sit-down restaurants.

## East Rutherford, N.J.

Avant-garde proposal for the Internet, from pop singer Sheryl Crow at the UN's NetAid concert, reported by *USA Today*:

"I've had sort of a beef with the Internet, because I think it creates and really propagates a pretty individualistic mind-set and a separatist attitude. I think if you can actually get people involved on the Internet to do something that's world-minded — I just thought it was an incredible idea and one that I would definitely want to support."

(Readers are invited to forward news clippings or other items for publication in *Terra Incognita*, or email to [terraincognita@libertysoft.com](mailto:terraincognita@libertysoft.com).)



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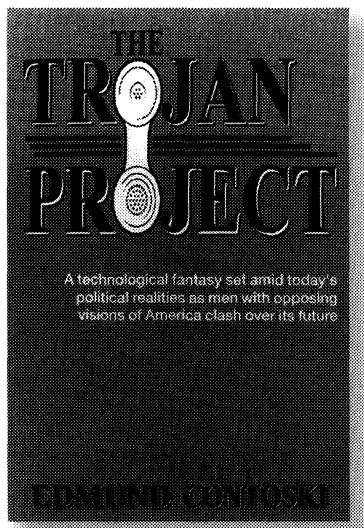
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