

Liberty

Hellraising for Dummies

December 2004

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Does Freedom Mean Anarchy?

*A Symposium with Charles Murray, David Friedman,
David Boaz, and R. W. Bradford*

Disabling the Handicapped

by Greg Perry

Dwarf-Tossing & Empire

by Richard Kostelanetz

The South Takes Gettysburg

by Lance Lamberton

Also: Norman Ball flies with the chickenhawks, Lauren Shapiro survives justice in the Bronx, Jo Ann Skousen visits Machu Picchu with Che Guevara, Garett Garrett reports on the March on Washington that almost toppled the government . . . plus other articles, reviews & humor.

"We are here to let in the light of Liberty upon political superstition." — Benjamin Tucker



Why do the worst get to the top?

In 1947, Friedrich von Hayek posed this question. While he explained the economics, he omitted the psychology of those driven to wield power. Shortly after, Ayn Rand suggested that producers stop playing host to parasites, but also missed identifying the motive force behind the parasitic need to control.

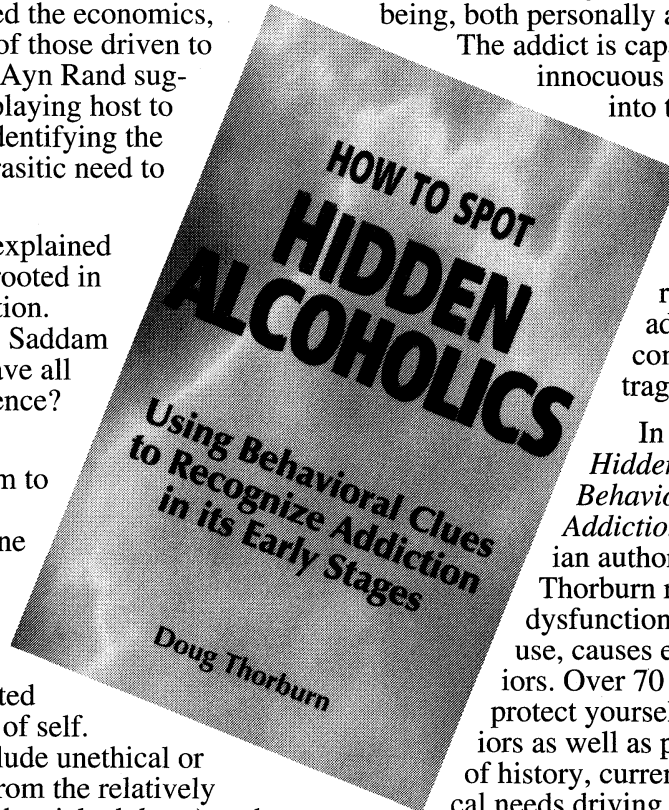
The psychology can be explained by a megalomania usually rooted in alcohol or other drug addiction. Stalin, Hitler, Mao Zedong, Saddam Hussein and Kim Jong Il have all been such addicts. Coincidence? Hardly.

Most consider alcoholism to be a "loss of control over drinking." Yet, this is but one symptom of the disease in its terminal stages. The early stage is characterized by a differential brain chemistry leading the afflicted to develop a god-like sense of self. Resulting misbehaviors include unethical or criminal conduct, ranging from the relatively innocuous (verbal abuse and serial adultery) to the extraordinarily destructive (mass murder).

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December 2004

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Letters

The Voice of Reason

Thank you for publishing the Bill Woolsey article regarding the Federal Reserve banking system ("Who Owns the Fed?" October) — what a great article and explanation of how it really works! Thank you!

As Woolsey wrote, there is a lot of conjecture and conspiracy theory out there and it is difficult for the average joe to pick out what is true and what is not (let alone to know the inner workings of money policy and creation and the "rules" that go along with it). Before reading this article I had just enough knowledge to be dangerous. I have tried for several years to find an authoritative piece that got to the heart of the matter in just a couple pages and that used language and concepts that anyone could understand — this is it. This is a piece I can show to others who also have legitimate questions about the way the Fed operates and who have been misled.

I also really appreciate that Woolsey had an open mind when he tackled the conjectures about the Fed that have been making the rounds. It allows for a very objective look at what is being claimed, why it is interpreted the way it is, and the validity of rival claims. That objectivity only makes Woolsey that much more credible.

Lance White
West Bend, Wis.

Perking Up

Bill Woolsey's "Who Owns the Fed?" was accurate and much needed. Our present central banking system and our unbacked fiat money provide a great deal to worry about, and crackpot conspiracy theories just divert energy from those real worries.

But there is one point that Woolsey might have added to his otherwise thorough piece. The Fed's budget is set by none other than the Fed itself, since it remits its interest income to the Treasury only after subtracting its expenses. Thus it spends whatever it wants on salaries, perks, offices, conferences, publications, etc., free of Congressional oversight and limited only by possible political repercussions if it were to become too lavish. Perhaps its most important expense is for economists which it employs by the boatload, both on staff and as consultants. In so doing, it buys the support of most of the economics profession, and this support does a great deal to assure that the Fed's empire will survive and prosper.

Self-preservation is, after all, the primary goal of any bureaucracy.

Warren Gibson
San Carlos, Calif.

Behind It All . . . a Conspiracy

It was amazing to find nearly seven pages of the October issue devoted to Bill Woolsey's convoluted argument that the question of "Who Owns the Fed?" is not important to those who love liberty because those who appoint the seven members of the Board of Governors are our politicians; and anyway the bankers don't really profit from the arrangement (except, of course, for their guaranteed piddling 6%).

If there were no significant profits to be made by banks and private individuals from the establishment of the Fed, then what motivated the cabal of powerful bankers who worked so hard to replace our constitutional money system with a central bank system? If not to benefit themselves then what was the point of their

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actions? Can we believe it was pure altruism? And why are private individuals and foreign governments motivated to own shares if not to make a profit?

The Founding Fathers understood the dangers a central banking system posed for ordinary citizens and provided in the Constitution for a system of banking whereby the Treasury created our money and spent it debt-free. They would have been horrified by Congress' relinquishing to a central bank its constitutional authority to create and control the medium of exchange. They'd have been appalled by the idea of delegating the issue of currency and the control of its quantity to the banking establishment which operates the system for its own benefit. This system allows the Fed to create money through debt and lend it to the people, to our businesses and to our government. They create money out of nothing, and we all pay interest for the privilege of using it. The Fed creates our money and has no debt, while the U.S. government borrows its money and is foundering on debt.

"Real" money has been replaced by pieces of paper labeled Federal Reserve Notes. Laws pushed through Congress by the bankers force all U.S. businesses and citizens to accept these pieces of paper as "lawful money." Under the current Federal Reserve-based system all money is created by debt, thus there is never enough money to pay off both the debt and the interest. Ipso facto, unless we disperse with the Fed we will never be able to be out of debt.

The president does not control the economy of this country. He cannot cause or prevent inflation, deflation, depression, or prosperity. The controls are in the Fed's hands, and one would be naive to believe that its actions have been, or ever will be, decided by what is best for those citizens who love liberty and personal freedom. The first interest of bankers is their own pocketbooks.

Without a doubt, as provided by the Constitution, the Treasury should create all our money, debt free, and control the quantity as needed by the economy. Woolsey's smoke screen

about the technical ownership of the Fed betrays his ignorance of the real problem. The entire Federal Reserve system should be abolished. I doubt there are many citizens who would not be delighted to return to "Real Money."

D.D. Hill
Buhl, Idaho

Woolsey responds: There are a variety of monetary reform proposals that have been supported by libertarian economists. Abolishing the Federal Reserve and implementing a purely private gold or silver standard with all banks holding 100% reserves is one possibility. Whether or not such a change is superior to the status quo or whether there are still better proposals for reform is independent of inaccurate claims about Federal Reserve ownership and allegations about the distribution of profits from the issue of money. As I explained in my article, private ownership of the Fed is an illusion and the government is collecting the profits from inflation. That the government collects the profits from inflation is not an argument in favor of the status quo — at least not for libertarians.

The notion that, prior to the founding of the Federal Reserve, the United States enjoyed a constitutional monetary utopia is dead wrong. The U.S. monetary system included national banknotes, issued by privately owned banks. These were backed by U.S. government debt, with the interest being collected by the owners of those banks. While usually redeemable, national banknotes and other bank deposits were subject to suspensions during which they could no longer be redeemed for lawful money — gold and silver. During those suspensions, bank-owned clearinghouse associations would issue small-denomination clearinghouse certificates which were used as hand-to-hand currency. Since these private monetary instruments were not legal tender, they were perfectly constitutional. However, they were illegal under U.S. banking law. It was the illegality of evolved banking practice in the late 19th century that motivated bankers to promote reform.

The bankers promoted, and had Republican politicians supporting, a scheme something like the Federal Reserve — but with the banks earning the profits and in full control. The proposed National Reserve Association would be much like the private clearinghouse associations, but they would be legal. The currency issued by the association would be redeemable in lawful money — largely gold. However, the Democrats won the elections, and implemented the actual Federal Reserve system — a system that funneled the profits to the government and gave political appointees control. Most libertarian economists would argue that freeing banks from restrictions on the issue of national banknotes, loosening branching restrictions, allowing option clauses, and legalizing the activities of the clearinghouse associations would have been much better than the approach proposed by the bankers and the Republicans or the actual Federal Reserve system implemented by the Democrats.

The Founders did not particularly favor Treasury notes redeemable in gold or silver. Some of the Founders voted to set up the Bank of the United States. While the U.S. government owned some of its stock, the Bank was mostly privately owned, and it issued redeemable currency. It was loosely modeled on the Bank of England and likely would have developed into a central bank. Others of the Founders, like Jefferson, argued that the Bank of the United States was unconstitutional. While the primary author of the U.S. Constitution, President James Madison, signed a bill rechartering

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the Bank of the United States, President Andrew Jackson vetoed a similar bill years later. It was then, well after the era of the Founders, that the independent Treasury was developed. However, the Jacksonians did not favor having the Treasury issue notes for use as currency. During what came to be called the era of "free banking," redeemable paper money was issued by competing private banks on a fractional reserve basis. Treasury notes became an important part of the U.S. money supply when the Lincoln administration began to print them up and spend them to finance the invasion of the Southern states. It was then that irredeemable paper money was first made legal tender in the United States.

It is remarkable that some libertarians have combined the arguments of the "greenbackers" who celebrated Lincoln's unconstitutional fiat money, the economic fallacies of the fascists about the supposed impossibility of paying off interest with bank-created money, arguments favored by a small minority of libertarian economists about the supposedly fraudulent nature of fractional reserve banking, and the more usual support for a gold or silver standard. That this witches' brew would be combined with fantastical notions about the ownership of the Federal Reserve and the siphoning of profits to those owners should perhaps be no surprise. However, false claims and fallacious arguments will not help bring about a sound monetary system that prevents inflation and allows for macroeconomic stability.

Lies, Damned Lies, and Statistics

"The Big Lie" — you all know what that means — you've alluded to it in your pages, usually referring to the crisis-oriented mass media's use of "generally accepted" but unsubstantiated conclusions and "facts" to make a point or promote a cause.

So how could the piece by Sarah McCarthy commenting on the "facts" of medical care in the United States (Reflections, October) make it past your otherwise sharp editors?

In her comments about Bush and

his positions on health policy, she refers to the finding of a "study" by HealthGrades that 195,000 people per year (2000–2002) are "accidentally killed" at American hospitals. She states that this "fact" is based on research from 37 million patient records. This finding is not true and McCarthy misrepresents the reality of their methodology.

HealthGrades, a for-profit website selling reports on hospitals and doctors to consumers, did not review a single medical record (such as an actual hospital chart), and did not interview any attending doctor, patient's family, or hospital administrator.

According to their website, their conclusions are derived from a database of Medicare billing codes using a "proprietary" (i.e., unproved) methodology.

Medicare billing codes are not always a reflection of the real situation. Remember the Columbia Hospital chain scam, when codes were jacked up to get more money from Medicare? Things haven't changed much. This makes a great "crisis" story in the mass media! And it's good for selling "medical quality" reports to the public too!

To further buttress this conclusion, McCarthy cites a "study" by the Institute of Medicine from 1999 that said "hospitals killed . . . 100,000 Americans annually." Let's look at that "study," a favorite of trial lawyers and the scaremongering mass media: it is a "meta-analysis," a review of other papers (whether validated or not) on inpatient mortality. Again, not a single medical record was reviewed, nor was any attending physician or patient's family interviewed. The survey used the unvalidated conclusions of other writers, then extrapolated from the result to draw conclusions about the entire country. As the saying goes, there is "truth, lies, and statistics."

I am surprised that the editors of *Liberty* would let this slip by. It is the epitome of "the big lie."

Scott Geller, M.D.
Fort Myers, Fla.

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Reflections

Noblesse privilege — One casualty of the modern age is the notion of *noblesse oblige*. Far from obligating today, nobility seems only to open a floodgate of privileges. Rand once observed: "If an heir is equal to his money, it serves him; if not, it destroys him." Judging by the wartime records of Bushes, father and son, some family members are more equal than others. — Norman Ball

Lesbians, gigolos, and the presidency — John Kerry, in the third Presidential debate, brought up the fact — known to most who follow politics — that Mary Cheney, one of the vice president's adult daughters, is a lesbian. And it seems some people took offense. I don't see why. It was public knowledge, after all. Similarly, I'm sure Mr. Kerry wouldn't mind if someone brought up in nationally televised debate the fact — known to most who follow politics — that he is a devout Roman Catholic who nonetheless left his first wife (family fortune estimated at \$300 million) to marry his second (family fortune estimated at \$750 million).

Interesting question, isn't it . . . whether it is worse to associate a Republican with lesbianism or to suggest a Democrat is an upper-class gigolo? — Ross Levatter

Yankee imperialism

— I've been a New York Yankees fan all my life, since I lived around the corner from Yankee Stadium as a child. Though I can't reverse six decades of allegiance, I can be amused by the utter vanity of the Yankees' principal owner's continued attempt to illustrate the truth, no less for sports than for war, that money — not even money flowing from bottomless pockets — cannot always buy victory. Whenever a Yankee star seems to falter (as everyone does in time), the team bosses simply go out and buy another player, usually a proven veteran, who, since he is older than his colleagues, is thus more prone to injury, prompting the need to purchase yet another aging star. Every year a

Yankee fan attending his first game of the season is shocked to find several new players, most of whose names were made familiar someplace else. One reason to read the sports sections of local newspapers is the flackery accompanying new players' arrivals.

The Yankees' budget for annual salaries exceeds that of any other team — indeed, the combined outlays of several other teams. Much like the Dubya administration, they spend extravagantly and often carelessly, and with a comparable lack of sense. Since war, like sports, can't be fully controlled, no matter how "strong" or rich any side is, a cer-

tain perverse pleasure comes to the observer, especially Yankee haters, from discovering all the ways that our military screws up and the Yankees lose — star hitters don't hit, starting pitchers falter, closers blow their saves, the other side simply bests them, repeatedly illustrating the truth mentioned before — a truth no less true in love, incidentally, but that's another story. — Richard Kostelanetz

Spinal will and testament

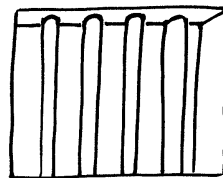
— Christopher Reeve passed away on Oct. 11, and while others mourn, I consider his passing merciful. Christopher Reeve was locked in a hell that few of us will ever know. It is one thing to be paralyzed and poor, but to be paralyzed amid enormous wealth must have been incredible torture. Much like a man dying of thirst in the desert will see water everywhere, the accouterments of luxury surrounded Mr. Reeve, and his affliction left him unable to touch any of

it. He certainly would have given everything he owned for the one thing he could never purchase — a new spinal cord.

He traveled the world over the past ten years begging for a cure, in the guise of helping others as afflicted as himself. But I think the truth was obvious to most everyone: he wanted to walk again himself. Sadly, the world's best wheelchair is still a wheelchair, and plating it with gold makes it no easier to sit upon. — Tim Slagle

This Old Housing — For years, "North Beach

SHEER LINEN CURTAINS WITH BOUNCY
LITTLE POM-POMS FOR A FRINGE ARE
JUST THE RIGHT TREATMENT FOR
THESE DRAB
IRON BARS!



SHCHAMBERS

Place" near San Francisco's Fisherman's Wharf fit the stereotype of run-down public housing. It was perhaps best known for the muggers who terrorized nearby tourists and hid inside the project. If we are to believe the San Francisco Chronicle, however, a new age may be dawning: "North Beach Place is clean. It has locking front gates and courtyards with green grass, young trees and new play equipment." What's behind this radical transformation? For one thing, nobody has lived there for five years.

In 1992, the last Democratic Congress launched HOPE VI, or "Housing Opportunities for People Everywhere," a HUD program that has since "invested" over \$3 billion rebuilding 81 housing projects in 55 cities. When San Francisco got the go-ahead for its own makeover shopping spree for North Beach Place (along with four other sites around town), the residents were shipped out to other projects while the site was completely demolished and rebuilt. Five years and a cool \$105 million later — that's \$300,000 per apartment! — the city is now tracking down the prior residents who "are moving back and can't believe their eyes." Their new digs include "washers, dryers and dishwashers" in each of the 341 apartments.

I hate to rain on the parade here, but wasn't it the prior residents who were mugging the tourists and trashing the premises in the first place? Isn't this going to happen again when the same people move back in, and aren't we going to pay dearly for it a few years down the road? These periodic media "success stories" about public housing renovations always create the impression that the problems were caused by some one-time outside force, like a hurricane. All we have to do is finish tearing it down, build it back up for however many millions of dollars and voilà: "North Beach Place is clean." This isn't just any success story, mind you; the very last words of the Chronicle article are in fact "resounding success."

The same article laments the fact that "the Bush administration severely cut HOPE VI funding from \$570 million in 2003 to \$149 million in 2004. Bush's 2005 budget plan would eliminate the program entirely." I had read elsewhere that John Kerry strongly supports HOPE VI funding and wants to keep the program alive. I haven't been too excited about voting for Bush, but here's one small reason.

— Michael Drew

Death babble — The death of deconstructionist Jacques Derrida didn't exactly leave me prostrate with grief (to borrow the phrase once used about Scarlett O'Hara's brief and innocuous displays of mourning). But I will sort of miss having him around. He was, after all, the Platonic form of everything ripe for ridicule in academic life. I'll go farther. I can say (with a little funerary exaggeration) that Derrida taught me how to think. I saw that he was wrong about everything, and in figuring out exactly how anyone could be as wrong (and as boring) as he was, I learned a great deal about thought and logic.

What struck me about his death, however, was the fact that it was announced by the office of the president of the French Republic, which also provided a pseudo-philosophic account of his stature and contributions. "In him," quoth Jacques Chirac, "France gave the world one of the greatest

contemporary philosophers, one of the major figures in the intellectual life of our time. . . . Through his work, he sought to find the free movement which lies at the root of all thinking."

Nonsense. If Derrida "sought" anything, it was to show that nothing that anyone thinks has any form, integrity, or definite meaning. He preached the great truth that we are all fated to careers of incomprehensible ("indeterminate") babbling, remarkably like his own. But again, it was the news of the mountebank's death being announced at the highest levels of government, the idea of it booming down from the Elysée Palace like a thunderbolt from Jupiter — that was what tickled my funnybone.

Suppose Americans carried on like that.

"THINKER SUCCUMBS TO STOMACH AILMENT. The White House announced today that Michael Moore, a giant of contemporary thought, has died in rural Michigan. The cause of his demise was given as an unsuccessful attempt to devour a steer. On the night before his death, Moore suddenly walked off a lecture stage in Kalamazoo, saying he was going out for a snack; the body was discovered some hours later. 'In him,' President John Kerry said, 'America gave the world a role model of gargantuan proportions. Through his work, he sought to find the hatred and envy which lie at the root of political aspiration. He found them, and thereby taught us all.'"

"DIVA MARRIED FOR TENTH TIME. The White House announced today that singing star Madonna has been wed. The ceremony, conducted at the Voodoo Church of Cleveland, Ohio, united her with her longtime companion, a life-size statue of herself. 'In her,' President Hillary Rodham said, 'America has given the world one of the greatest contemporary theologians. . . . Through her work, she sought to find the genital stimulation which lies at the root of all religion.'"

"MESSIAH BORN TO HUMBLE FAMILY. The White House announced today that John Fitzgerald Skakel Kennedy, future president of the United States, has been born to Sen. Ted Kennedy and an unnamed intern. The 19-term senator was reported doing well. 'Let the word go forth,' Press Secretary Dan Rather announced, 'that the torch has been passed to a new generation of Kennedys — born in this century, schooled by cash, disciplined by hard and bitter lapses of publicity, proud of their ancient vices, and unwilling to witness or permit the slow undoing of those family perquisites to which this nation has always been committed, and to which we are committed today at home and around the world.'"

Well, why not? Clearly, as Monsieur Derrida discovered, those old ideas about the subversive potential of philosophy and art were just, well, so many meaningless *ideas*. "The free movement which lies at the root of all thinking" can be found right down the hall from the president's office.

— Stephen Cox

Untitled — In September of last year, my aged Taurus blew its head gasket. I had the car towed to my apartment's parking lot, where it sat idle for a few months. I bought a junker at a government auction, figuring it would get me around until I found a better car. The best deal I could get for the Taurus was from a local junkyard: in exchange for the

car, they'd haul it away. I signed my ownership over to them, thinking I was done with the car for good.

A year later, my mother calls me. The Department of Motor Vehicles won't let her renew her driver's license because there's some issue with the Taurus. A few calls reveal that the car would have been due for an inspection in Oct. 2003 — after I turned my plate in. The state had patiently waited for six months, then (without telling anyone) inserted a hold on any driver listed on the Taurus' title. Since I shared ownership with my mom, this meant that neither of us could renew our licenses, or even get any information on them changed, until a \$280 fine was paid. Fortunately, I kept the letter of receipt from the junkyard, dated well before the government's generous six month "grace period" ran out, showing the car had been scrapped. The matter was resolved after a wait of only a few hours.

I had hoped the DMV bureaucrats would appreciate the absurdity of requiring me to tow my car down to the local inspection center so it could be declared safe to drive. But government desk jobs tend to attract humorless types who think it immoral for citizens to keep money the government has claimed. Thus, if I had misplaced that one piece of paper, we would have had to shell out \$280 on a heap of metal we don't own and couldn't drive even if we did.

— A.J. Ferguson

Buying time — As the price of gasoline rises, many people are comparing the cost of a gallon of gas to the cost of other liquids, such as milk or beer. Although it is interesting to see that other fluids are brought to market at a

cost far beyond what the petroleum corporations charge for gasoline, these comparisons always seem flat. I use about 25 gallons of gas per week, and like most other people, don't drink that much beer.

The price of gas is the price of going places, and it still seems reasonable. I can only walk about three miles per hour. On a bicycle, I can travel maybe ten or fifteen miles per hour (although not for very long). Even if I could do 20 m.p.h. on a bike, I can cover that distance in a car in about half the time for just two dollars. (I drive a big car.) That means that I get an extra half hour of my life to spend however I like for just two bucks. That's an extra hour of my life for only four dollars! Since four dollars per hour is less than minimum wage, a gallon of gas is still an incredible bargain.

— Tim Slagly

Vengeance is mine, saith the U.S. — Whenever a Palestinian-American friend complains about illegitimate abuses committed by Israelis, I must remind him that the IDF (Israeli Defense Forces) are self-consciously measured in their retaliation against Palestinian suicide bombers and other violence perpetrated by Arab neighbors. Thanks to their superior intelligence service (the Mossad), Israelis try to take out identifiable individuals whom they think are associated with the perpetrators, though sometimes incidentally killing innocents who happen to be nearby. American critics of Israel tend to forget that relative to other democratic countries, America is not very selective in taking revenge against those outsiders who inflict violence on us. Remember that the notorious Palmer Raids in the wake of

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WWI, which involved the imprisonment of many American radicals and the deportation to Russia of 249 others, including Emma Goldman and Alexander Berkman, were prompted by someone we would now call a suicide bomber. In his book "Red Scare" (1955), Robert K. Murray recalls "the dynamiting of Attorney General A. Mitchell Palmer's house in Washington, D.C. Just as Palmer and his family had retired for the night, a terrific explosion demolished the front of his residence at 2132 R Street NW. Windows in homes surrounding that of the attorney general's were blown in and

startled neighbors rushed into the street to determine the cause. The assistant secretary of the navy, Franklin D. Roosevelt, who lived directly across the street from Palmer, assumed the responsibility for calling the police.

"Upon examination, it was discovered that the attorney general and his family were badly frightened but not harmed and that the explosion had probably been premature. The bomb thrower evidently had stumbled on the stone steps leading up to the front door and had blown himself to bits with his own missile. Only fragments of his body and clothing were found, but enough to indicate that it was an Italian alien from Philadelphia. His crumpled hat bore a Philadelphia hatter's trademark, but the hatter in question could not remember to whom he had sold it.

"Some other rather puzzling but fascinating sidelights shrouded the bomb thrower's identity. What resembled parts of two left legs were found at the scene of the explosion which gave rise in the press to the speculation that not one but two men had planted the bomb. As police authorities continued to insist that only one man was involved, the Washington Evening Star quipped that there was little wonder he stumbled and fell with such pedal equipment. But regardless of his physical characteristics, there was little doubt that he was an anarchist. Near the door to Palmer's house was found a copy of an anarchist pamphlet entitled 'Plain Words,' of course, need I add, the incendiary pamphlet could have been planted by an American wanting an excuse to deport foreign-born anarchists (who were mostly Italian at that time). Incidentally, even though Palmer was raised a Quaker, and graduated from Swarthmore (a Quaker college) at the age of 19, his name has forever been associated with fierce state revenge.

We know not only from the Palmer Raids, more than eight decades ago, and the incarceration of Japanese-Americans six decades ago in the wake of the attack on Pearl Harbor, but from the aftermath of 9/11, that the American capacity for retaliation against an alien affront on our soil can involve not just the imprisonment of hundreds of people and abrupt deportations without benefit of legal niceties, but the invasion and suppression of whole countries, most recently Afghanistan and Iraq, regardless of cost. That's why I tell

News You May Have Missed

Large Gorilla Continues to Elude Police

NEW YORK — Law enforcement officials have issued a nationwide alert for an 800-pound gorilla that is reported to have appeared suddenly and inexplicably in rooms throughout the country on repeated occasions, but the investigation has apparently been stymied by the unwillingness of anyone to come forward as a witness and offer a detailed description of the elusive animal. "You would think that with something as big and dangerous as an 800-pound gorilla in the room, people would want to talk about it, but they don't," said one frustrated NYPD detective desperate to capture the massive ape before it strikes again. "Maybe they're just scared, but there seems to be a conspiracy of silence around the whole subject."

The one arrest in the case, police say, turned out to be a case of mistaken identity, and the suspect, Anthony "Fat Tony" Scimmia, an exceptionally hairy, hulking, heavy-set capo in the Bonnano crime family, was given a banana and quietly released. Police searches of likely hiding places for large, dangerous primates, including the upper stories of the Empire State Building, the offensive line of the Tennessee Titans, the audience of the "Jerry Springer Show," and several state legislatures, proved fruitless.

Two NYPD patrolmen thought they might have gotten a break in the case when they seized a cable-news political commentator after he broke into a cage at the Bronx Zoo and tried

to get away with a large orangutan. He is one of several thousand journalists, columnists, and TV news analysts to have regularly alluded to 800-pound gorillas in rooms during recent months, and he was willing enough to talk, but the officers quickly concluded that "the guy is totally nuts" after he babbled incoherently about having to go shopping for some new metaphors and wanting to find out if a 627-pound orangutan or maybe a 516-pound baboon, placed in a crowded room, would occasion comment.

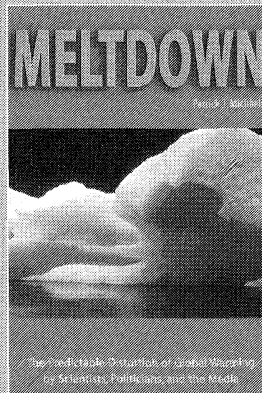
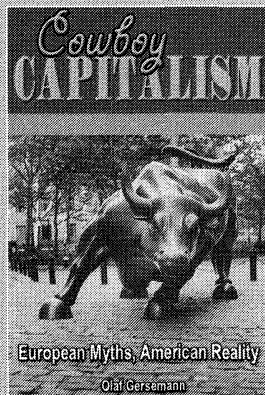
Meanwhile, Ingrid Newkirk, president of PETA (People for the Ethical Treatment of Animals), led a protest in Times Square, as she and several dozen other members of the militant animal-rights group denounced people in rooms who are rude to 800-pound gorillas, pretending not to notice them at all when they should be asking them what they do and how much their co-op apartment is worth now and whether they would like red or white wine. The group demanded that any gorillas trapped in rooms where they are subjected to the oppressive, pungent-smelling presence of human New Yorkers be liberated immediately. "Free the 800-pound gorillas now!" Newkirk and the other PETA activists, all of them clad for the occasion in gorilla suits, shouted through megaphones to the passing crowd, but no one paid them the slightest attention.

— Eric Kenning

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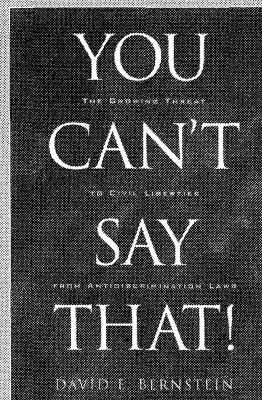
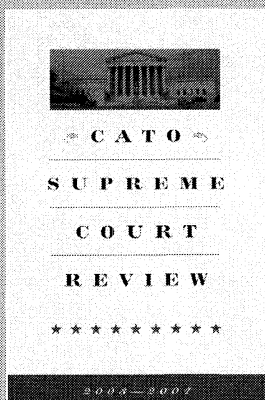


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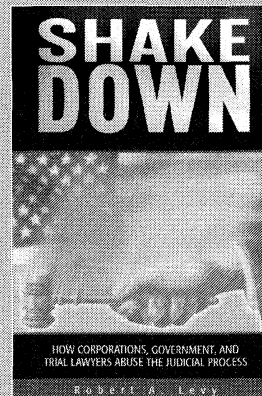
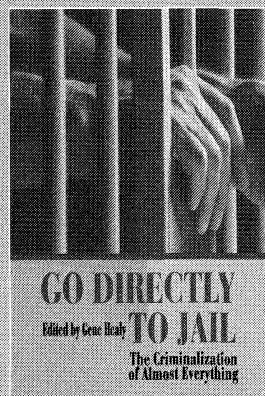


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my Palestinian friend that if he ever comes across a suicide bomber from his hometown of Nablus in the United States, he should defuse him or arrest him or even consider killing him; for the likely American response to any Palestinian violence here will, alas, make the dreaded IDF look like limp kittens.

— Richard Kostelanetz

Fly the Fatwa Skies — After being forcibly removed from a plane in Maine, musician Yusuf Islam was

surprised to learn that his name had been added to the “no-fly” list, joining such luminaries as Osama bin Laden and Teddy Kennedy. Older readers might remember Yusuf by his original stage name: Cat Stevens. He had a string of bland light-rock hits in the ’70s that were briefly popular with acne-ridden Catholic guitar musicians for their underlying spirituality and their simplistic, easily-learned chord progressions. They were pop songs that could be played during

Word Watch

by Stephen Cox

On Aug. 21, 1858, Abraham Lincoln, debating the question of slavery and attacking the idea that the Declaration of Independence omitted black people from the category of “all men” who “are created equal,” replied to his antagonist, Stephen Douglas, in this way: “One more word and I am done. Henry Clay, my beau ideal of a statesman . . . once said of a class of men who would repress all tendencies to liberty and ultimate emancipation, that they must, if they would do this, go back to the era of our Independence, and muzzle the cannon which thunders its annual joyous return; they must blow out the moral lights around us; they must penetrate the human soul, and eradicate there the love of liberty; and then, and not till then, could they perpetuate slavery in this country! To my thinking, Judge Douglas is, by his example and vast influence, doing that very thing in this community, when he says that the negro has nothing in the Declaration of Independence.”

Lincoln’s remarks, like Douglas’s, were enormously long, yet they were delivered extemporaneously. They are known to us because newspaper reporters took them down in shorthand. What Lincoln and Douglas said, however, was of fine literary quality. True, their sentences were not always as complicated or

ing in themselves.

I have spent so much time discussing the Lincoln-Douglas debates because I can hardly bear to discuss the real subject of this column, which is the Kerry-Bush debate — the first of their debates, and the only one of this year’s debates that I have succeeded in forcing myself to read. (I did not succeed in forcing myself to watch it on TV.) But here are a few of the most obvious facts.

1. Neither Kerry nor Bush has anything to brag about in the syntax department. Bush’s way with words is somewhat worse than Kerry’s; he has his father’s trick of arbitrarily jettisoning the essential parts of a sentence: “We’ve got 1,000 extra border patrol on the southern border; want 1,000 on the northern border.” But Kerry also has odd ways of shortening his statements. In Iraq, he says, “we are 90% of the casualties and 90% of the cost: \$200 billion.” Well . . . no, Senator, I’m not a “percent” of the casualties, or of the \$200 billion, and neither are you; but if you want to say that *America has suffered* 90% of the casualties and *is paying* 90% of the cost, go right ahead.

2. Both candidates have the capacity to create sentences that make no sense, though with Kerry this capacity is more highly developed: “I’m proud that important military figures who are supporting me in this race: former Chairman of the Joint Chiefs of Staff John Shalikashvili; just yesterday, General Eisenhower’s son, General John Eisenhower, endorsed me; General Admiral William Crown; General Tony McBeak, who ran the Air Force war so effectively for his father . . .” Wait! Who is this “McBeak,” anyway? What’s a “General Admiral”? What was “the Air Force war”? Was that something like the Clone War? And which “father” does he have in mind? I could also ask in what sense all these people are “important military figures,” since I’ve never even heard of most of them, but if I asked that, I might be talking about substance rather than syntax, and I don’t want to do that.

3. The world that Kerry and Bush inhabit is a lot duller than the world of Lincoln and Douglas — judging, at least, by the words they choose to represent it. It contains no moral lights or muzzled cannon or penetrated souls or thundered

The world that Kerry and Bush inhabit is a lot duller than the world of Lincoln and Douglas — judging, at least, by the words they choose to represent it.

as erudite as the long sentence just quoted. Many of their statements were colloquial; many were composed largely of monosyllables. Both Lincoln and Douglas often used scandalously bad logic, their display of evidence was often petty and lugubriously one-sided, and anyone who reads the transcript of their several debates soon tires of their repetitions. Nevertheless, what they spoke was literature — sometimes inspiring, almost always precise and clear, and always expressive of the mind’s capacity to shape ideas into patterns of words that are interest-

guitar masses, and they made those masses seem less dorky.

When Cat converted to Islam and changed his name, most of his fans wrote him off entirely. It was not unusual for musicians in that day to join strange religious cults — George Harrison had set a precedent. Cat probably would have vanished into obscurity, had not the Ayatollahs issued a fatwa against Salman Rushdie in the early '80s for writing "The Satanic Verses." When questioned about the order to

joys. It is a world of clichés, both attempted ("the president has left them in shatters"; "if you break it, fix it" [Kerry]) and achieved: "never take my eye off that ball"; "changed the culture"; "in harm's way"; "in your heart of hearts"; "this president"; "no viable exit"; "up close and personal"; "they both looked at me and said: We need you"; "my fellow Americans"; "win the peace"; "the Arab countries have a stake"; "the European countries have a stake"; "and those are the stakes"; "what message does that send our troops?"; "if we send mixed signals"; "you cannot lead if you send mixed messages"; "doing what we say and not sending mixed messages"; "talk about mixed messages"; "what kind of mixed message does it send?"; "what kind of message does it send to be sending money . . . ?"

There's no point in labeling these remarks with their speakers' names; both men, as it turns out, talk in essentially the same way, and it's a mighty drab way to talk.

Of course, politicians think they have to talk in this way, so that the booboisie will understand them. That's a sad commentary on the difference between our current system of education and the supposedly primitive system that obtained among the backwoods farmers and small-town shopkeepers who showed up for debates in 19th-century Illinois. But by the time you've finished the Bush-Kerry transcript, you're convinced that modern politicians couldn't talk much differently, even if they tried.

The two candidates — each the choice of a great and historic American party — are so verbally inert that one is actually shocked to discover something either consciously or unconsciously amusing about their words. The amusement, unfortunately, is mild. Bush won the prize for conscious humor by saying, "I won't hold it against [Kerry] that he went to Yale. There's nothing wrong with that." Kerry triumphed in the field of unconscious humor: "I've never wavered in my life." But he also won the award for least-funny remarks. Apparently thinking that people will vote only for candidates who cast themselves as tough guys in an adventure movie, he emphasized his willingness to "hunt down and kill the terrorists. . . . to go kill [Osama bin Laden] . . . I will never let those troops down, and will hunt and kill the terrorists wherever they are." I don't remember the word "kill," used in this sense, in any previous presidential debate.

Is this a debasement of "the culture"? No. America's culture, its real culture, has nothing to do with affairs like this. As for the nation's political "culture" — well, that's been an oxymoron for a long, long time. And whichever candidate wins (I'm writing this before the election), it is likely to remain one.

kill Rushdie, Yusuf Islam said it was absolutely valid.

I've always questioned the authority of governments to issue a death order, and although I remain undecided about the issue, I most certainly do not believe that any religion has such authority. I find that authority even more suspect when the alleged crime is composition. If such an order is valid, shouldn't we be able to issue a fatwa against the man formerly named Cat Stevens for the way his first few albums insulted rock 'n' roll?

— Tim Slagle

Faith kills — Mix weapons of mass destruction with suspended reason (i.e., religious beliefs), and it's pretty predictable that we're all going to be blown to smithereens before too long. That's the message in "The End of Faith: Religion, Terror, and the Future of Reason," the new book by Sam Harris.

From Palestine and the Balkans to the Sudan and the World Trade Center, what Harris sees is religion leading us, inexorably, to kill one another. On the one side, there's a tribe that believes God has written a book. On the other side, a different tribe believes that God has written a different book. Neither side requires any evidence about what's in its book. It's this retreat from reason, this faith-based acceptance of fantastical notions, that Harris finds so dangerous: "If history reveals any categorical truth, it is that an insufficient taste for evidence regularly brings out the worst in us."

And "the worst in us" isn't exclusive to any one side. What the Creator in Deuteronomy wants for non-believers isn't all that different from what the Islamic throat-slashers want in Iraq. The prescription for slaughter in Deuteronomy, even if it's "your brother, the son of your father or your mother, or your son or daughter, or the spouse whom you embrace, or your most intimate friend" who "tries to secretly seduce you, saying 'Let us go and serve other gods'" is that "You must kill him, your hand must strike the first blow in putting him to death and the hands of the rest of the people following. You must stone him to death, since he has tried to divert you from Yahweh your God."

Switch to India in the winter of 2002 and the picture of violence between Hindus and Muslims is much the same, as described in the New York Times: "Mothers were skewered on swords as their children watched. Young women were stripped and raped in broad daylight, then set on fire. A pregnant woman's belly was slit open, her fetus raised skyward on the tip of a sword and then tossed onto one of the fires that blazed across the city."

Add nukes to the arsenal of the true-believers and we have a recipe for something bigger than women on skewers. As my born-again barber regularly explains to me during haircuts, a grand apocalypse is in the cards, thanks be to Jesus, and it's something good, a well-deserved collective reckoning. As he tells it, guys like him will be magically transported straight up to heaven in an instant, and people like me will be stuck forever in a hell of floods, fires, bugs, and whatever else can be dumped on us. He's nuts about all that, but his haircuts are okay.

Most controversially, Harris argues that "moderation" in religion is part of the problem. Moderates, rejecting some of the craziest parts of religion while simultaneously believing that they should respect the unjustified beliefs and antagonistic mindsets of others, only close their eyes to the role that

faith plays in creating and fueling human conflict. "The very ideal of religious tolerance, born of the notion that every human being should be free to believe whatever he wants about God," contends Harris, "is one of the principal forces driving us toward the abyss."

Harris sees no reason to think we can survive our religious differences indefinitely. To reverse course, he believes we must put aside "the blood-soaked heirlooms of a previous age," reject the idea that religious beliefs should be sheltered from honest inquiry and genuine criticism and the belief that a child's education should consist of his "learning to recite from an ancient book of religious fiction," and accept that people who harbor fervent beliefs without evidence belong on the margins of our societies, not in the halls of power, or with their fingers on the nuclear buttons.

"The only angels we need invoke are those of our better nature: reason, honesty, and love," says Harris. "The only demons we must fear are those that lurk inside every human mind: ignorance, hatred, greed, and *faith*, which is surely the devil's masterpiece." — Ralph R. Reiland

The "V" Word — Supporters of the war in Iraq usually scoff at the inevitable comparisons with Vietnam. In one sense they're right: the scale of ongoing combat operations in Iraq is obviously far smaller. In Vietnam we were fighting both a national guerrilla insurgency and a sustained conventional war against a well-equipped enemy backed by our Chinese and Soviet superpower foes. As a result, U.S. troop commitments and casualty rates were far higher for far longer than anything we'll ever see in Iraq (before we get the hell out, that is).

Yet several disturbing parallels have plainly been emerging. The first was evident during the big coalition offensive into guerrilla-held Fallujah back in April. From all reports, approximately 50% of our new Iraqi Army allies either refused to fight or even tried to help the other side, leaving U.S. forces to do all the heavy hitting. Sound familiar? Once again this people whose freedom we are reportedly fighting to defend don't seem to be willing to fight or die in great numbers themselves. U.S. military spokesmen tried to spin the episode as merely revealing the need for more training of local forces, but the problem clearly seems to be one of heart — something the local opposition (once again)

appears to have in ample supply. Reports from more recent battles suggest the new Iraqi Army has been fighting better of late. Maybe so, but then we've heard that before, too.

I thought of the "V" word again recently after hearing a returned soldier on TV talking at length about his Iraq experience. The most rewarding task his unit got to perform was bringing presents to a Baghdad orphanage, where they struck up instant friendships with the resident kids. One day they returned and, to their utter surprise, were told never to come back. It turns out the insurgents had contacted the orphanage staff and informed them that if they cooperated with the Americans again, the children would all be killed. The Americans never went back.

As in most countries, the majority of Iraqis — many of them nonpolitical folk — probably just want to follow the path that keeps them out of immediate trouble, and the insurgents know it. As in Vietnam, all the billions in American aid and invincible conventional military power cannot change the hearts and minds of people who are successfully terrorized — and thus controlled — by opposition forces we are apparently unable to control. It may be a small-scale military action at the moment, but it sure looks like a big disaster looming. — Michael Drew

Tomorrow's scandal — There is a type of scandal which has never yet happened, or if it has, I've never heard of it. But I expect to witness it before I die. I mean the exposure of government employees guilty of insider trading.

Every week and every month official reports from government agencies appear, and the financial markets react in somewhat predictable fashion, or so financial pundits assure us. It follows that the people working on preparing these reports possess valuable inside knowledge.

Suppose that an economics graduate employed in the Labor Department and involved in working up the next monthly report on unemployment learns today that tomorrow's report will reveal a larger-than-expected rise in registered joblessness. He decides that there will be a drop in the Dow tomorrow, sells stocks today and buys them back at lower prices tomorrow afternoon.

There must have been many such unpublicized real-life cases. Yet I have never seen any discussion of these debatably-gotten gains. Corporate officers have to post information about their trades, but, as far as I know, employees of the Commerce and Labor Departments don't have to.

First there's the narrow question of whether a civil servant trading on inside information has done anything illegal. Then there's the broader issue of whether he has done anything wrong according to currently fashionable ethical thinking.

From what I've heard about the insider trading laws, I would guess that the Labor Department researcher, being neither a professional trader nor a corporate manager, has done nothing against the law as it now stands, though this may well change as the law continues to be creatively reinterpreted and remorselessly expanded.

A hypothetical story told to law students is that of the burglar who, in the course of stealing from a corporation, stumbles across information about its operations, and then

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buys that company's stock. Traditionally, this burglar cannot be touched for insider trading. The principle here is that the burglar, not being an officer or major stockholder of the company, does not owe a "duty" to the "victims" of his trading. I guess the victims must be those who were going to buy the stock within a short time-period, and find the price going higher a bit sooner, because of the burglar's purchase of stocks.

The fact that the government employee's purchase affects stock prices in general rather than one particular stock means that the effect of his trading in raising prices is negligible, but that would also have applied in many successfully prosecuted insider trading cases. It doesn't seem to be any defense; people have been prosecuted for insider trading where the activities netted gains of only a few hundred dollars. And given the inventive way in which insider trading laws are being elaborated, the time may come when it will be argued that a civil servant has a duty to the taxpayers, most of whom are also stockholders.

Aside from the legal situation, would general opinion think that the government worker had done something wrong? I don't myself think he would have, but then, I don't think there's anything wrong with insider trading. It's ridiculous to suppose that anyone who buys stocks has a right of access to all the information that anyone else has, and insider traders, if they succeed in making gains, always confer a general benefit on the rest of us, by expediting market adjustment.

My estimate is that the general opinion would be mixed. Some would hold it "obviously unfair" for him to benefit from knowledge he possessed in advance of other people. Others would perhaps hold him largely blameless, because corporate executives and major investors are doing something inherently disreputable and motivated by greed, whereas government employees are axiomatically conferring a public benefit.

Numerous other areas of insider trading have not yet become causes for scandal. You hear from your nephew at city hall about a pending change in zoning affecting a neighborhood, so you buy a house there, guessing the price of that house will rise when the zoning change becomes public knowledge. This is not currently illegal and would not normally be considered immoral.

But given time, the inexorable logic of the insider trading witch-hunt will carry us into many strange places. Who

knows? If you spot an unidentified Vermeer on sale for \$40.00 in an obscure antique store, you may be obliged to publish this discovery online and then wait a week before you may snap it up.

— David Ramsay Steele

Anybody but Hillary — It's election time, and the sidewalks around Columbus Circle, Times Square, and Lincoln Center are teeming with fresh-faced young college students earnestly urging pedestrians to support their efforts to defeat George Bush. Knowing how discouraging it is to be ignored when one is full of missionary zeal, I always stop to talk with them. "Tell me more," I urge. "Why should I vote for Kerry?"

Inevitably they respond, "Because we have to defeat Bush." I nod my head in agreement and say, "Yes, I know, I'm not very happy with Bush either, but tell me, what do you like about Kerry?" The response is always the same: a blank look of utter befuddlement, followed by, "Because he isn't Bush."

In two months of asking this simple question, "What do you like about Kerry?" I have not received a single reason why supporters support him. They

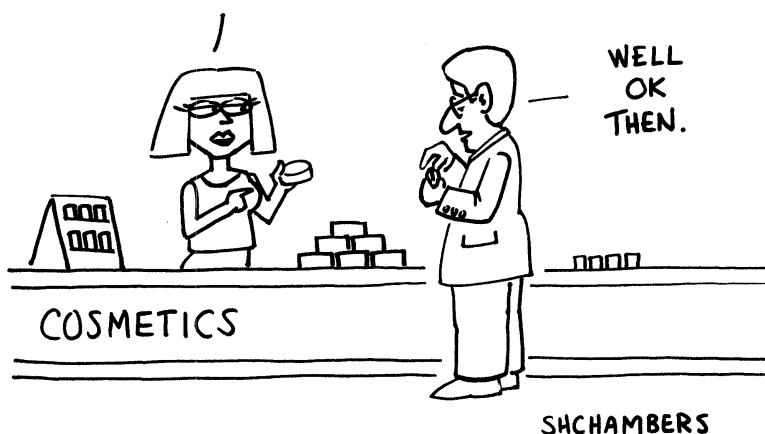
don't know anything he has done or anything that he plans to do. They just know that he isn't Bush, and that's good enough for them.

Well, Michael Jackson isn't George Bush either, but that's not a good enough reason to elect the little pervert. Yet I have to admit that this may be my precise argument four years from now, when I will be urging all of my friends and acquaintances, "Anyone but Hillary." I will be as anxious and earnest as these young college kids. But how will I answer when they ask me about the alternative?

That's why it is essential that Libertarians, Republicans, and anyone else whose mantra is "Anyone but Hillary" begin looking now for a candidate they can fully support, one who is articulate, principled, and available.

As for this year's Libertarian choice: Michael Badnarik may be articulate, but who would know? Since his nomination in May, Badnarik has been virtually out of sight. I haven't seen or heard any media ads, nor has he pushed for news interviews. I received one fundraising letter in June and responded by email, asking to be kept informed of his campaign and appearances. Shouldn't that have put me on some kind of email list? But I haven't received any electronic information or requests for help. I went to a meeting here in New York where he was supposed to speak, a great opportunity to share his philosophy with a group of high-powered political types. But he cancelled at the last minute

NO, SIR. NO ANIMAL TESTING. ALL OF OUR TESTS
ARE CONDUCTED USING DESPERATELY POOR
PEOPLE IN THE DEVELOPING WORLD.



when he missed his flight. How's that for planning ahead?

If we want to defeat Hillary — and we must — we have to present a capable, intelligent alternative. The hunt is on.

— Jo Ann Skousen

The joy of capitalism — It's not a bad idea to go back to basic economics at times, to get a refresher course on common-sense principles as we wade through the issues of the day. Thomas Sowell does just that in his recent book, "Basic Economics."

In a chapter on "The Role of Profits — and Losses," for instance, Sowell reminds us why it's no accident that capital-

economies with competing companies operate with more efficiency and deliver higher standards of living than statist economies with overblown

bureaucracies, state monopolies, centralized planning, egalitarian income distributions, and socialized property. "When one business enterprise in a market economy finds ways to lower its costs," writes

Sowell, "competing enterprises have no choice but to scramble to try to do the same." The boarded-up companies that couldn't keep up with Wal-Mart illustrate the point.

It's that scramble that's missing when the government runs the show through state monopolies. Sowell quotes a Soviet premier who complained that his country's enterprise managers shied away from innovation "as the devil shies away from incense." Under Stalin, these sluggish managers were accused of sabotage, and disciplined accordingly. In fact, it was the entire Soviet system that sabotaged individual incentives.

It's exactly the opposite in a free market system. Unprotected from competition, private enterprise managers, under the risk of extinction, simply can't coast. The general choice is between an indolence that delivers red ink and a get-up-and-go that delivers survival and profit.

To a good socialist, profits and losses are symptoms of a wicked and unruly system, the bottom lines of a chaotic and disorganized structure. As Sowell reminds us: "Socialists have long regarded profits as 'overcharge,' as Fabian socialist George Bernard Shaw called it, or a 'surplus value' as Karl Marx called it. 'Never talk to me about profit,' India's first prime minister, Jawaharal Nehru, warned his country's leading industrialist. 'It's a dirty word.'"

In socialist theory, profits only add unnecessary charges

to goods and services. Eradicate the capitalists, eliminate the profits, and everything will become more affordable and the masses will enjoy higher standards of living. What's overlooked is the fact that competition and the drive for profits force capitalist enterprises to innovate and produce at the lowest cost in order to survive. Under socialism, that incentive is missing. The fat isn't cut out and the masses pay the price in terms of bad products, poor service, and inflated prices. The bottom line? For the masses, profits under capitalism are less expensive than inefficiency under socialism. That's why capitalism won. — Ralph R. Reiland

Friends in raw spaces —

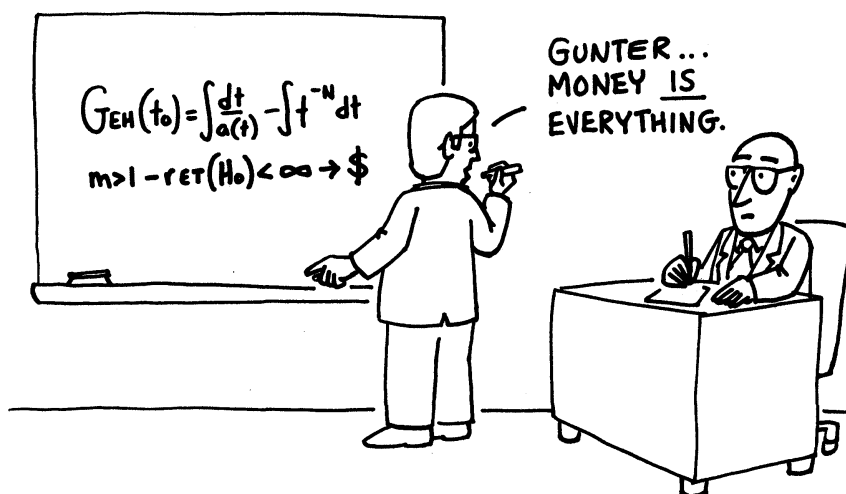
I know several libertarian entrepreneurs who exploit the idiocies of the state for their benefit. Back in the early 1970s, for instance, several libertarians got into the business of buying and selling gold coins, profiting from the American government's forbidding its citizens to own other forms of gold. Similarly, libertarian marijuana dealers

depend upon the state making their wares illegal, increasing enormously the price of herbs that cost only a few cents to produce. In both these cases, the machinations of the state function to increase value.

The state can also create business opportunities by reducing value. I know a libertarian who purchases rent-controlled New York City apartment buildings at a reasonable multiple of their present income. However, his strategy assumes that once current tenants move out, he'll be able to rent their apartments at free-market rates that are often several times higher, incidentally increasing the resale value of his building.

Nearly three decades ago, I moved into SoHo, an industrial neighborhood in lower Manhattan. Since the area was zoned for light manufacturing, residences were forbidden. However, the decline of light manufacturing in lower Manhattan in 1960s left many buildings with empty loft spaces. The area resembled an industrial slum.

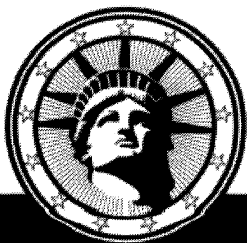
A rental agent named Jack Klein persuaded SoHo landlords to rent these "raw spaces," as they were called, at low prices per square foot to artists, mostly painters, some of whom lived there "illegally," so to speak. (The rules at the time were that you could have a shower, but not a bathtub; you couldn't have a stove.)



SHCHAMBERS

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Does Freedom Mean Anarchy?

*by Charles Murray, David Friedman,
David Boaz, and R. W. Bradford*

From the invention of “anarchism” in the 17th century, the word has almost always been employed as a pejorative. As a political theory, it has usually been befriended by a tiny minority of political cranks. It has, however, been popular with some libertarians.

Many, if not most, libertarians believe that it is always wrong to initiate the use of force. This leads them toward anarchism: after all, how can you have a government that does not initiate force, if only to collect taxes to finance its activities and to enforce its claim to exclusive jurisdiction? Some who advocate the non-initiation imperative, such as Ayn Rand, have tried to fudge the issue, by concocting arguments to the effect that government coercion is somehow not coercive or that government can somehow exist without coercion. But many who advocate the non-initiation imperative, most notably Murray Rothbard, have surrendered to the ineluctable logic that leads to anarchism.

Many other — perhaps, indeed, most — advocates of the non-initiation imperative see the logic of the anarchist conclusion but are troubled by the practicality of anarchism. Wouldn't a society without government lead to armed conflict among its citizens? How could it defend them against external enemies? And why, if anarchism is such a good and practical way to organize society, has human history seen so few social organizations that even approach anarchism?

Libertarians whose thinking is not rooted in the non-initiation imperative are bound to be interested in this argument. Some of them argue that a society without government is perfectly plausible and is preferable to the minimal

government approach, while others argue that there is an indispensable core of social functions that can be performed only by a coercive government, and that the task of political and legal thinkers is to minimize the coerciveness of the state.

At the Liberty Editors' Conference in Las Vegas on May 15, two panels were held to take up this controversy. The first considered the question of the plausibility of anarchism, the second the question of its morality.

The participants were: Charles Murray, author of “What It Means to Be a Libertarian”; David Boaz, author of “Libertarianism: A Primer”; David Friedman, a leading proponent of the practicality of anarchism and author of “The Machinery of Freedom”; and R.W. Bradford, editor of Liberty. Stephen Cox moderated both panels.

What follows is a lightly edited transcript of the first of the two panels.

Moderator: Charles Murray, what do you have to say about the plausibility of anarchy? About its practicality?

Charles Murray: There are philosophical questions that are not to be addressed in any particularly useful way, except

at the margins, by scientific findings. Questions like the nature of self-ownership and natural rights, I would classify as this type. We can argue about these and we can decide who has the better and more persuasive arguments, but our arguments will not be basically empirical.

In deciding what kind of government or lack of government you want, one factor is human nature. As I am defining that term, human nature is susceptible to a more empirical examination. It is not one that is subject to a definitive empirical investigation (but I will say parenthetically, it is going to get that way over the course of the next century, maybe even over the course of the next 20 or 30 years, as we understand in greater and greater detail and specificity how human beings are wired and how they aren't wired). It is with regard to these issues of the nature of human nature that I will confine my remarks. I think that the facts about human nature point away from anarchism and towards limited government as the appropriate way to run human affairs.

I want to make two main points. The first goes back to the 18th century and a line of thinking exemplified by Adam Smith. Other thinkers were a part of this tradition, but Adam Smith said it best in "The Theory of Moral Sentiments." Anybody in this room who wants to talk about anarchism and limited government has to read that book. It is a wonderful book. You don't have to read it cover to cover — it's sort of like my books in that way. You can dip into various parts of it and skip long sections that deal with 18th century Scotland and England. It is an absolutely brilliant book.

The point I want to emphasize from Adam Smith's argument is this: he came at the end of a time when people were asking whether human beings have a moral sense — and I would say the argument that human beings have inherently a moral sense needs to be an essential part of any anarchist argument. Adam Smith offered what is to me an utterly persuasive answer — persuasive in terms of 20th and 21st century psychology. He said, well, maybe we do have a moral sense and maybe we don't,

I would say the argument that human beings inherently have a moral sense needs to be an essential part of any anarchist argument.

but one thing that human beings do have (and you can look within yourselves to see whether you agree with this statement), is an innate desire for the approval of their fellow human beings, their approbation, and you can rely upon that instinctive desire for approbation from other human beings to get away with very limited government. There are lots of things that human beings will do, if given the right setup, that will lead them to behave in cooperative ways. However, you do need to have that right setup, because approbation can as easily be sought

in a band of pirates, by the code of ethics of pirates. Or, as we know from street gangs in the United States, kids who go into street gangs deeply want approbation. They are being Smithian, but in ways that lead to very destructive human behaviors. And I think that having the right setup, which in the case of my own views is the restraint of force by the use of government, is appropriate.

The second aspect that I'll speak briefly on has to do with the bell curve and the question of IQ. Fifty percent of the population is below average in intelligence. [Laughter.] I love making these provocative statements.

Everyone has a moral compass; some are more susceptible to magnetic storms than others.

There is a real problem here because also about 20% of the population is below 90 in IQ. There are relationships between social behavior and IQ. I have no brief whatsoever for the professoriate — I agree with William F. Buckley when he said that he would rather be ruled by the first 3,000 people in the Boston phone book than by the faculty of Harvard University — but the professoriate does tend to be fairly peaceful in terms of actual use of weapons as opposed to other kinds of things. Meanwhile, there are problems of increased use of violence at a lower level of IQ. Ed Crane of the Cato Institute gave me a wonderful quote, which we used in "The Bell Curve." Out of my deep friendship for Ed, I did not cite him as the source of it because Ed doesn't like "The Bell Curve." It goes like this: everyone has a moral compass, but some are more susceptible to magnetic storms than others. I think that captures it exactly right. The equal human dignity of people everywhere within the normal range of functioning is unquestionable. Some are more susceptible to magnetic storms and so what you want is a government of simple rules — simple yes or no; this is right, this is wrong; this we will enforce, this we will not — that deals with the basic crimes. That's all you need, but you do need at least that much. The bell curve and IQ is a genuine problem in trying to do away with any form of government at all. I'll stop there.

Moderator: Thank you. David Friedman?

David Friedman: Unlike Charles, I try to write books all of which are worth reading. [Laughter.] Usually the argument on anarchy vs. minarchy consists mostly of people trying to argue that an anarchist system can't work and other people arguing that it can work. I'd like to take the other side and discuss why limited government is obviously a utopian scheme that cannot possibly work.

To begin with, the supporters of institutions that are supposed to give us governments that respect and protect rights regard all of history as experimental error — we have after all done the experiment a couple of times — and

they believe that if only this time we got it right, if only we wrote the right constitution, or somehow tweaked the system, we could actually get a government which was given a monopoly of the ability to use force on other people and, of course, only use it to protect people's rights. Some of them believe you can do this with the right constitution. I was discussing this with my wife on the phone last night and she said, "Yes, the minarchists have a touching faith in constitutions." And I thought H.L. Mencken put it much better, as he put most things, when he said, "In nothing did the founders of this country so demonstrate their essential naivete than in attempting to constrain gov-

The fundamental mistake in the minimal government argument is its theory that governments become abusive because they have the wrong constitution or the wrong philosophy.

ernment from all of its favorite abuses, and entrusting the enforcement of these protections to judges; that is to say, men who had been lawyers; that is to say, men professionally trained in finding plausible excuses for dishonest and dishonorable acts." [Laughter, applause.]

The other variant of minarchism is the one held by those who don't think you can do it by writing the constitution right, and think you can do it by only having the right philosophy for the society. This is a view I especially identify with followers of Ayn Rand, a woman whom I greatly admire and frequently disagree with. I spent a number of years as a very active participant on a Usenet news group, where a bunch of the participants are hardcore Objectivists, some of them going all the way back to more or less the beginning of the movement, and one of the striking things was the amount of disagreement on that list. I can point you at intelligent and thoughtful people who consider themselves Objectivists, who believe that they accept the basics of Rand's philosophy, and essentially believe that you are morally obliged to obey the laws of the War on Drugs. I know one such person; he's one of the people on that list I have more respect for, because he at least follows through the logic of his position, which is a sort of a version of a social contract theory. He thinks there shouldn't be a War on Drugs, of course, but that once there is, you are obliged to obey. And there were other people with a wide range of other views — so judging just by my empirical observation starting with a reasonably commonly held philosophy, one whose founder thought it was the solution to the problem of government abuses, you can generate all of the arguments necessary, if you want, to make Mencken's plausible excuses for dishonest and dishonorable acts. To put it differently, the fundamental mistake in the view of the people who believe you can have a long-term, stable, rights-respecting government, is that they think the evi-

dence is all a mistake — that there is no consistent reason why governments behave the way they do, it just happens because sometimes they have the wrong constitution and sometimes the wrong philosophy.

But government behavior is not an accident. If you give people a monopoly over the use of force, like any other sensible people, they will use it in a way that best achieves their ends, and that will very rarely involve protecting individual rights. There is a whole branch of economics called public choice theory which attempts to explain the behavior of governments. And it's not a finished job — there's lots of stuff we can't understand. For instance, I'm a little puzzled that they don't take 99% of our income but rather satisfy themselves with 30 or 40% — well 99% is too high, we'd die, so 94%. But it turns out that if you think through the logic of political systems, including democratic ones, the use of government to transfer money from poorly organized interest groups to well-organized interest groups and in the process take a cut is a predictable outcome. And if you had an Objectivist government and waited a few years for people to think up plausible excuses, it would happen there too. That's a prediction made with some confidence. The idea that the way you restrain people's desire to use force is to give it all to one person was famously argued by Hobbes, and I didn't realize there were that many Hobbesians left in the building.

Finally, observe that the whole minarchist position depends on the idea that though the government can't do a competent job of building automobiles or delivering the mail or producing food, somehow it can design a legal system. This is not the world's easiest problem, I can assure you.

In my view there really is only one solution to government behaving the way government behaves, and that's not to have one. [Applause.] I've spent some time and effort, and I can't do it in a ten-minute introduction, but I address it in "The Machinery of Freedom" — and there

You don't have to be an automobile engineer for the market to make good cars for you, and you don't have to be a moral philosopher for the market to make good laws for you.

are a couple of articles that fill in the gaps that are on my web page, "Anarchy and Efficient Law" is one of them, and "Law as a Private Good" another. I think one can make a pretty convincing argument that if you have a market for law, market forces will not work exactly the same as the ones that work for automobile manufacturing, but they will tend to give you that set of legal rules that maximizes the welfare of people living under the rules. And it doesn't depend on those people knowing what rules do that. You don't have to be an automobile

engineer for the market to make good cars for you, and you don't have to be a moral philosopher for the market to make good laws for you. That's the essential point that I think people miss about the whole idea of polylegal systems, market generated law, and so forth.

Now, if I were a utilitarian, as many people mistakenly think I am, I could stop now and say, "All right, the law will maximize human happiness with a few exceptions that I've noted in my footnotes." But since I'm a

There really is only one solution to government behaving the way government behaves, and that's not to have one.

libertarian and I think liberty works, I think that on the whole, and again no doubt with a few exceptions, if people are free to run their own lives they will generally be happier than if they're not. And I therefore think that the law which, in the jargon of my trade, is economically efficient, or more loosely speaking, maximizes human happiness, is going to be pretty close to the law that libertarians want. And therefore, if you want a free society, ultimately the way to do it is to set up institutions in which the generation of law is a market process, where people have some degree of choice — you can't have perfect choice because the law that applies when you do something to me still applies whichever side of us we look at it from — but you can have a lot of choices and you can have market institutions that then generate law and will give you a tendency to generate the right ones.

Moderator: Thank you, David. Now, David Boaz.

David Boaz: David makes a good point. Maybe I have to change my mind. [Laughter.]

I do think it is difficult to defend against the argument that governments always exceed the powers that you give them even with the U.S. Constitution, which is about as good a constitution as you can write. We can look back on it and say, we should have included this, and we should have included that; but part of the problem is that they did include many of those things, and so you hear people say, "Well, let's add a constitutional amendment that says 'And we mean it.'" [Laughter.] I don't think that means the Constitution has been irrelevant. I think the Constitution has maintained a largely free society for a long time and that is an accomplishment. The question is whether there would be something that would maintain a freer society for longer.

At the Cato Institute I spend my days making consequentialist arguments for the negative effects of rent control, the positive effects of Social Security privatization, and so on; but the reason I'm there, the reason I'm a libertarian, the reason I work at Cato, the reason I wrote a book, the reason I've devoted my life to this, is a commitment at a much more fundamental level. I didn't study

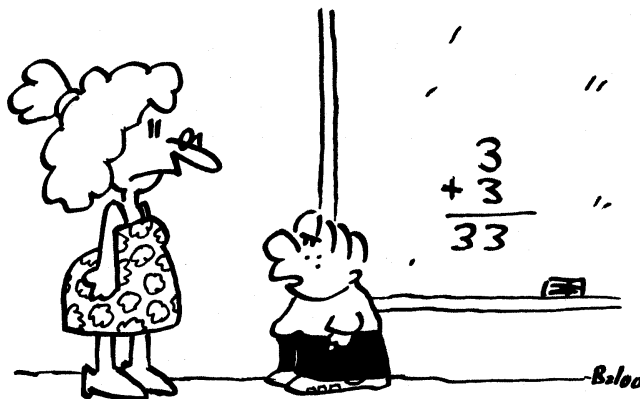
each of these issues and finally come to a conclusion about what works; at some point I think I discovered that at least in political philosophy I pretty much agreed with Ayn Rand, who summarized things that a lot of people believe.

The difference I had with Rand was that she made a tremendous effort to build a philosophical system that only in its final points came to a political philosophy; she believed that it was important to get the metaphysics, the epistemology, the ethics right before you could talk about politics. And this of course was her big disagreement with libertarians: that libertarians believed you could be a Christian, a Jew, a Muslim, a hedonist, an Objectivist, and still arrive at libertarian political conclusions, and, I think, still believe in a rights-based libertarianism.

So, although I've read Rand's arguments, and I've read Christian libertarian arguments, and I've read at least some of Kant, I go back to the way Jefferson put it in the Declaration of Independence: I hold these truths to be self-evident — it's just wrong to initiate force against people who have not initiated force themselves. And there are implications to be worked out about that, but that's really why I'm in this business, because it seems wrong to me to use force against peaceful people. The nonaggression axiom is a formal way of describing that.

What I want is a system that will minimize the initiation of force against peaceful individuals, and to me that means a government that protects us from the initiation of force by parties outside the United States (or whatever country we're in), one that protects against and punishes those who would initiate force within that society, which means some sort of police system, some sort of court system, which it seems to me are categorically different from other goods and services that I want provided. I don't see any reason that because I think government should protect against the initiation of force, it should also provide roads or schools or any of those other services that are sometimes called public goods.

Now, I think if you listen to the arguments that Charles was making, you could say that what you come to is the conclusion that we want to live in a law-governed society. We want to live in a society in which people's desires to initiate coercion against others are gov-



"That's my story and I'm sticking to it!"

erned, are restrained, that there are systems in place to discourage and to punish those kinds of antisocial behavior. The question is whether that necessarily means you need a government, if we define a government as a monopoly on force. We definitely want to live in a society governed by law, but law doesn't have to mean a single monopoly provider, and indeed one of the most profound observations about why we're free in the West is because for so many years we didn't have a single monopoly provider: we had church law, mercantile law, the king's law, the manorial law, the feudal law, all these different kinds of law. Even in a less mobile society, people were able sometimes to choose among them, and that's one of the ways that we got the good law that we generally did get. So making the case for why that law needs to be provided by government is more difficult. I think Rand did a reasonably good job of explaining why the provision of law is different from the provision of other services, but the important thing is that we end up in a society where anti-social behavior, defined specifically as using force against other people, is restrained and punished. I believe that a limited constitutional government is the best approximation that we will get, but it's certainly true that there aren't many historical cases where that's worked well.

Moderator: Thank you, David. I can see that this is a topic on which we want to get a lot of audience participation, and I think we will get it. We're running a little bit long but we have one panelist yet to present, Bill Bradford.

R. W. Bradford: David asked me earlier whether I was an anarchist or not, and the only response I could give was that at Libertarian Party picnics, I always played on the anarchists' softball team. [Laughter.] I got into a long discussion of this with Murray Rothbard once. He asked me how I would describe my political philosophy and I said, "Well, it's ultimately statist." And he asked me to describe what it was, and after a long discussion he told me that he thought my position was more or less tantamount to his own. Murray, of course, considered himself to be an anarchist.

The first issue we must address is what do we mean

by government. When I use the term, I use a slight variation of the classic Weberian definition: government is that man or combination of men that are capable of enforcing law within a certain geographical area.

The reason that I have such an ambivalent — I prefer to say, subtle — position is that it seems to me to be impossible to dispense with some core of government and still have a peaceful society. What I mean by that is, whether we have people actively engaged in coercion to enforce rules within a society, we still have people who

What I want is a system that will minimize the initiation of force against peaceful individuals.

are capable of doing so if so inclined. When you are in a situation where someone is capable of forcing you to do something, the fact that, for the moment, he chooses not to do so or that he shouldn't do so, doesn't make you substantially freer. So I concluded that government is ultimately not dispensable because as long as we have a substantial number of people peacefully interacting, we're going to have a combination of people who can impose their will.

My response to the question of what government should do is what convinced Murray Rothbard that I was virtually an anarchist. I think that everything a conventional government does can be privatized, except for one: a supreme court, that is, a court that has jurisdiction over competing private courts. If we don't have one, and David and I are in a lawsuit, and I win in my court and he wins in his, and each of our courts goes out and hires private armies to enforce its decision and the private armies fight it out — what we are engaged in is civil war, not civil society.

So I could be accurately described as an advocate of limited government, but not in the usual sense in which governments are limited by constitutions or by judges. I think the only thing that ultimately limits the government's power is public sentiment. That's sort of bad news for some libertarians, those who think that we can just get the right laws in place, and then we'll have a libertarian society. Unfortunately, if the public doesn't support those laws, they won't do much good.

The reason I say that I don't think judges are involved — incidentally, the Constitution doesn't give the federal courts the right to declare laws unconstitutional, they arrogated that right for themselves 20 years later. As I recall, George Washington believed that it was the president's job. And he *was* the first president of the United States, and the president of the Constitutional Convention. He believed that was the function of the presidential veto at the federal level, that his job was to veto laws that he thought were unconstitutional. He also



"Oh, right — well, try jogging in place."

thought that Congress should pay attention to the Constitution and not pass laws that were unconstitutional. The notion that the courts were a part of this process is foreign to the Constitution itself. I admit this makes me probably the strictest constructionist there is. If you read the Constitution, you can't find any place in it that says the courts are in this position.

I want briefly to make the case for the proposition that this issue is not as important as it seems. What we're talking about here is end-state libertarianism. We're talking about where the evolution of a free society eventually ends. All libertarians share a certain vision, but we have a wide variety of ideas about how to implement our vision, about how liberty can progress.

It seems to me that it's extremely difficult to envision the advanced state of an incipient process. I'm reminded of the experience of Charles Babbage, an early 19th century British eccentric, who more or less envisioned the computer. The technology didn't exist. Not only wasn't the chip invented, let alone the transistor, let alone the electronic vacuum tube, and electricity was a mysterious little toy at the time, more or less. Babbage envisioned computers being run, as I recall, by a giant network of pipes with valves, and we would be turning valves in different patterns in order to see what the outcome would be. Now there are a lot of engineering problems with this, but it's theoretically plausible. But today, if we look back at Babbage, it's easy to see him as a fool rather than as a visionary. If you start looking at diagrams of how you do this with pipes, it's hard to make more than the most ludicrously simple computer.

I suspect that liberty is in that same stage of development today, and that if and when society progresses toward liberty, the end state is going to be a lot easier to see. Envisioning the way the institutions are actually going to develop and what the final form of society is going to be will be a lot easier at that point than it is now.

Moderator: Thank you. Now ordinarily I would ask everyone on the panel to go around one more time, but I really want to get audience participation. I'm sure that the mem-

When you are in a situation where someone is capable of forcing you to do something, the fact that he chooses not to do so doesn't make you substantially freer.

bers of the panel are clever enough to work in any of their rebuttals in response. [Laughter.] So the first person who raised his hand is you:

Audience Member: I would much rather have a free-enterprise-competing, profit-seeking insurance company take my freedom than a coercive, non-proprietary socialistic government steal my money in order to protect my property and freedom. Give someone a gun to protect

your property, and they can always turn on you. I think that a for-profit insurance company would be less inclined to shoot its customers.

Moderator: Thank you. Who would like to respond? Charles?

Murray: You're right, I'm going to work in my rebuttal immediately and ignore the question altogether.

[Laughter.] No, I actually am responding to your question. None of the other three panelists talked about the question, "Given the way human beings are, is this plausible?" I would go to David Friedman first with that. You have to tell me why it is that what you're saying is consis-

I think that as society progresses toward liberty, the organization and institutions of a free society are going to be a lot easier to see.

tent with what we know about the wiring and nature of human beings. The questioner is saying that if you had this profit-seeking insurance company that could protect your property, and given a lot of other assumptions, you would rather have the insurance company than a government? That's a little bit like the joke about the people stuck at the bottom of the hole. You all know it? Where you have a priest who says, "Let us pray," and somebody else who says something else, and a third person who says, "I'm an economist; first, we assume a ladder." [Laughter.] And that, I think, is the problem of all the assumptions you made — you're assuming a ladder. Any argument about anarchism must be realistic about the nature of human beings. That's a topic I would like to see discussed more.

Friedman: We live in a real world; you can observe it. There have been a lot of state-run societies. There have not been any stateless societies in a modern advanced developed system, and that is some evidence that it's difficult to make that work. But if the arguments that people like you are making are as strong as you make them sound, there would be none! And you know the anthropology books are full of stateless societies: the Comanche Indians, for example, had nothing you could recognize as a government. They didn't kill each other very often; oddly enough, they were militarily very effective. Here you've got this bunch of primitives, enormously outnumbered, who stopped the settlement of Texas for 20 years because they were so good at fighting people. That's sort of an extreme case.

Moderator: I'm not sure whose side that comes down on. [Laughter.]

Friedman: But it's a striking observation. The real point I'm making is that one can give a long list of known societies which succeeded in maintaining the enforcement of social rules within them without anything that most of us

would recognize as a government. I can't give you a list of anything very much like modern-day America, which is why when I tried to sketch out institutions, I was trying to think what would such institutions look like in a modern society. But it's not hard to find examples of other ones, and if the arguments against anarchy were really as strong as you're trying to make them sound there wouldn't be any, and we know there are.

Audience Member: I'm afraid that if legitimacy is not accepted by the mass of society, the whole thing will fall apart. Isn't that what it comes down to, legitimacy?

Moderator: David Boaz?

Boaz: Legitimacy is a fuzzy concept. I remember seeing a New Yorker cartoon. A physicist had covered the blackboard with equations that are obviously incomprehensible to us and probably didn't mean anything anyway since it was in a cartoon, and at the bottom it says "And then a miracle happens," and then x equals whatever. I sometimes think that libertarian legal theory sometimes involves that. I've heard people whose constitutional legal theory I respect talk about, we start from private rights, we start from the inherent right of self-defense and of acquiring property; we come together and do this, and then a miracle happens and there's a legitimate constitution. Well, you didn't get unanimous consent. I think we can all assume that you would never get unanimous consent for anything. So what creates the legitimacy? Randy Barnett has a new book trying to argue what creates legitimacy for the Constitution; other people have offered different answers. The fact is that most people in the world regard their governments as legitimate, even the ones as bad as Saddam Hussein's. My impression is, most people sort of grudgingly go along with "That's the government." The ones that are as good as American constitutional government command pretty much unanimous consent, even though we would say they really shouldn't. In a philosophical sense, I think that legitimacy is a serious problem; as a practical matter, I'm not sure that it is.

Moderator: David Friedman.

Friedman: My response requires more time than we have. I ran into this problem when I was about 15. For a while, I

on people believing that right and wrong are established by acts of Congress, it depends on a legal system which is enough in conformity with peoples' beliefs, and the parts that aren't are enforced strongly enough so that people obey them.

My own view of the issue is that the only moral legitimacy laws have comes from their being just. That is, mur-

There have not been any stateless societies in a modern advanced developed system, and that is some evidence that it's difficult to make that work.

der is wrong not because Congress says so, or not because my rights-enforcement agency agrees that it is, but because it's wrong. What a stable legal system comes out of, ultimately — and I would say this is true under minarchy and under anarchy — is that it's ultimately a peace treaty. That is to say, we recognize that I have views about what's right and wrong, and so do you, and fighting with each other is an expensive and unpleasant activity, so at some point I say, "Well then, here is a compromise which as a practical matter I'm willing to accept. I believe that some of the laws you're enforcing on me are wrong, and if I could easily get away with breaking them I would, but as a practical matter I'm not going to try to."

I think the nearest thing to making any sense out of the social contract is the peace treaty, and it's not clear to me that peace treaties have any moral force at all, but they help explain why you've got an orderly structure out there. And when I think about my anarcho-capitalist society, it's tempting to say, "Well, the laws are morally binding because I've agreed to them, because I contracted with this agency, which agreed with your agency as to what the laws between us would be," but the only reason I contracted with it was that I knew I couldn't get what I really thought I had a right to, because I didn't have adequate force to protect the rights I believed I had. So even in the anarcho-capitalist system, the voluntary agreements are made in the shadow of the threat of force if you don't make voluntary agreements, and it's even more true of the state. So I think that moral legitimacy only comes from being morally just, not from any political process, and the practical assent that prevents you from shooting each other comes from your having agreed on workable compromises between what you and I think is just.

Audience Member: Randal Holcombe has argued that there could never be anarchy, there will be a state, because the protection of society business tends toward monopoly. We've got these societies that have all these instruments of force sitting around most of the time. I hope they have an interest, it's in their self-interest to expand their busi-

Murder is wrong not because Congress says so, or not because my rights-enforcement agency agrees that it is, but because it's wrong.

followed the policy of obeying all laws on the grounds that though I couldn't see any reason why I was obliged to obey laws, society would fall apart if people didn't, so there had to be a good reason. I eventually noticed that all of my friends thought I was nuts for obeying all the laws. I was the only person I knew who acted that way, and I concluded that in the real world society doesn't depend

ness, they're going to use that stuff, and ultimately you're going to have one, and it's called a government. And by at least having classical-liberal limited government, you have a chance of constraining them.

Friedman: It ultimately depends on the economies of scale in that business, that once you have an equilibrium, given the nature of the equilibrium, firms that try to expand by saying "You always have to agree with me or I'll bite you" are going to lose, unless they start out with a large majority. Say you've got 100 agencies enforcing rights. Ninety-nine of them are following the starting rule (I'm describing equilibrium, not telling you how to get there), which is: we've got to agree with each other on private courts that will settle disputes between us and we'll abide by those agreements. We want to keep the reputation for abiding.

And one of them says, "No, I'm always right and I'll shoot you if you disagree." That one agency is settling 100% of its disputes by violence. Every other agency is settling 1% of its disputes by violence. The result is that the one agency has enormously higher costs and delivers a much lower-quality product, because the ability to know that you'll win the case when you're in the right is more valuable than the ability to know you'll win the case if it happens that your agency wins the war; so therefore that agency goes bankrupt.

So in order for your story to be true, the economies of scale in the ordinary business of an enforcement agency have got to keep growing up to close to the extent of the market. If you have an equilibrium with two or three agencies then I think you're in serious trouble, and I wrote that 30-some years ago. That's not anything new that Randal Holcombe has come up with. But I suggested reasons to suspect that the economies of scale in the ordinary business of enforcement agencies didn't go all that high, and that therefore you could expect to have many competing agencies.

But again, the same point I made before, anybody who says it's impossible — not that it wouldn't work in our society this year, which for all I know is true — has to explain historical societies.

Moderator: The woman in the back of the room.

Audience Member: I have a question about Ayn Rand and [inaudible].

Moderator: Could you speak a little more loudly?

Audience Member: I think Ms. Rand talked about the advantages of [inaudible].

Friedman: I'm not an Objectivist. I can't answer that question.

Moderator: That's a question for David Boaz.

Boaz: I'm not sure I heard the question.

Friedman: Isn't there a contradiction between Galt's Gulch being in effect an anarchy with no visible government, and the fact that Rand was a supporter of limited government?

Boaz: Well, that's an interesting question. I guess I'm actu-

ally not an expert on Rand, I'm an expert on what people said about Rand. [Laughter.] That's what I've been studying recently. So I'm not sure about that.

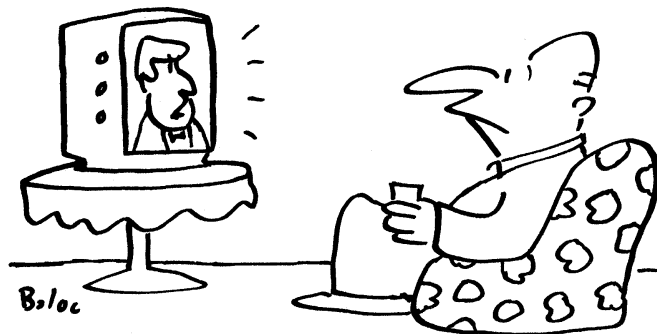
I think to some extent, of course, "Atlas Shrugged" is a novel. Her works presented a stylized view of the real world, but were not supposed to be realistic in the sense of truly realistic novels, and Galt's Gulch was a temporary place where people were sort of waiting to go back to the world. However, it is true it appeared to be a functioning society, and perhaps she meant to say that if everyone was like John Galt, then you wouldn't need government, but not everybody is. However, I don't think that would be her answer. I don't think she would say that. So yes, it does seem, at least in microcosm, there's a good question there.

Murray: Just one sentence? Two sentences, maybe? We have to keep scale and size in perspective with all of these issues. Galt's Gulch may very well have worked with its population, Comanche society may very well have worked with its population. But I will give you another example of a government that worked for a long time, and that is Sweden when it was still very small and very homogeneous. I don't think it could have continued to work forever, but in asking about the feasibility of all prospective governmental systems, you have to keep in mind the diversity, the size, the complexity of the society to be governed.

Moderator: Yes, the gentleman in the back of the room.

Audience Member: David Boaz said something like, "We need a limited government to protect us from initiation of force." But I think you have a logical contradiction there because the government, in order to protect you from the initiation of force, starts out by initiating force to fund its own functions. So how can an organization based on a logical contradiction work? [Applause.]

Boaz: Well, I think every government in the world today probably operates on logical contradictions, and they do work at some level. However, I don't think saying that you believe in a minimal government implies that you believe in taxation. Rand addressed this question, not entirely satisfactorily. I don't believe in the initiation of force, and I do think taxes are that. I would, of course,



"Hey, don't blame us. You're watching this junk, aren't you?"

favor a radically reduced government in size, therefore it would need radically less money than today's governments have. Could that be funded through some sort of voluntary fees on contracts? Maybe something like that.

But I think the suggestion that you need — and I sort of agree with Bill Bradford, that what you're really saying is you need a supreme court. There's got to be some final answer if the other competing legal systems don't come to that answer, you need a supreme court. Doesn't take a whole lot to fund that. National defense, at least in today's world, could be a bigger problem.

Moderator: Let's see if Bill Bradford agrees with you.

Bradford: I'm not sure I do. The taxation issue isn't the only contradiction in Rand. For example, how do you claim exclusive jurisdiction without initiating force? I think that the rise of what I would consider to be the contemporary libertarian movement — namely, people like us — came out of the Objectivist movement, primarily because people read Rand and looked at the implications of her arguments more clearly than she did. They understood that if we're going to have a universal prohibition on the initiation of force, we can't have government, for two reasons. One, government costs, and two, any government, even the government that I advocate that's so tiny that Murray Rothbard maintained it was tantamount to his anarchist society, has to claim exclusive jurisdiction. And you can't get exclusive jurisdiction without being able to enforce that jurisdiction.

Friedman: I think some of these "If there's anything enforcing it, there's got to be a government" kinds of arguments are wrong. I want to imagine a society with people who have a good deal in common with each other, without terribly dense population, the kind of place where everybody's farming his own land and knows most of his neighbors, and there isn't a government. And there are pretty widely shared norms. Lots of societies have norms that aren't created by governments. So what happens is that when somebody does something to someone else that the someone else sees as a rights violation, he could use force himself. But that gets pretty dangerous. So what he does instead is that he goes to somebody in the commu-

nity who has a lot of respect from his neighbors and says, "Are you willing to arbitrate this dispute?" And the guy says yes. Then he publicly demands that his opponent accept the arbitration of this person, or offer somebody else whom their neighbors regard as a decent arbitrator. And the guy has a choice: either he agrees to that, or he doesn't. If he agrees to that, and the arbitrator rules

How do you claim exclusive jurisdiction without initiating force?

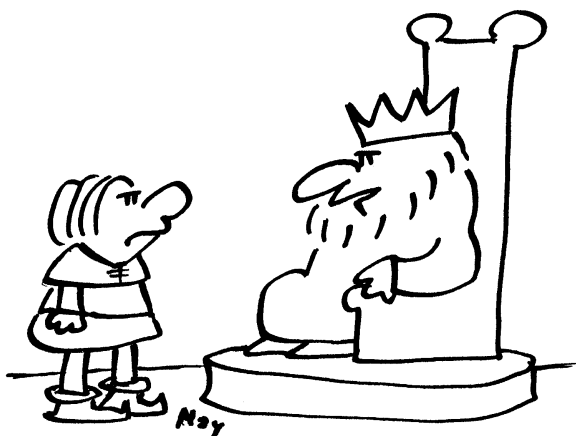
against him, he again has a choice: he either goes along with the judgment, or he doesn't. If he takes the "not" in either case, if he refuses to arbitrate the dispute with a respected arbitrator or then reneges on the agreement, the victim uses force against him, and the victim succeeds in using force against him because everybody else in the community says, "Aha, this is an honest man who has been wronged, acting against a villain." And when everybody else in the community is willing to help you out if necessary, and unwilling to help him, it turns out you've got a big advantage in using force.

Now, this mechanism isn't going to work very well for complicated societies. You would need a lot more institutional structure. But I just want to take it as sort of the primitive version of anarcho-capitalism to make the point that in that society, rules are enforced. When you rob people, bad things happen to you. And yet, there is no supreme court. The rule enforcement is a description of an equilibrium coming from the decentralized behavior of a whole lot of different people. And in fact, that kind of norm enforcement, if you think about it for a while, we all live with regard to various norms that are less serious than not killing people.

Moderator: I think that we can take one more short question and response.

Audience Member: Okay, I'm not an economist, but let's say I agree with Mr. Friedman that basically, those agencies that resort to violence to solve their problems will eventually fail. In a different sense the same thing is happening now: Enron cheated, and Enron lost. But Enron got away with it for a while, and what was at stake there was money, but what's at stake here is force.

Friedman: But I think that I'm describing the equilibrium, and sometimes we make mistakes, and sometimes occasionally there may be violence; but after all, in the world we live in, violence happens too: between states and within states. I'm not a utopian. I've never been a utopian. I assume that even in the best institutions we can arrange, rights will sometimes get violated, bad things will sometimes happen. I'm only arguing that a decentralized market approach to the enforcement of rights and the settlement of disputes is likely to result in fewer bad things happening and rights getting violated less often than any of the others. □



"Yes, as a matter of fact, I *do* expect you to grovel!"

Absence Makes the Hawk Grow Stronger

by Norman Ball

There is an unscratchable itch in a dark recess of Bush's patrician soul:
Vietnam, the war he failed.

By fortuitous circumstance, few have to answer the bugle's call to arms. For this, we are indeed blessed. I am one such grateful non-combatant, too young for Vietnam, too old for Iraq. But there is a group of unconscientious objectors for whom personal bravery seems to sprout with gray hair. These audacious hypocrites promulgate war on the backs of others even though they evaded combat when their own number was called.

Today's Iraq hosts their war.

Wobbly knees are not found only in war; indeed, they can be found in the most innocuous schoolyard tussles or barroom brawls. Example? A fight is on the verge of breaking out, and fisticuffs seem inevitable. One person shrinks back from the conflict and the fight fizzles. Cooler heads have prevailed. But no sooner does the imminent danger pass than the faltering combatant finds his voice and begins screaming "Lemme at 'em! Lemme at 'em!" If he's lucky, there's a cadre of friends to hold him back while he performs his war dance. By this time, his opponent is well out of earshot, something our erstwhile hero has calculated marvelously. In a less enlightened era, such behavior might be called cowardice, camouflaged of course by the face-saving denouement. Such flailing can be suppressed for years until the Oval Office plays host to a Monday morning hero.

Cowardice: in all likelihood, modern psychiatry has a more palatable term, labeled with an acronymic "syndrome," and treated with a happy pill to make everyone feel better about themselves. But in a bygone, preclinical

era, ignoble episodes could forever besmirch a man's reputation and honor, causing him to slink away from public life altogether. In fact, a Victorian gentleman could find himself so ostracized that even his psychiatrist would decline his calls. Today, the shamefaced simply aspire to higher office, with an odd political advantage to boot.

America is the land of second acts. But with all due respect to Dr. Jack van Impe and the Rapturists, George W. Bush may be answering to an even higher calling when he talks of being "born again." Forget the hereafter. Bush needed evangelical Christianity so he could face Dad again in the here and now. With the patriarchal breach thus repaired, it was a quick dash to the Texas governorship and then on to the fulfillment of his dynastic birthright.

But make no mistake. There is an unscratchable itch in a dark recess of Bush's patrician soul: Vietnam, the war he failed. Neither Richard Nixon's "peace with honor" nor Billy Graham's one-on-one ministrations could ever absolve such an intensely private abdication. In American political dynasties, private failings often require public extirpations. In Iraq, Bush hoped to find the redemption he had sought for so long.

Iraq is at least partly an Oedipal second act, seasoned

with a dash of Armageddon. It is the boy who, once afraid to jump into the pool, stops the world to redress his initial failure of nerve. WMDs are merely the excuse Bush offers for his second chance at the deep end. You see, the reason was never really the reason. Everything was about jumping in again.

Stopping the world to make Mom swoon means good men and women must die. So let's hope Barbara picks her favorite guy real soon 'cause the troops are stretched thin. On the off chance that Barbara's scouring these pages in search of second opinions about this Freudian impasse, George Sr. gets my vote, hands down.

Frequently labelled a presidential wimp, George Sr. was a bona fide WWII hero. Pardon the Orwellian segue, but everyone knows war heroes are wimps. And if you don't, well, comrade, Room 101 is waiting for you. The recently departed Ronald Reagan, Star Wars aficionado and Cold Warrior, served in the show-biz wing of the WWII effort. This means the closest he ever got to blood was stage ketchup. Of course, the image makers assured us Reagan "exuded strength." George McGovern, decorated (and stoically reticent) WWII B-24 pilot war hero, was decisively painted into the wimp corner by Nixon's burgling band of brothers. John Kerry, decorated war veteran, recently used the unfortunate adjective "sensitive" to describe his philosophy on prosecuting an effective war. Dick Cheney, hawk and draft dodger, seized upon this rhetorical gaffe to reveal Kerry's inherent wimpiness. And let's not recount on a full stomach the character assassination Vietnam paraplegic Max Cleland suffered at the hands of his political opponents, arguably the armchair hawks' most despicable moment. In all manner of battlefields — physical and political — character, or the lack thereof, always reports for duty. My, how the hawks resemble doves and the doves, hawks. But then, war is peace, right, Winston Smith? Or is everyone simply looking like the pigs they are?

It's time to coin a new term: asynchronous bellicosity. Hopefully, the American Psychological Association will see fit to list it as a bona fide mental disorder. The symptoms? The farther a noncombatant retreats from direct personal harm, the more combative he becomes. Conversely, the far-

Iraq is at least partly an Oedipal second act, seasoned with a dash of Armageddon.

ther a combatant recedes from direct personal harm, the more circumspect he becomes about sending others into harm's way. Perhaps noncombatants can still bask in war-fantasy glorification while the real-dealers can no longer countenance John Wayne made up as a Green Beret without suffering post-traumatic flashbacks. Whatever the reason, the Home of the Brave is increasingly being governed by the Cowards Who Stayed Home.

In moral terms, it's a hop, skip, and a jump from a chicken to a corporatist, statist pigeon. So it's fair to ask

whether sitting co-President Dick Cheney is acting, first and foremost, as a committed civil servant or as Halliburton chairman emeritus. Can a blind trust swim? I for one can't tell. But I am reminded of Ayn Rand's admonition in "The Roots of War": "The actual war profiteers of all mixed economies were and are of that type: men with

Whose heart didn't sink when George declined Saddam's pre-war challenge for mano a mano combat? Perhaps he isn't born again after all.

political pull who acquire fortunes by government favor, during or after a war — fortunes which they could not have acquired on a free market." Not that I begrudge our fighting men and women their \$300 daily meal stipends care of Cheney's old employer. If the troops are truly dining in royal splendor, I'm a happy prole. But no amount of money will turn MREs into haute cuisine.

So Iraq is George's second crack at Vietnam, and Cheney's pot of gold. Fortunately for Bush, Vietnam is so far back the Ho Chi Minh Trail of history that not even a stray Viet Cong bullet can hit him now. This means that, despite his rebirth as warrior-king, he'll never be required to rattle his saber from anywhere other than his desk. And whose heart didn't sink when George declined Saddam's pre-war challenge for mano a mano combat? Perhaps he isn't born again after all, and it's the same ol' George, out to save nothing but his skin.

One man's two-act pantomime is another's Waterloo. As a result of George W. Bush's mid-life adventurism, Pat Tillman met his first — and last — war. Let it be noted that, on the auspices of his grim occasion, Tillman rose, deliberately and courageously. The terms we once used were duty and sacrifice. After Pat Tillman's death, the general upper-crust chorus was one of incredulity. After all, here was a young man "with everything going for him." And yet, he "went patriotic," buying the whole God-and-country thing when he could just as easily have bought a fleet of Lamborghinis. Brave? Heroic? Dangerously naive? Avariciously bankrupt? Where was his moral calculator? More alarming still, how did his character manage to cloud his judgment so thoroughly? What a senseless waste of future cashflows! In their musings, the ruling class betrayed contempt and disdain for the sacrifices of the less well-connected. The tenor of the Tillman retrospective was clear: "War is for dead-enders."

Such an extraordinary young man as Pat Tillman could easily have become the progenitor of a fresh new political dynasty. Trouble is, Tillman might not have had the stomach for modern politics. After all, he would have to face a phalanx of reconstructed, recriminating hawks, since (if recent history is any judge) there was every chance of him returning home a committed dove. War has a way of doing that, even to the best of us. □

Disabling the Handicapped

by Greg Perry

How the Americans with Disabilities Act kicks away the crutches from the differently abled.

My name is Greg Perry and I am a handicapped man.

I was born with only one leg and a grand total of three deformed fingers. I am currently walking around on an artificial leg although I've had to resort to crutches several times in the past. I've also been confined to wheelchairs before. It all depends on the state of my leg and how I'm doing at the time.

But I'm glad that I was born long before 1990, when a much more severe handicap — the Americans with Disabilities Act (ADA) — was signed into law. If I'd been born afterwards, I would not be writing this. I probably would not be what many consider to be a huge success today. I would not be married. I would be a loser on the government dole.

I am not saying everybody who benefits from the ADA is a loser, but I know myself. I know that in my high school years if anybody had offered me any excuse to get out of work — to get a government paycheck and become a victim — I would have taken it. I was a typical lazy teenager who thought the world owed him; with the incentives offered by the ADA, I would have been willing and able to be as disabled as I needed to be so that I wouldn't have to work for my grades or anything else.

Besides costing every normal person money and grief, the ADA not only increases discrimination against the truly handicapped, it teaches them to be dependent when they could be independent otherwise.

I am not sure that I would even have been born if the Americans with Disabilities Act had been enacted while my mom was pregnant. Some government social worker might

have called after my mom's sonogram showed that I would be born with one leg and three stubby fingers and tried to convince her that I would have no shot at a healthy, productive life. That is typical of ADA fans: they often encourage abortion for handicapped children.

My mother was a school teacher, and when I was 4 she did what many public school teachers used to do — she taught me how to read and write. About the same time, my father did what good fathers do — he bought me a baseball, a bat, and a glove. He took me outside and handed me the bat. He then walked away. He turned, told me to get ready, and tossed the ball to me. I used the bat to hit the ball. Then I put on the baseball glove. My father tossed me the ball. I caught the baseball. I threw it back to him.

Obviously, my father was smarter than the psychologists, lawyers, and bureaucrats who make their fortunes off lives crippled by the ADA. My father didn't assume I couldn't hit a baseball. He figured that if I could, I would; and if I couldn't, there were plenty of other things in life to keep me busy. He didn't try to rig some strap contraption to the bat, he just let me see what I could do. If I had needed a strap or some other device, he would have been the first to get it for me. But he didn't start off assuming I needed help. Later, he tossed me a football and I kicked it.

Far! I was an incredible punter growing up. I can imagine today's ADA police ushering my father into sensitivity training for buying his one-legged, three-fingered little boy a baseball bat and football! Wouldn't buying me those harm my self-esteem?

The government schools today teach that a child's self-esteem is the most important part of learning. That seems backwards to me. Being able to read street signs and billboards as your family drives past them when you're 4 years old, or reading books to your neighborhood friends who can't read yet, or hitting a baseball and catching it and running around imaginary bases in your yard — *that* instills a lifetime of self-esteem that otherwise wouldn't have been there. Bear with me for one more example.

When I was 7 years old, my parents bought me a typewriter for Christmas. I imagine today's ADA police might send my parents to prison for buying me that typewriter! What a blow to my self-esteem. Wouldn't buying me a typewriter, considering my digital deficit, be as cruel as, I don't know . . . as buying a 4-year-old one-legged boy a football to kick?

But look at the result of that gift. I am recognized as the most prolific author on earth about a very broad subject: all forms of computer technology. My books about computers have been published by major houses and translated into every major language in the world. Without that typewriter, I would not have taken to the keyboard as I did. My entire career would have been destroyed before it ever began, and almost 100 books wouldn't have been written and sold worldwide. I might very well be a loser today if some ADA psychologist had warned my parents not to buy me such stupid items.

Businesses that built their buildings and storefronts long before the ADA was passed had to conform, no matter the cost. Retroactive laws mean no one can ever count on protection from the justice system. They are unjust, plain and simple.

If retroactivity were the only thing wrong with the ADA, it would be a huge problem — but that's its least important problem. All the other harm it has done is what truly makes it dangerous.

Consider a small-business owner who runs a family-owned coffee shop. He's struggling to survive his first few years just, like any other small-business owner in America.

I can imagine today's ADA police ushering my father into sensitivity training for buying his one-legged, three-fingered little boy a baseball bat and football.

Before the ADA, if anybody came up to his coffee shop's front door on crutches or in a wheelchair, that business owner would have gone out of his way to leave the order counter, help with a menu, and bring items to the table — even if it meant forsaking other customers who were in line earlier — to help that person enjoy a quality experience.

Compassion overflows in America when someone *truly* needs help. His assistance would make every other customer in that shop happy, even if it cost them some time.

But after the signing of the ADA in 1990, that business owner was told that he had to change every door, switch, aisle, faucet, toilet, sink, countertop, chair, sign, parking space, ramp, and so on. If he didn't, he would lose his busi-

How comfortable are you, knowing that the ADA might require the managers of your local pool or beach to hire deaf lifeguards?

ness and possibly go to jail. After being required by law to spend \$10,000, \$25,000, maybe more than \$100,000 to change all those things, the next time that a handicapped person wheels up to the front door, will that business owner view him with compassion, with a desire to help?

Quite the opposite. The owner will view that person with disdain. He will think, "I've been forced to spend as much as \$100,000 for you by law — so now you're equal! If you need help, there's a grab bar. Help yourself!"

If you want to help a little old lady cross the street, that's good. It's an act of compassion. But what if a policeman puts a gun to your head and demands that you walk her across the street? That is coercion. Coercion destroys compassion! The more coercion our laws create, the less compassion Americans will have for each other.

We've seen time and time again how welfare teaches family and friends not to help each other. The ADA teaches America not to have compassion.

The ADA was supposed to stop discrimination against the handicapped — but people weren't kicking crutches out from under crippled people before the ADA became law. People weren't pushing folks in wheelchairs into traffic! It took the ADA to bring about discrimination against the handicapped.

I despise the politically correct term *disabled*. I prefer the term *handicapped*. When an alarm system is disabled, it doesn't work. But when a watered-down word such as *disabled* is used instead of the more accurate term *handicapped*, the law can be used against far more people, and far more people can take advantage of the ADA.

Take the dentist who was caught sexually molesting his patients: his defense was that he should be considered disabled under the ADA because he had a compulsion he couldn't help. Even the most unscrupulous lawyer would be hesitant to say the dentist was handicapped because that would be obviously ludicrous. Yet, when he could use the term *disabled*, he could get away with defending the criminal. When you use *disabled* instead of *handicapped*, you've got some wiggle room in the American law system!

If you weren't disabled before the ADA, you are now. You pay higher costs for every single thing you do. You pay as a customer when a business owner makes physical building changes that can cost tens or hundreds of thousands of bucks, or when a business owner is taken to court

under the often false pretense of discriminating against the handicapped. You pay as a taxpayer when the government takes businesses to court for violating the ADA — which happens all the time. You pay both the defendant's and the plaintiff's costs, fees, and damage awards! As an American customer and taxpayer . . . you lose!

The ADA snares employers in a Catch-22. A business owner is not allowed to ask about any disabilities when hiring, and if he doesn't hire someone who is handicapped, that owner faces a discrimination lawsuit. But if he does hire a handicapped person, and the employee needs some costly device to do the job because of the handicap — perhaps something like special amplifying equipment for all the phone headsets — that employee doesn't have to mention that until after being hired! And if the employer refuses, the employee returns with an EEOC or Department of Justice lawyer.

In 1990, I thought about going to Washington to campaign against this farce when Congress was discussing it because I knew it would be horribly misused, cost America far more than estimated, and end up causing more problems for those who were truly handicapped. I decided not to go. I had severely underestimated the ADA; I still kick myself. (And believe me, kicking myself is a challenge!)

A slogan a few decades ago read, "Hire the handicapped!" and it worked. You'd see those signs in the workplace. People actually hired us!

The dumbest business owner in the world is smarter than the smartest person in Congress. And business owners rightly thought, "Hey, if this person has overcome some disability and is capable of doing the job, then this is a person I want to hire! By overcoming adversity, he or she shows a fortitude that goes above and beyond that of normal people without that problem."

But ADA advocates speak out of both sides of their

mouths. They tell us that people with disabilities are to be treated as though they have no disabilities. Try building a parking lot without wheelchair ramps and see how they like you treating the handicapped as though they were just like everybody else. The ADA says employers can't ask about the needs of the disabled because this is discriminatory. Then after being hired, the disabled person can bring up a pile of problems — problems that the employer must deal with at considerable expense. How equal is that?

Disability advocates state that you should never mention the fact that a disabled person overcame their disability to do something great. That doesn't make sense to me. Beethoven went deaf, but it didn't stop him from composing some of the greatest musical works ever! But they've scolded me for mentioning that, and said that it's akin to telling a black man that he is a credit to his race — as if they've never used a black or handicapped person to further their own agenda.

What about the world's most famous physicist, Stephen Hawking? He can't walk, he basically can't move his body from the neck down. He can't even talk. The only thing he can do is blow through a straw — and he's used that straw to develop arguably the most important sets of theories in modern physics. But we're not supposed to mention that from the neck down, Stephen Hawking is helpless.

ADA advocates say it's bad to point out these differences. Yet the ADA advocates point out the differences between normal and handicapped people all the time! I'm sick and tired of being reminded that I'm handicapped when I drive down any street, passing 200 wheelchair parking signs on every building, door, and parking lot. According to the ADA police, they can say I'm different but *you'd* better not!

In government schools, disabilities bring big bucks. The more kids they can label disabled, the more money they get

Last supper — The Americans with Disabilities Act has given rise to a lucrative new profession: disability-rights activist. Those included in the ADA's generous definition of *disabled* can cash in by heading down to any local restaurant or retail outlet and measuring all the fixtures and furniture for compliance with the law. If something is amiss — perhaps a paper towel dispenser set a couple of inches too high — then the trip becomes a "humiliating and embarrassing experience," and the basis for a lawsuit and cash settlement.

Jarek Molski, a paraplegic dubbed "The Sheriff" by fellow activists, has made quite a career out of his disability. He has filed several hundred lawsuits against restaurants and wineries in central and southern California, rattling off a litany of complaints that seem to be cut-and-pasted from a "Check all that apply" survey sheet.

Molski's attorney, Thomas Frankovich, claims that his client is merely seeking "access" and opportunities equal to the able-bodied. If that were true, the suits would be dropped once the businesses agreed to make the renovations required for compliance. But Molski invariably seeks

compensatory damages of up to \$4,000 for every day a business remains open without complying.

So far, two businesses have closed their doors rather than spend the time and money needed to fight Molski's discrimination claims. Roger Patterson, owner of Roy's Drive-in in Salinas, Calif., said he might have been willing to pay the \$10,000 required to refit his restaurant, but he knew he couldn't cover the legal fees and damages. Frankovich's response? "If a guy wants to go out of business, then fine, he can go out of business."

Congress is attempting to push through a bill requiring that all businesses accused of ADA noncompliance be informed of their violations and given time to renovate before a suit can be brought, curtailing the ambush tactics of disability activists (at least until a loophole is found). Though the bill may make it harder for activists like Jarek Molski to pursue their gold-digging crusades, it comes a bit late for Roy's Drive-in and the people who for 50 years have gone there for burgers and milkshakes. One hopes that Molski's heart is warmed by the sight of shuttered buildings, with their empty parking lots proclaiming equal treatment for all: now, nobody has access. — A.J. Ferguson

from the taxpayers. No wonder they find more and more disabled kids all the time. As they move from phonics to a whole language reading approach, more kids can't read;

I don't want to be hired out of pity, or because a business that might already be strapped for cash has to meet its government cripple quota.

therefore, they're legally disabled! More bucks flow out of taxpayer pockets into the government school system.

Teachers no longer discipline students, so many students now have to be drugged into submission. And if a kid needs drugs, he must be disabled. They can use that *disabled* label for so much. If schools were retail stores, *Disabled* would be a key on the cash register.

Linda Shrock Taylor writes about how special-education teachers are often not allowed to transfer special-ed kids into normal classes even when the teachers feel the children have overcome whatever put them there. Why? If special-education kids were allowed to go back into the regular curriculum, the extra money would go away.

Before she married me, my wife Jayne taught special ed for two years. She tells me they wouldn't allow the special-ed kids to take the same standardized tests the other kids took. I'm not big on standardized tests, don't get me wrong, but this is really a gem: they wouldn't allow special-education students to take the tests the normal students took because the school's test average would fall and parents wouldn't want to send their kids to that school.

You must understand that almost every parent thinks that his or her kid's school is the best. Every parent in America says, "Yes, the schools have a lot of problems but *my* kid's school is fine." But the schools know that if they don't hide their special-ed problems, the parents will pull their kids out and the money will stop flowing. This is all done with the ADA seal of approval, by the same people who say that you can't separate handicapped people in *any* way from society.

Political correctness is not just some cute thing from the Left that we can wink at — it can be deadly. Consider the deaf person who recently filed a discrimination lawsuit for not being hired as a lifeguard. The managers of the beach were concerned that the deaf person may not hear screams if someone started drowning or got hurt in the water and others yelled for a rescue. The beach's managers didn't think he would make a very effective lifeguard, but the ADA lawyers that he came back with said: "No, he *will* be your lifeguard." ADA lawyers don't care. To supporters of the ADA, psychologists, and lawyers, life and death issues are less important than justifying their jobs. The next time your kids go swimming, how comfortable will you be knowing that the ADA might require the managers of that pool or beach to hire deaf lifeguards?

It would be wrong for me to tell my neighbor to widen his doors for those times when I'm in a wheelchair, or

remove his steps for when I use my crutches — so why is it okay for me to demand that he make all those changes at his street-corner coffee shop? Either way, I am stealing from him! When the government forces him to make changes that he doesn't see the need for, he is being robbed.

If a business doesn't want to change their fixtures to make it easier for me to do business with them, maybe they just don't have the money to do it. Or maybe . . . maybe they are just jerks. Maybe they hate handicapped people. But I don't have to grovel, because the free market offers me someone down the street who wants my business enough to make those changes.

If a company wants to hire me because they figure that I can do the job — even if I cost them extra because of my handicaps — then great, I'd want to work for them. But if they don't want to hire me, fine. If they just don't like me, fine. I don't want to work for them.

I don't want to be hired out of pity, or because a business that might already be strapped for cash has to meet its government cripple quota. I want to work for them as long as they want me to work for them.

Thanks to the ADA, round doorknobs are already illegal in corporate America. But what happens when the ADA is retroactively extended to housing developments? Some residential building codes already require ADA compliance. I personally prefer levered doorknobs to round ones, because I don't have to use both hands to turn them. But I'm not changing the few round doorknobs left in my house even if the government tells me to. *My* house will be the *last* house in America to change its few round doorknobs if required to do so by the government. I look forward to the day when they come and put me in handcuffs for that — I guess they'll have to use some special ADA-approved cuffs because I can easily slip out of regular ones.

What do I want the government doing to help me function better in society? What do I want the government doing to help me be more equal in society? What do I want the government doing to help me have more opportunity than I would otherwise?

Only one thing.

There is one definite thing I want the government to do to help me function better among people who don't have

When it comes to businesses, my wallet will bring all the compassion I need.

such handicaps — I want the government to get out of my way and leave me alone!

What do I want Wal-Mart to do so that I have a better shopping experience in their stores? What do I want Wal-Mart to do to make me more equal as a customer who sometimes uses crutches or a wheelchair? What do I want Wal-Mart to do to help me shop where normal people shop?

continued on page 36

Bronx Justice

by Lauren Shapiro

A mother searches for justice in the wilds of the judicial system.

On the front of the New York County Courthouse at 60 Centre Street is an inscription taken from a letter by George Washington to his Attorney General, Edmund Randolph, in 1789: "The true administration of justice is the firmest pillar of good government." But I am in the Bronx Family Court and its facade is not so inspired.

I begin my *pro se* motion: "Please take notice." I pause. I'm not feeling up to the task of speaking for myself to the Appellate Division panel of judges. I look for other voices. "First they ignore you, then they laugh at you, then they fight with you, then you win." Who would ever have thought I'd be relying on Gandhi as a motivational speaker? But my next sentence is inspired: "On the first day of the sixth month at 10:00 in the forenoon, or as soon as it can be heard . . ." I pause again. That's poetry and this time, it's Muddy Waters' voice that I hear: "On the 7th hour of the 7th day of the 7th month." The Law is not without passion.

"The Undersigned shall move this court." I stop. "The undersigned shall move this court?" After a six-year battle in the Bronx Family Court that finally led me to the Appellate Division — a battle for child support, for the custody of my children, against a frivolous neglect charge — I take it literally. I think of fairy tale fortresses. "Open Sesame" were Aladdin's magic words of entry; to get on the Hogwarts Express "all you have to do is walk straight at the barrier . . . don't stop and don't be scared, you'll crash into it, that's very important." Arthur pulled the

sword out of the stone and became king of Camelot. Modern legend has mothers lifting cars off their pinned children. I am ready to pass my hands over the candles three times, utter incantations, and stand speechless as the halls of justice open wide for me. The Law is not without magic; or, in other words, the law was written with hope and love and therefrom derives its awesome power.

I wonder why it is only now, after so many years of struggle, that I am having a quasi-religious experience of the law. Like me, the architects of a bygone era must have been in love with the law when they sculpted its awe-inspiring housing.

It is hard to imagine being inspired by either the exterior of the Bronx Family Court where the only appropriate inscription is "No Radio"; or the interior, where I listened to Judge Carol Ann Stokinger decide on a whim that my ex-husband's temporary protection order against me would stand, that there would be no fact-finding hearing, that I couldn't contact my children, that what I have to say "is neither here nor there."

"But," I protested, "my children will think I've done something wrong."

"Well," the judge responded, "tell them you haven't."

(Wasn't she supposed to say something about due deliberation?) I wanted to scream. Such injustice is contempt of court of the worst kind, because it comes from the bench itself.

The Association of the Bar's handbook "How To Complain About Lawyers And Judges In New York City" states: "The judge should maintain order and decorum in

My therapist asks me what I think of the justice system. I paraphrase Gandhi: "I think it would be a good idea."

the courtroom. The judge should be patient, dignified, and courteous to all people with whom he or she deals in an official capacity." I sent the transcripts accompanied by an affidavit from an immigrant witness to the proceedings, who noted remarkable similarities to justice in the third-world country she had fled, to the New York State Commission on Judicial Conduct, which "upon careful consideration, concluded that there was insufficient indication . . . to warrant further inquiry. . . [and] dismissed the complaint." Apparently there are definitions of "dignified," "courteous," and "decorum" with which I am unfamiliar. I implored the chief administrative judges, the Office of Court Administration, and all my elected officials. They refused to intervene in any way, saying that my only remedy was the Appellate Division. My remedy? But I'm not the one with the disease! And, frankly, we're way past remedy and on to a major miracle cure.

But now, here, in the Appellate Division, I can feel the spirits of Benjamin Cardozo and Louis Brandeis in the halls. I am ready to trust the legal system and fall in love again, and caught up in the rarefied air of the powerful courthouse, I begin my affidavit, "Verily, I say unto thee . . ."

Week 1: The Appellate Division motion clerk informs me that decisions on motions take one month and come down on Tuesdays and Thursdays after 1:00 p.m. I find that odd. I consider asking why, but I know it's best to keep a low profile. I imagine trying this at home: I might ask my landlord, "Can I get a cat?" She'd reply, "I only make decisions on Tuesdays and Thursdays." Or at work, I ask the boss, "Can I have the afternoon off?" and he replies "I'll let you know on Tuesday after 1:00 p.m." No, it wouldn't fly. It must be the robes.

Week 5: "Appeal or Motion?" "Motion." "Docket Number?" I give the number. Brief Pause. "Still pending."

Week 6: Pause. Still Pending.

Week 7: Long Pause. Still Pending.

Week 8: Interminably long pause during which my cardiovascular system undergoes measurable changes. Still pending. I ditch my low profile: "Did they lose my motion? Is one of the judges out sick?" I'm transferred and repeat my question.

"No, they're still working on it."

I restrain myself from bursting out with, "Oh, come on, tell me, tell me, tell me — what are they doing, what, what,

what?" and instead I say "thank you" in a cold, lawyerly, ulcer-producing fashion.

I speak to I Can Say No More, a lawyer. He says, "The longer they're out, the better it is. The longer it takes, the more likely they're going to reverse. Or, they might be writing an opinion. But, of course, who knows what they're doing up there." The Law works in mysterious ways.

Week 9: Still pending. An opinion from a lawyer friend: they could remind the Administration for Children's Services (ACS) attorney and the father's counsel that it is the function of Counsel to assist and not mislead the Court. They could reassign the case. I speak to the Caterpillar, another lawyer, who reassures me that I will have a better chance of justice here in the Appellate Division because, "unlike the Family Court judges, these judges are there based on merit."

"Well that's a relief." And then it hits me. "What do you mean, 'unlike the Family Court judges'? What's the basis of their appointments?"

"They're appointed based on making large donations to the party, or being a loyal party hack over the years."

"What?"

"A Family Court judge is just a lawyer with friends in high places. The Family Court judges are making life-and-death decisions for you and your children, based on their having licked a lot of envelopes."

"What?"

"And the Bronx is the dumping ground for the judges who get kicked out of other boroughs for bad behavior. You know, like Siberia."

"Did anyone run that by the Bronx Borough president?"

Week 10: Still pending. They must be deliberating whether to disbar the ACS attorney and my ex-husband's attorney for misleading the courts. I talk to Been There Done That, yet another lawyer.

"Did the Family Court judge give you a written decision?" he asks.

"No."

"That's why you really need a good lawyer — because now it's easy for the Appellate Division to dismiss your motion. You should have forced her to give you a written decision."

"How can you force a judge to do anything?"

"Well, what I would have said is, 'I agree with you, Judge, Family Court is the eighth circle of hell, and I can see why you hate it here, I really can, and if you want to quit, any day of the week is fine. Tomorrow's looking good. But, for today, we have a system that requires you to go through a specific, boring, painstaking process called adjudicating the case. And, if I make an application and you say "denied," then I have nothing to bring to the Appellate Division to get reviewed. So for today, I need a reasoned, written decision.' But she, instead of bending over backwards as she should for a *pro se* litigant, took advantage of you."

"Do you practice in Family Court?"

"Nope. I did that when I was younger, when I had ideals — before I had kids that have to be educated. I can't do that anymore. If you think about it, who wants to be a

Family Court judge? Why, if you can make \$300,000 a year as an attorney, would you want to make \$110,000 a year instead as a Family Court judge? I mean, they're not pondering complicated, deep issues of law. They're usually just bad lawyers who couldn't survive in a good law firm, and don't want to work more than a 40-hour week and who are also wild for power, knowing no one is watching, and no one cares about the litigants who are before them."

"Does the Appellate Division know that?"

"Yes, and they do stand ready to reverse. But I also think that they're overloaded, and that if they can get a case off their docket, they will."

Week 11: Still pending. They must be writing an opinion that disbars the Family Court judge, the ACS attorney, and the father's lawyer; reprimands the Judicial Conduct Committee; and replaces the administrative law judge.

Week 12: I dream that the motion clerk comes to my door with a message from the Appellate Division. But when he hands me the order, it bursts into flames in my hands. I can no longer bear to call the motion clerk from home. If he says "denied," I will jump out the window. I call from a phone booth on Hofstra University's campus, where I play music for a dance class. That way, if my motion is denied, I will be surrounded by the whimsical statues and art and distracted from whimsical judges. I will be reminded that there are law schools filled with students who want to do the right thing, and that I am still living in a beautiful world of dance and music, that I am part of that world, and that that much, at least, remains intact. Although, having experienced the judicial system thus far, I don't even take that for granted anymore. The Blackbird looks at it as luck.

"Some women have bad luck and get breast cancer; some women have bad luck and end up in family court. Either is a painful disease with a long and uncertain cure,

"The only reason it's taking them so long to deny it is because you have documentary evidence of misconduct. It's just taking them longer to rationalize denying it."

and the woman never knows when the malignancy may metastasize. What if someone mistakes me for the perpetrator of a crime? Would I fare any better in the criminal justice system? Could my entire life be destroyed, by the very system that is supposed to be protecting it? Could I one day be on death row because some judge wanted to appear tough on crime? Am I only free because I am lucky?"

I talk to Double Agent, another lawyer. He recommends, "If denial of your motion would make you jump out the window, then move to a ground floor apartment so you don't hurt yourself, because they're going to deny your motion. The only time they don't side with the judge is to side with the agency. The only reason it's taking them so long to deny it is because you have documentary evidence of misconduct. It's just taking them longer to rationalize

denying it. It's not justice. It's Just Us."

"But they have granted some of my applications."

"As I remember, your trial judge was so extraordinarily stupid she couldn't even get procedural matters right. They never want to look like they're denying due process, but on an issue of substance, they're going to deny it. Or, since this has been going on for six years, and your son is now 16, they'll probably just delay it until he's 18 and they can deny it as moot." He continues conversationally, "In the 18B panel room, we call it the Repel-It Division."

I talk to the Blackbird again. She agrees: "They don't like to overturn Family Court judges. Maybe it's because there's no money involved. I don't know. Or maybe it's like the

Family Court judges are making life-and-death decisions for you and your children based on their having licked a lot of envelopes.

cops' 'code of silence': they're all judges; they all feel they might make mistakes one day; maybe they think that the Family Court judge might be on the Court of Appeals one day. They all go to seminars and other social functions together. I don't know what it is, but I know they do rubber stamp the Family Court judges."

"What country are we in? I'm still trying to absorb the fact that the Family Court judge basically won the right to run my life in a political bingo game, and now you're telling me that the Appellate Division won't overturn her because it might be awkward when they're chatting over the cheese dip! And they never have to look me in the face? They never have to look my child in the face? Are they going to deny me now because I'm a troublemaker? Should I use a pseudonym too? Shocked and Appalled would be perfectly non-identifying."

Week 13: Still pending. My therapist asks me what I think of the justice system. I paraphrase Gandhi: "I think it would be a good idea." I go on to explain that I want the Appellate Division to institute an automated answering service — "For Motions press 1, for Appeals press 2. Due to unusually high whim volume, your estimated wait time is approximately six months. Your motion is very important to us. Please call back at that time."

She says she has appointment time available on Tuesdays or Thursdays at 1:00 p.m. so I can call the motion clerk from her office and she can have the smelling salts ready if they say my motion is denied. She mirrors my issue. "So, if they say granted, you're Rosa Parks, Erin Brockovich, Karen Silkwood. And, if they say denied, you're just some jerk who bucked the system."

Week 14: Still pending. Maybe they're hoping I'll just go away.

Week 15: Still pending. I order a T-shirt for Double Agent with a map of the United States overlaid with the inscription "Land of the Free, Certain Restrictions Apply, Void Where Prohibited" on it. Perfect courtroom-wear for today's fashion-conscious iconoclast! He won't wear it

because he might be found in contempt. He says wistfully that, as a *pro se*, I could get away with it. But should I win the booby prize of a trial *de novo* in front of a different judge, it would probably be worse than losing because there's Judges Tweedle Dumb and Dumber.

I relax with my daughter by watching "Ghostbusters." But when the character Winston says something like, "Ray, when someone asks you if you're a god, you say *yes!*" it sounds like legal advice.

Week 15: I call the motion clerk. He recognizes my voice and says, "Hi, how are you? I don't think they got to your case yet. Let me check."

This small display of humanity brings me near tears. I want to ask him: "Am I Rosa Parks, or am I a jerk? Is the

justice system a remedy or a cancer? Is there a good reason to be a lawyer beyond paying tuition bills? Is there a government of the people, by the people, and for the people, or is the courthouse just a cash cow for career building? Is justice for sale to the highest bidder? Is the truth of the matter neither here nor there? Was my immigrant friend just as well off at the whim of a Third-World government? Would my own ancestors who came here in steerage have taken the next boat back if they saw this? Is there really a United States of America, and if so, do you need a membership card? Is there Justice or is it Just Us?"

But I don't ask him these things. I ask instead, "Is there a decision?" □

Disabling the Handicapped, from page 32

I want Wal-Mart to do whatever they think they need to do to keep me as a customer. If they don't want my business, someone else will. Of course Wal-Mart does want my business, and so do most others. The government doesn't have to force them to be compassionate. When it comes to businesses, my wallet will bring all the compassion I need.

I see it as my duty to teach those who are normal how the ADA has harmed them in ways they've never imagined. I want to expose how it's not only the ADA lawyers but also the other professions that are increasing discrimination against the handicapped, and destroying the fabric

of America. If I wanted to harm the handicapped, the first thing I'd do is campaign to strengthen the ADA.

There is little hope that a law such as the ADA will be eliminated. It's far easier to drop oil into a bucket of water than it is to do away with the drop of oil once it's in the bucket. But it's time for us to stop rolling over and letting these things happen to us! These kinds of laws must be kept from getting any stronger. We must question every one of them.

And remember: when a law is "compassionate," that means it will cost you money and harm the very people it's supposed to be helping. □

Reflections, from page 16

An artist named George Maciunas, better known to art historians as the founder of Fluxus, persuaded his colleagues to purchase a whole loft building, dividing the available spaces among them in a co-op. As neither manufacturers nor residential developers wanted these buildings, competing buyers were scarce. For my 1,900 square feet in a building with roughly 50,000 square feet, I paid Maciunas in the low five figures in 1974. Renovating "raw space" to make it inhabitable cost me another low five-figure sum.

At that time, artists residing in SoHo made a move that legitimized their occupancy while keeping the value of their spaces artificially low. They petitioned New York City to let only "certified" artists reside in the SoHo loft spaces. If you moved out of a co-op, you had to sell to another "certified" artist. Since bourgeois folk could not apply, the prices per residential square foot were artificially cheap.

Eventually, however, some much wealthier nonartists, decided that living spaces with large open spaces were more attractive than apartments with many little rooms. They purchased SoHo lofts, a few posing as artists; some co-op boards accepted them as artists. Once these richer folk could safely purchase them, the value of lofts like mine escalated into the hundreds of thousands of dollars. A few years ago, media mogul Rupert Murdoch paid a few million dollars to purchase the top floors of a building on the other side of the parking lot from mine.

While looking for more space, I came across a similar

opportunity of real estate whose value was undermined by the state. The Rockaways is a peninsula on the southern edge of Queens, fronting on the Atlantic Ocean. Once favored by the rich — the sorts of people who a century later would patronize the famous "Hamptons"— it was wrecked by "city planning."

Along the beach were shantytowns of bungalows that were thought to be unsightly. On one section of the Rockaways, Robert Moses, the notorious city wrecker, condemned the bungalows a half-century ago in order to construct a four-lane parkway with a grass island in the middle. Later dubbed "the highway to nowhere," this two mile road never had much traffic.

On another stretch along the beach, the city in the 1960s condemned all housing between the Atlantic Ocean and the elevated train, leaving miles of oceanfront property that, four decades later, is still mostly empty. Where buildings might be, you'll find sagebrush.

Recently I purchased an empty plot, immediately on the other side of the subway, for a price per square foot thought to be cheap, especially for land in New York City. Obviously, if people could build on the other side of the train tracks — if New York City would release oceanfront land to private developers — the price of my property would have been considerably greater. When this Atlantic oceanfront is independently developed, perhaps the value of my new property will appreciate as my SoHo loft did, fetching in a freer market what would be impossible in one restricted by government.

— Richard Kostelanetz

Crisis of the Soft-Money Plague

by Garet Garrett

The Panic of 1893 was followed by the bitterest depression in memory. Dozens of big railroads, including the Erie, the Northern Pacific and the Santa Fe, went into receivership. The financial crisis came in the last week of January 1895, when the U.S. Treasury's gold stock, at \$20.67 an ounce, fell to \$8 million. Here is an account of the crisis from the novel The Driver (1922).

You may define a mass delusion; you cannot explain it really. It is a malady of the imagination, incurable by reason. If it does not lead people to self-destruction in a wild dilemma between two symbols of faith it will yield at last to the facts of experience.

Once the peace of the world was shattered by this absurd question: Was the male or the female faculty the first cause of the universe? There was no answer, for man himself had invented the riddle; nevertheless, what one believed about it was more important than life, happiness or civilization. Proponents of the male principle adopted the color white. Worshippers of the female principle took for their sign the color red, inclining to yellow. Under these two banners there took place a religious warfare which involved all mankind, dispersed, submerged and destroyed whole races of people, and covered Asia, Africa and Europe with tragic ruins. Then someone accidentally thought of a third principle which reconciled those two, and human sanity was restored on earth. All this is now forgotten.

Since then people have been mad together about a number of things — God, tulips, witches, definitions, alchemy and vanities of precept. In 1894 they were mad about money, not about the use, possession and distribution of it, but as to the color of it, whether it should be silver — that is to say, white, like the symbol of those old worshippers of the masculine faculty; or gold — that is, red inclining to yellow, as was the symbol of those who in the dimness of human history adored the feminine faculty.

And as people divided on this question of silver or gold they became utterly delirious. Either side was willing to see the Government's credit ruined, as it very nearly was, for the vindication of a fetish. They did not know it. They had not the remotest notion why or how they were mad, because they were unable to realize that they were mad at all.

I have recently turned over the pages of the newspapers and periodicals of that time to verify the recollection that events as they occurred were treated with no awareness of their significance. And it was so. Intelligence was in suspense. The faculty of judgment slept as in a dream; the imagination ran loose, inventing fears and fantasies. That the Government stood on the verge of bankruptcy or that the United States Treasury was about to shut up under a run of panic-stricken gold

hoarders was regarded not as a national emergency in which all were concerned alike, but as proof that one theory was right and another wrong, so that one side viewed the imminent disaster gloatingly and was disappointed at its temporary postponement, while the other resorted to sophistries and denied self-evident things.

Nor does anyone know to this day why people were then mad. Economists write about it as the struggle for sound money (gold), against unsound money (silver), and that leaves it where it was. Money is not a thing either true or untrue. It is merely a token of other things which are useful and enjoyable. Both silver and gold are sound for that purpose. Their use is of convenience, and the proportions and quantities in which they shall circulate as currency are rationally a matter of arithmetic. Yet here were millions of people emotionally crazed over the question of which should be paramount, one side talking of the crime of dethroning silver and the other of the gold infamy.

All other business having come to a stop while this matter was at an impasse, a truth was effected in this wise by law: Gold should remain paramount, nominally, but the Treasury should buy each month a great quantity of silver bullion, turn it into white money, force the white money into circulation, and then keep it equal to gold in value. Now, the amount of precious metal in a silver dollar was worth only half as much as the amount of precious metal in a gold dollar. Yet Congress decreed that gold and silver dollars should be interchangeable, and put upon the Treasury a mandate to keep them equal in value. How? By what magic? Why, by the magic of a phrase. The phrase was: "It is the established policy of the United States to maintain the two metals at a parity with each other by law."

Naive trust in the power of words to command reality is found in all mass delusions.

The Coxeyites were laughed at for thinking that prosperity could be created by phrases written in the form of law. Congress thought the same thing. It supposed that the

Naive trust in the power of words to command reality is found in all mass delusions.

economic distress in the country could be cured by making fifty cents' worth of silver worth one hundred cents' worth of gold, and that this miracle of parity could be achieved by decree.

Anyone would know what to expect. The gold people ran with white dollars to the Treasury and exchanged them for gold and either hoarded the gold or sold it in Europe. In this way the Government's gold fund was continually depleted, and this was disastrous because its credit, the nation's credit in the world at large, rested on that gold fund. It sold bonds to buy more gold, but no matter how fast it got more gold into the Treasury, even faster came people with white money to be redeemed in money the color of red inclining to yellow, and all the time the

Treasury was obliged by law to buy each month a great quantity of silver bullion and turn it into white money, so that the supply of white money to be exchanged for gold was inexhaustible.

Wall Street was the stronghold of the gold people. It was to Wall Street that the Government came to sell bonds for the gold it required to replenish its gold fund. The spectacle of the Treasury standing there with its hat out, like a Turkish beggar, was viewed exultingly by the gold people. "Carlisle's Bonds Won't Go," said the New York Sun in a front-page headline on one of these occasions. Carlisle was the Secretary of the United States Treasury,* entreating the gold people to buy the Government's bonds with gold. They did it each time, but no sooner was the gold in the Treasury than they exchanged it out again with white money.

This could not go on without wrecking the country's financial system. That would mean disaster for everyone, silver and gold people alike; yet nobody knew how to stop. The silver people said the solution was to dethrone the gold token and make white money paramount; the others said the only way was to cast the white-money fetish into the nearest ash heap and worship exclusively money of the color red inclining to yellow.



Delusions are states of refuge. The mind, unable to comprehend realities or to deal with them, finds its ease in superstitions, beliefs and modes of irrational procedure. It is easier to believe than to think.

The realities of this period in our economic history, apart from the madness, were extremely bewildering. For five or six years preceding there had been an ecstasy of great profits. The prodigious manner in which wealth multiplied had swindled men's dreams. No one lay down at night but that he was richer than when he had got up, nor without the certainty of being richer still on the morrow. The golden age had come to pass. Wishing was having. The Government had become so rich on duties collected on imported luxuries that the Treasury surplus became a national problem. It could not be properly spent; therefore it was wasted. And still it grew. This time for sure the tree of mammon would touch the heavens, and human happiness must endure forever.

Then suddenly it had fallen. Speculation, greed and dishonesty had invisibly devoured its heart. The trunk was hollow. People were astonished, horrified and wild with dismay. They would not blame themselves. They wished to blame one another without quite knowing how. The casual facts were hard to see in the right relations. Popular imagination had not been trained to grasp them. The whole world was dealing with new forces, resulting from the application of capital to machine production on a vast scale, and there had just appeared for the first time in full magnitude that monstrous contradiction which we name overpro-

* John Carlisle, 1835–1910, was Secretary of the Treasury 1893–1897. A gold man, he supported the repeal of the Sherman Silver Purchase Act in 1893 and worked to retire the Treasury's silver notes.

duction. This was a world-wide phenomenon, but stranger here than in European countries, because this country was newly industrialized on the modern plan and knew not how to manage the conditions it had created; could not understand them, in fact.

As the pain of loss, chagrin and disappointment unbearably increased, the conglomerate mind performed the weird self-saving act of going mad. That is to say, people

As the pain of loss, chagrin and disappointment unbearably increased, the conglomerate mind performed the weird self-saving act of going mad.

made a superstition of their economic sins and cast the blame for all their ills upon two objects — gold and silver tokens. Thus what had been an economic crisis only, subject to repair, became a fiasco of intelligence.

The Europeans, all gold people, who had bought enormous quantities of American stocks and bonds, said: "What now! These people are going crazy. They may refuse ever to pay us back in gold." Whereupon they began hastily to sell American securities.

"After all," sighed the London Times, "The United States for all its great resources is a poor country."

In the panic of 1893 confidence was destroyed. People disbelieved in their own things, in themselves, in each other.

Important banking institutions failed for scandalous reasons. Railroads went headlong into bankruptcy, until more than a billion dollars' worth of bonds were in default, and in many cases the disclosures of inside speculations were most disgraceful. United States senators were discovered speculating in the stocks of corporations that were interested in tariff legislation.

The name of Wall Street became accursed; not that morality was lower in Wall Street than anywhere else, but because the consequences of its sins were conspicuous.

All industry sickened. A scourge of unemployment fell upon the land, and labor as such, with no theory of its own about money, knowing only what it meant to be out of work, assailed the befuddled intelligence of the country with that embarrassing question: Why are men helplessly idle in this environment of boundless opportunity?

The Coxeyites thought it was for want of money. So many people thought. They proposed that the Government should raise money for extensive public works, thereby creating jobs for the workless; but the United States Treasury, which only a short time before contained a surplus so large that Congress had to invent ways of spending it, was now in desperate straits. The Government's income was not sufficient to pay its daily bills. However, neither the curse of unemployment nor the poverty of the United States Treasury was owing to a scarcity of money. The banks were overflowing with money, idle money, which they were willing to lend at one-half of one per cent, just to

get it out of their vaults. In one instance a bank offered to lend a large amount of money without interest. But nobody would borrow money. What should they do with it? There was no profit in business. There was unemployment of both labor and capital.

Conditions grew worse. There was the shocking disclosure after bankruptcy that one of the principal railroads had deliberately falsified its figures over a period of years.

European investors were large holders of the shares and bonds of this property, and naturally the incident caused all American securities to be disesteemed abroad. Foreign selling now heavily increased for this reason, and as the foreigners sold their American securities on the New York Stock Exchange they demanded gold.

The United States Treasury had survived two runs upon its gold fund, but its condition was chronically perilous and began at length to be despaired of. Gold was leaving the country on every steamer. The feud between the gold and silver people grew steadily more insane and occupied Congress to such a degree that it neglected to consider ways and means of keeping the Government in current funds. Labor, which had been clamorous and denunciatory, now became militant. Reports of troops being used to quell riots of the unemployed were incessant in the daily news. Wheat fell to a very low price and the farmers embraced populism, a hot-eyed political movement in which every form of radicalism this side of anarchy was represented. Then came the disastrous American Railway Union strike, bringing organized labor into direct conflict with the authority of the Federal Government. The nation was in a fit of jumps. Public opinion was hysterical.

Steadily the American giant grew worse in his mind. There were yet lower depths of insolvency. The passion to touch them was like the impulse to collective suicide in the Dark Ages. Bankruptcy ceased to be a disgrace. Hope of profit was abandoned.



It came a time that everyone was thinking of the imminent bankruptcy of the United States Treasury. This delirious event now seemed inevitable.

For several weeks uninterruptedly there had been a run on the Government's gold fund. People were frantic to exchange white money for gold. They waited in a writhing

All the time, unawares, the country grew richer because people worked hard, consumed less than they produced, and stored the surplus in the form of capital until the reservoirs were ready to overflow.

line which kept its insatiable head inside the doors of the Subtreasury. Its body flowed down the long steps, lay along the north side of Wall Street and terminated in a wriggling tail around the corner in William Street, five min-

utes' walk away. It moved steadily forward by successive movements of contraction and elongation. Each day at three o'clock the Subtreasury, slamming its doors, cut off the monster's head. Each morning at ten o'clock there was a new and hungrier head waiting to push its way in the instant the doors opened. Its food was gold and nothing else, for it lived there night and day. The particles might change; its total character was always the same. Greed and fear were the integrating principles. Human beings were the helpless cells. It grew. Steadily it ate its way deeper into the nation's gold reserve, and there was no controlling it, for Congress had said that white money and gold were of equal value and could not believe it was not so. The paying tellers worked very slowly to gain time.

The street was congested with spectators, because the officers of the Subtreasury had just telegraphed to Washington saying they could hold out only a few hours more. That meant the gold was nearly gone. It meant the United States Treasury might at any moment put up its shutters and post a notice: "Closed. Payments suspended. No more gold."

Never had the line been so excited, so terribly ophidian in its aspect. Its writhings were sickening. The police handled it as the zoo keepers handle a great serpent. That is, they kept it straight. If once it should begin to coil the panic would be uncontrollable.

Particles detached themselves from the tail and ran up and down the body trying to buy places nearer the head. Those nearest the head hotly disputed the right of substitution. In the tense babel of voices there came sudden fissures of stillness, so that one heard one's own breathing or the far-off sounds of river traffic. At those moments what was passing before the eyes had the fantastic reality of a dream.

The Subtreasury held out until three o'clock and closed its doors once more in a solvent manner. Everybody believed it would capitulate to the ophidian thing the next day. There was no escape. Events were in the lap of despair.



The United States Treasury did not hang out the bankrupt's sign. What happened instead was that President Cleveland in his solitary strength met a mad crisis in a great way. He engaged a group of international bankers to import gold from Europe and paid them for it in govern-

ment bonds. The terms were hard, but the Government, owning to the fascinated stupidity of Congress, was in a helpless plight. What Cleveland had the courage to face was the fact that any terms were better than none. It was fundamentally a question of psychology. The spell had somehow to be broken. The richest and most resourceful country in the world was about to commit financial suicide for a fetish. All that was necessary to save it was to restore the notion of gold solvency. People really did not want gold. They wanted only to think they could get it if they did want it.

The news of the President's transaction with the bankers, appearing in the morning papers, produced a profound sensation. The white-money people denounced him with a fury that was indecent. Many men of his own political faith turned against him, thinking he had destroyed their party. Congress was amazed. There was talk of impeachment proceedings. Popular indignation was extreme and unreasoning. Mankind was about to be crucified on a cross of gold. The principle of evil had at last prevailed.

Thus people reacted emotionally to an event which marked the beginning of a return to sanity. While the nation raved the malady itself began to yield. That ophidian monster which was devouring the gold reserve began to disintegrate from the tail upward. Presently only the head was left, and that disappeared with the arrival of the first consignment of gold from Europe under the Government's contract with the bankers.

The full cure, of course, was not immediate. But never again were people altogether mad. As the tide reverses its movement invisibly, with many apparent self-contradictions in the surf line on the sand, so it is with the course of events. Between the tail of the ebb and the first of the flood there is a time of slack with no tendency at all — a time of mixed omens, of alternating hope and doubt. Yet, all the time, unawares, the country grew richer because people worked hard, consumed less than they produced, and stored the surplus in the form of capital until the reservoirs were ready to overflow.



In the autumn of 1896 a strange event came suddenly to pass. People were delivered from the Soft Money Plague, not by their own efforts, as they believed, but because maladies of the mind are like those of the body — if they are not fatal you are bound to get well. Doctors will take the credit. The Republican Party won the election that year on a gold platform, and this is treated historically as a sacred political victory for yellow money; the white-money people were hopelessly overturned. But it was wholly a psychic phenomenon still. Why all at once did a majority of the people vote a certain way?

To make a change in the laws, you say. Yes, but there the mystery deepens. Immediately after this vote was cast the shape of events began to change, with no change whatever in the laws. After 1896 the tide began to swell and roar. The law enthroning gold was not enacted until four years later, in 1900, and this was a mere formality, a certificate of cure after the fact. By this time the madness had entirely passed. □

Ways & Means Committee



"Well, if consumer confidence is down, doesn't that leave everybody more money to pay taxes with?"

Reviews

"The Freedom Outlaw's Handbook: 179 things to Do 'Til the Revolution," by Claire Wolfe.
Loompanics Unlimited, 2004, 86 pages.

Hellraising for Dummies

Andy von Sonn

Our Declaration of Independence declares that it is self-evident that we are born free, but nearly everyone, especially those who suffer through our public educational institutions, seems blissfully unaware. No one is born with more rights than anyone else: this is the premise underlying all of our government's "legitimacy." The Declaration says that if government fails to provide conditions for people to pursue happiness in their own ways, the people have a right "to alter or abolish it."

Claire Wolfe uses the label "outlaw" to describe those who take the Declaration as gospel and try to live by it. An outlaw is someone who disobeys an unjust or invasive edict, someone whose personal morality and belief in his sacred right to be free supersedes the rule of government.

The American people, rather than being infused with an understanding of what individual freedom means, are indoctrinated from childhood to the grave to pledge allegiance to a flag — the ultimate golden calf, the false idol.

Considering all the brainwashing people are subjected to, the fact that

so many of us make personal freedom our priority speaks well of our maker (God or evolution or however you figure we got here).

If you want your freedom, but you're stuck living in the enormous, garish maze of contemporary collectivist culture — if you are an outlaw — what can you do?

One thing you can do is read Wolfe's "Freedom Outlaw Handbook: 179 Things to Do 'Til the Revolution." This is a manual for surviving and thriving in our topsy-turvy times. It is the Boy Scout Handbook for anyone thirsting for a guide through our present dilemma. It's got philosophy and practical information.

What Wolfe is talking about is living freedom. Talking about liberty — doing this or that project — is important, but unless you are living free, you are missing out.

Wolfe begins with an idea that's both fun and practical. People are always talking about conspiracies led by groups like the Council on Foreign Relations or the Trilateral Commission to control the destiny of the planet. So why not have our own conspiracy of freedom-loving outlaws? "So here's the plan. . . . There is no plan. . . . Our strength is in not being

centralized, organized, comprehensible, etc.," she says. "Being disorganized and disorderly and thereby giving every individual a myriad of choices is what freedom does best. So let's do it."

Wolfe describes three types of individuals participating in this conspiracy: the Agitator, who "confronts, demonstrates, challenges, risks arrest"; the Ghost, who "haunts the system, quietly defying, disobeying, planting doubt, monkey-wrenching, and otherwise non-cooperating"; and the Mole, who "works within the conventional structures of society, either doing damage from within or giving support to those who fight for freedom on the outside." These types, she acknowledges, are not mutually exclusive.

The book is filled with fun quotations. My favorite is from the television show "The Prisoner," where the individualistic, freedom-seeking hero would often be chased down by a giant white ball as he was attempting his escape. "I am not a number," he would remind us. "I am a free man!" That idea is important. People don't realize how many of their freedoms they lose merely by cooperating with the government's demands, or how,

bit by bit, they're being turned into drones. As Wolfe writes, "It's too late to work within the system, but too early to shoot the bastards." She

It's too late to work within the system, but too early to shoot the bastards.

divides her plan for the time in between into six chapters.

Wolfe begins with "Some Things You Can Quit Wasting Your Time On": basic noncooperation techniques that can help you break free not only from the "system," but from your own dependencies. It's about knowing your rights and giving government as little of your money and personal information as possible. Wolfe suggests you should stop wasting your time on useless gestures like writing letters to your representative, and reassert your freedoms.

She continues with “Better Yet: Active Non-cooperation With Tyrants.” Offering the time-tested axiom that “attitude is everything,” Wolfe outlines positive steps beyond simple noncooperation to reclaim independence and privacy. She provides the groundwork for understanding how government prohibitions on our behavior are categorized. Actions like murder, assault, and robbery are *malum in se* — obvious, serious invasions of someone else’s space. We don’t need positive laws to tell us that these acts are inherently immoral. Then there are *malum prohibitum*, a

whole different kind of action. These are actions that are prohibited *only* because a statute declares them to be illegal. They are not inherently immoral. Prostitution and smoking marijuana are examples.

In "The Ground You Stand On: Self-reliance," Wolfe writes about forming like-minded communities and voluntary exchange systems as means to survival. This is difficult for Americans, because all U.S. taxes must be paid with federal reserve notes, making it very difficult to live outside the federal system. The personal income tax keeps everyone locked into the system. Allowing the taxman to step in between an individual's means of survival and his dinner table and the roof over his head is clearly not what the Declaration of Independence had in mind.

In "Way Better Than Voting: Agitation for Outlaws," she offers advice "for those who want to publicly stir things up." She urges people to bring down the tyrants, either working alone or in "loose, ephemeral, leaderless alliances." She makes a strong case that gun rights are worth fighting for and that it is essential to support those who refuse to abandon those rights. She provides interesting information on a wide range of government activities including its interest in placing tracking chips in everything from retail products to people.

She goes on to the subject of “Wrenching” — sabotage, or tossing a monkey wrench into the machine. There is information on how to fry those nasty little tracking chips, and lots more fun and mischief, such as fake IDs, fake social security cards, and freeway blogging (redoing billboards or hanging banners on freeway overpasses).

In "If It Comes Down to That: Someday," Wolfe asks what we will do if the system becomes intolerably oppressive. She

identifies several options, ranging from guerrilla resistance to leaving the country altogether. She hopes the political situation won't end in violence, but believes it necessary to be prepared if it does, with caches of food, weapons, and, if possible, a means of exchange like gold tucked away.

Throughout the book, Wolfe tells us what we can do and how to do it, with resource sites on the how-to. She provides websites on almost every aspect of how to take back your life.

It seems so weird, in a way, to review a book about this stuff, but this isn't just some science fiction fantasy

People don't realize how many of their freedoms they lose merely by cooperating with the government's demands, or how, bit by bit, they're being turned into drones.

starring Arnold Schwarzenegger. Or is it? Where's Fellini when we need him?

I share Wolfe's hope that it won't ever come to violent confrontations. I can't see myself shooting anyone. In any event, whatever life brings, Wolfe urges us to create community in a 21st century kind of way. We need somehow to link up with one another, to help each other through this life, regardless of the circumstances, regardless of what's going on in the main tent.

I believe it is possible to resolve the problem of government encroachment on our liberties in a peaceful manner. But I share the author's belief in the importance of building communities, no matter what happens.

"179 Things to Do 'Til the Revolution": obviously, I didn't touch on all of them. Wolfe covers a lot of territory. This is fun reading, and extremely practical as well. For now, I'll keep a copy of "The Freedom Outlaw's Handbook" next to my Boy Scout Handbook and hope the revolution never has to come. □



“Chief, I’d like you to meet my faithful White companion . . .”

"Occidentalism," by Ian Buruma and Avishai Margalit. Penguin, 2004, 160 pages.

Occidents Happen

Eric Kenning

In 1948, Sayyid Qutb, an Egyptian Islamic fundamentalist who became a major influence on Osama bin Laden, visited America and was horrified. All the conversation in New York was about "money, movie stars or car models" (this is no longer the case — car models have been replaced by real estate). He recoiled from the racy clothing, banter, and manners of city women. And a church dance in Greeley, Colo., sent him into shock, as young women abandoned themselves to the seductive rhythms of "Baby, It's Cold Outside." Back in Egypt, instead of simply joining the Brotherhood of People with Unpronounceable Names, he joined the shadowy Muslim Brotherhood, which aimed to establish an Islamic theocracy, becoming its chief theorist and martyr (he did most of his writing in jail before Nasser finally executed him).

Qutb's reaction to New York and its saucy women doesn't seem substantially different from the patented Whore of Babylon reaction of home-grown fundamentalists like Billy Sunday, Billy Graham, or Jerry Falwell. But according to Ian Buruma and Avishai Margalit in this short, ambitious, interesting, and somewhat misdirected book, Qutb and bin Laden don't primarily represent religious fundamentalism, not even a particularly rabid and brutal Islamic jihadist division of it. What they really are is the latest incarnation of "Occidentalism," an anti-liberal, anti-Western ideology

that, like a horror-movie vampire, apparently keeps being killed off by the forces of reason and democracy only to rise from its grave and sink its fangs into us again.

Even if Buruma and Margalit are right in thinking that it's Occidentalism that we're up against, which I doubt, we might stand a better chance of zeroing in on it and defeating it once and for all if it had a catchier name. Since *occident* is Latin for *west*, Occidentalism sounds like it should be a pretentious Westernizing movement in non-Western countries. But the authors are academics (Buruma at Bard College in upstate New York, Margalit at Hebrew University in Jerusalem) who feel obliged to turn the tables on "Orientalism," the academically influential 1976 book by Edward Said, which upbraided Western scholars and writers for perpetuating prejudices and stereotypes about the exotic, sensual, puritanical, despotic, languid, warlike, honor-bound, and devious inhabitants of the East.

So Occidentalism would be a set of hostile prejudices and stereotypes about the modern liberal West, where life is mechanical, materialist, calculating, and soulless, reducing everything to standardized mediocrity and numbers, counting heads in democracy, dollars in capitalism. The West is inauthentic and shallow and unheroic, marked by caution and comfort, the ideals of merchants and soft, possession-crazed consumers. Its entertainment is trivial and degrading, its art decadent. But the culture of (fill in the

blank with your own authentic country or ethnic or religious group) is organic and profound, rooted in the soil and peasant simplicity and warrior heroism, in religion and honor and ancient custom. It puts spiritual values and art and poetry over money and material comfort, and it is austere and self-sacrificing, despising greed, luxury, and self-indulgence.

The authors demonstrate that this set of contrasting stereotypes was passed on for 200 years more or less intact, like a treasured heirloom or explosive device, from one culture to another, thus refuting (though they don't point this out) its own premise, which is that everything in authentic cultures is deeply rooted in the soil and native tradition. The "Occidentalism" contrast first surfaced in Germany, where most writers and intellectuals had initially welcomed the universalist ideals of the French Enlightenment, just as Frederick the Great welcomed Voltaire to Potsdam. But they began having second thoughts when revolutionary armies and Napoleon's legions seemed to be merely shoving French cultural preferences down German throats, turning

A church dance in Greeley, Colo., sent Qutb into shock, as young women abandoned themselves to the seductive rhythms of "Baby, It's Cold Outside."

what had been an ideal of anti-fanaticism and tolerance into a kind of rationalist jihad.

The most intriguing response came from philosophical historian Johann Gottfried von Herder, whom Buruma and Margalit discuss as if he fit their Occidentalism profile, though he doesn't. Herder wasn't a nationalist

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who believed in the superiority of German or any other culture. He was a kind of libertarian traditionalist with, in Isaiah Berlin's words, "his acute dislike for political coercion, empires, political authority, and all forms of imposed organization." He believed that cultures had a specific individual-

The authors interrogate their suspects just long enough to get the Occidentalists' confessions they're looking for.

ity, and that to understand other cultures (or periods of history) you needed sympathetic imagination, not just facts and analyses. Once you understand them, you see that they're not just defective versions of yourselves. Different cultures should be valued and preserved as great works of art are valued and preserved, for their unique creativity and individuality. If Herder were around today, he'd be a familiar figure, making documentary films about South American rain forest tribal cultures and displaying STOP GLOBALIZATION and FREE TIBET and U.S. OUT OF IRAQ bumper stickers on his Volkswagen.

But other German writers reacted to the French intrusions with self-congratulatory notions of German metaphysical depth and folkish purity, and the authors' basic Occidentalists' template was born. By the mid-19th century it was translated into Russian and taken up by the Slavophiles, who used it against everything to the west of Russia (including Germany) on behalf of the mystical Russian nation and the Russian Orthodox Church. In the 1930s-40s, it was picked up by Japanese nationalists, who used it against everything to the west of Japan (including Russia) on behalf of the sacred imperial mission to purify Asia

of imperialism. It can be detected among Maoist Chinese and Cambodian Communists, who used it against everything foreign and capitalist and bourgeois (including Japan) on behalf of communal peasant purity. Finally, the authors think it turned up again among Islamic fundamentalists, who have used it against all infidels (including Communists, but especially Americans and Israelis) on behalf of an ideally purified, back-to-the-7th-century Islamic community.

Because "Occidentalism" is arranged by touchstone themes ("The Occidental City," "Heroes and Merchants"), not chronologically and historically, Buruma and Margalit dart back and forth between cloudy Germans and gloomy Russians and fervent Japanese and robotic Maoists and rancorous Arabs, leaping whole continents and centuries in a single bound. It's a method good for turning up similarities, not so good for respecting differences. They don't spend enough time with anyone to register differences. They interrogate their suspects just long enough to get the Occidentalists' confessions they're looking for.

So they're happy to find an Arab here and a Persian there who picked up the Occidentalists' script during a Western education or while browsing in translated European novels. They don't ask if Qutb or bin Laden ever heard of these European ideas, let alone whether they were more influenced by them than by their interpretations, warped or not, of the Koran and its doctrine of jihad. They don't concern themselves with the differences between militant Islam, which even at its narrowest and nastiest has no theory of racial or ethnic superiority, and German National Socialism and Japanese militarism, which did, or the differences between apostles of cultural diversity like Herder and frothing xenophobic nationalists. And apart from a brief mention of Tocqueville, they don't acknowledge how many of the Occidentalists' criticisms of the alleged soulless commercialism and artless mechanical monotony of modern life, the loss of heroism or individuality or spiritual depth, were echoed by eminent writers and artists who were living in liberal Western societies.

By not assessing what might be called the (more or less) loyal imaginative opposition in Western societies, the authors risk making their schematic division, "the West" versus "Occidentalism," a George W. Bush-caliber "You're either with us, or you're with them" Manichaean proposition (which they say they want to avoid). William Blake saw "marks of weakness, marks of woe" on every face in every London street, and Frank Lloyd Wright hated congested modern cities and sought a spaced-out organic architecture that would do away with them. So were Blake and Wright (or the agrarian idealist Thomas Jefferson) Occidentalists trying to stamp out "The Occidental City"? Wordsworth lamented the "getting and spending" treadmill of modern life, Thoreau and Whitman and William James denounced their fellow Americans for their cult of money and possessions and success, English writers like John Ruskin, William Morris, G.K. Chesterton, and Hilaire Belloc sought some version or other of the organic, craft-guild society of the Middle Ages, and the southern American writers known as the Fugitives, like Richard Weaver, John Crowe Ransom, and Allen Tate, were nostalgic for tradi-

Cultures are always eclectic, platypus-like creatures, patched together out of trade and religious conversion and curiosity and envy and aesthetic imitation.

tional poetry and agrarian virtue. None of them had the hellbent fanaticism of what Buruma and Margalit call Occidentalism, the willingness to use total state control and total war to dismantle liberal modernity, but they sounded some of the same notes (as did, more vehemently, D.H. Lawrence, or Continental writers like Nietzsche, Dostoevsky, and Tolstoy). The authors are trying to define Occidentalism by theme, and it doesn't quite work.

They might have had better luck by writing a book not about a recurrent polemical contagion among incompati-

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ble fanatics called Occidentalism but about the pathological political-religious quest for purity in modern life. It's something that religious fundamentalists and xenophobic nationalists have in common: the pursuit of a mythic purity of origins. Extreme nationalists, Nazis, fascists, Maoists and other devout Marxists, fundamentalists, and the more deranged sort of environmentalists are all obsessed with purity (the original purity of race, nation, peasant life, primitive communism, undefiled nature, etc.). Democracy and market capitalism are very human, which is to say very messy, muddled, competitive, compromising, inconsistent, and impure. Religious fundamentalists have deluded notions about the pure divine origins of their religions, which actually always begin as amalgams of previous religions, myths, and superstitions. The "Occidentalists" subjects of

this book had a deluded notion of the organic purity of culture. Cultures are always eclectic, platypus-like creatures, patched together out of trade and religious conversion and curiosity and envy and aesthetic imitation. Cultures throughout history have tended to leak like sieves and absorb like sponges. Even Tibet, isolated by the highest mountains in the world, got its Buddhist religion from India, some of its customs and costumes from China, and its lama system from its 17th-century political and religious Mongolian connections. When threatened by the scientific skepticism and pluralism and market-driven innovations of liberal modernity, traditional societies, institutions, and religions, along with assorted idealists and crackpots, seem to retreat into myths of purity. There's a book to be written about it, and it might have been this book, if it had been a little longer and deeper. □

"Pattern Recognition," by William Gibson. G.P. Putnam, 2003, 356 pages.

Coolhunting and Conundra

Jeff Riggenbach

Cayce (rhymes with "ace") Pollard, the 32-year-old ace marketing consultant and heroine of William Gibson's seventh novel, "Pattern Recognition," has a rare skill to offer the advertising agencies and design firms that make up her clientele. "Google Cayce," Gibson writes, "and you will find 'coolhunter,' and if you look closely you may see it suggested that she is a 'sensitive' of some kind, a dowser in the world of global marketing" (2).

And so, in a manner of speaking, she is. She has, in the past, engaged in

quite a bit of "actual on-the-street coolhunting," whereby she is "dropped into neighborhoods like Dogtown, which birthed skateboarding, to explore roots in hope of finding whatever the next thing might be" (32). "Cayce has spent hours here . . . looking for little jolts of pure street fashion to email home" (37). And though she's now in London on a totally different sort of assignment for a cutting-edge ad agency called Blue Ant, "she still has clients in New York willing to pay for a Cayce Pollard report on what the early adaptors in this crush [on the sidewalks of Soho and Piccadilly

Circus] are doing, wearing, or listening to" (38). "It's about a group behavior pattern around a particular class of object," she tells a hopeful young designer of hats at one point in the novel. "What I do is pattern recognition. I try to recognize a pattern before anyone else does" (86).

In this, of course, she is no different from anyone else in the marketplace. In this, she is only human. As F.A. Hayek noted in his 1964 essay "The Theory of Complex Phenomena," "[H]owever urgently we may want to find our way in what appears just chaotic, so long as we do not know what to look for, even the most attentive and persistent observation of the bare facts is not likely to make them more intelligible. . . . Until we have definite questions to ask we cannot employ our intellect." And, of course, "[q]uestions will arise at first only after our senses have discerned some recurring pattern or order in the events. It is a re-cognition of some regularity (or recurring pattern, or order), of some similar feature in otherwise different circumstances, which makes us wonder and ask 'why?' . . . It is to this trait of our minds that we owe whatever understanding and mastery of our environment we have achieved."

Nonetheless, Hayek reminds us, this trait of our minds is not without its drawbacks: "Marvellous . . . as the intuitive capacity of our senses for pattern recognition is, it is still limited." For one thing, "[o]nly certain kinds of regular arrangements (not necessarily the simplest) obtrude themselves on our senses. Many of the patterns of nature we can discover only *after* they have been constructed by our mind" (23-24). For another, there are problems so complex that no one mind can solve them, no matter how formidable its powers of pattern recognition. As Hayek noted in his celebrated 1945 essay, "The Use of Knowledge in Society," "The peculiar character of the problem of a rational economic order is determined precisely by the fact that the knowledge of the circumstances of which we must make use never exists in concentrated or integrated form but solely as the dispersed bits of incomplete and frequently contradictory knowledge which all the separate individuals possess. The economic prob-

lem of society is thus . . . a problem of how to secure the best use of resources known to any of the members of society, for ends whose relative importance only these individuals know. Or, to put it briefly, it is a problem of the utilization of knowledge which is not given to anyone in its totality."

No one mind can grasp the pattern

Cayce is dropped into neighborhoods like Dogtown, which birthed skateboarding, to explore roots in hope of finding whatever the next thing might be.

of the entire economy — if only because that pattern is constantly changing, constantly evolving. In another sense, then, as Hayek observes, "the economic problem of society is mainly one of rapid adaptation to changes in the particular circumstances of time and place." For "[t]he continuous flow of goods and services is maintained by constant deliberate adjustments, by new dispositions made every day in the light of circumstances not known the day before, by B stepping in at once when A fails to deliver" (83). And people who recognize patterns before anyone else does can do very well for themselves in the marketplace by knowing before anyone else exactly what adjustments need to be made. Entrepreneurs are such people. They recognize patterns no one else sees, enabling them to launch successful new enterprises. Others are successful radio or television programmers, cutting-edge theatrical or musical booking agents, and efficient buyers for retail stores. And then, of course, there are the professional marketers, like Cayce Pollard.

As the action of "Pattern Recognition" begins, sometime in the early

21st century, Cayce has been flown to London by Blue Ant to evaluate a proposed corporate logo for one of the agency's largest clients. Cayce has a special sensitivity to logos. "Her talents," which her boss at Blue Ant "calls her tame pathologies, had carried her along, and gradually she'd let them define the nature of what it was that she did. She'd thought of that as going with the flow, but maybe, she thinks now, it had really been the path of least resistance" (94). But of course going with the flow is following the path of least resistance. And this is precisely what is required of everyone who seeks success in the marketplace: to find one's niche, to find the place where one's natural talents or acquired skills best take the sting out of the slings and arrows of outrageous competition, to identify one's comparative advantage. Cayce serves "as a very specialized piece of human litmus paper" (13). Taking a look at the proposed logo, "[s]he knows immediately that it does not, by the opaque standards of her inner radar, work. She has no way of knowing how she knows" (12).

Cayce is reminiscent of the character John Strapp in "Time Is the Traitor," an Alfred Bester science-fiction story set in the world of business. Bester is an acknowledged influence on Gibson's writing, and Strapp, like Cayce, has a rare ability to synthesize knowledge in ways few others can. He makes "Major Decisions" that are "87 percent correct." But Aldous Fisher, Strapp's liaison man, notes, "[h]e doesn't know how he does it. If he did he'd be one hundred percent right instead of eighty-seven percent. It's an unconscious process." Cayce likewise "has no way of knowing how she knows." Nor is either of their situations unique. Bester wrote in his introduction to a 1976 reprinting of the story (which was originally published in 1953) that he did his own work in the marketplace without understanding fully how he did it. "I don't coolly block a story in progressive steps like an attorney preparing a brief for the supreme court," he wrote. "I'm more like Zerah Colburn, the American idiot-savant, who could perform mathematical marvels mentally and recognize prime numbers at sight. He did it,

but he didn't know how he did it. I write stories, but as a rule I don't know how I do it."

Hayek would say, I believe, that this is merely one of millions of examples of the phenomenon of what, in his 1962 essay "Rules, Perception, and Intelligibility," he called "the capacity to act according to rules which we may be able to discover but which we need not be able to state in order to obey them." He writes that "[t]he most striking instance of the phenomenon is the ability of small children to use language in accordance with the rules of grammar and idiom of which they are wholly unaware." But "[t]he phenomenon is a very comprehensive one and includes all that we call skills" — skills like judging corporate logos, making Major Decisions, writing fiction, or, as Hayek notes, "[t]he skill of a craftsman or athlete." Skills are also what each of us has to sell in the marketplace.

Most of us have avocations as well as vocations, however; most of us desire a life after work. Cayce Pollard is no exception. In her off-work hours, Cayce is a "footagehead." It's been going on for a few years now: video files, 135 of them so far, all of them very brief, fragmentary, incomplete, but all clearly related to each other, have turned up on the Internet. It is impossible to figure out where any of the files came from. The footageheads try to figure out what the fragments are part of. Are they fragments of a

Gibson has an irrefutable claim to being one of the top living writers of fiction in English.

"work in progress? Something completed years ago, and meted out now for some reason, in these snippets?" Even after incessant discussion and analysis, the fragments "have yielded no period and no particular narrative direction" (24).

The footageheads congregate on email discussion lists. Parkaboy, one of Cayce's best friends on the list she hangs out on most frequently, "is de facto spokesperson for the Progressives, those who assume that

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the footage consists of fragments of a work in progress, something unfinished and still being generated by its maker." The other school of thought, the Completists, "a relative but articulate minority, are convinced that the footage is comprised of snippets from a finished work, one whose maker chooses to expose it piecemeal and in nonsequential order" (46–47). Which ever school of thought you belong to, Parkaboy "says you should go to new footage as though you've seen no previous footage at all, thereby momentarily escaping the film or films that you've been assembling, consciously or unconsciously, since first exposure. *Homo sapiens* is about pattern recognition," he says. "Both a gift and a trap" (22).

A trap of an entirely different sort closes on Cayce when she accepts an offer from Hubertus Bigend, the "thirty-something boy genius" and cutting-edge advertising executive who brought her to London in the first place to evaluate the redesigned logo. Bigend is philosophical about his work; he's given it careful thought and reached insightful conclusions. "Far more creativity, today, goes into the marketing of products than into the products themselves," he tells Cayce over drinks one evening. "That is why I founded Blue Ant: that one simple recognition." Bigend also knows exactly what he's after in his future work — a new level of subtlety. "I want to make the public aware of something they don't quite yet know that they know," he tells Cayce, "or have them feel that way. Because they'll move on that, do you understand? They'll think they've thought of it first. It's about transferring information, but at the same time about a certain lack of specificity" (63). In a way, of course, that's exactly what the footage does. Bigend recognizes this and asks Cayce to find the maker of the fragments.

With certain misgivings, Cayce takes the assignment. And in short order, her borrowed London flat is burgled, her phone is tapped, and her email is hacked. Then, while in Tokyo following a promising lead, she's assaulted on the street by someone who desperately wants her notes and her recording of an interview with a

new source. Clearly someone takes her quest for the footage maker's identity very, very seriously and intends to stop it.

In working out the details of this story, Gibson demonstrates all the same narrative ingenuity and command of language that have consistently marked his work since the publication of his revolutionary novel "Neuromancer" twenty years ago. Gibson has long since staked out an irrefutable claim to being one of the top living writers of fiction in English. Now, this South Carolina native (who

fled to Canada to escape the Vietnam-era draft and ended up staying there) has written the first realistic novel of international business that might be said to be informed by an Austrian perspective.

Gibson is not, to be sure, the first fiction writer to present one sort of pattern recognition or another as a key element in the world of business. Rod Serling (1924–1975), another writer with major ties to the world of science fiction, recognized another part of the role pattern plays in commerce back in 1955, when Gibson was only 7 years

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old. In that year, Serling's play "Patterns," a depiction of a power struggle at the highest level of a large corporation, was produced on the "Kraft Television Theater." A year later, as a result of its brilliant success on TV, it was adapted as a major motion picture starring Van Heflin, Everett Sloane, and Ed Begley.

Walter Ramsey, "[a] tough, icy, predatory but honest corporation head . . . [i]n his early sixties," has

This is the first realistic novel of international business informed by an Austrian perspective.

hired a younger man, Fred Staples, to replace an older executive, Andy Sloane, who dates back to the days when Ramsey's father founded and built the company (43). In Ramsey's view, Sloane is hopelessly old-fashioned and sentimental about doing business. When Sloane objects to the idea of delaying the company's purchase of a former competitor's plant, pointing out that "six months with improper maintenance of equipment" and throwing "two hundred men . . . half the working force of the village" out of work for half a year will mean significant "[l]oss of good will" for the firm, Ramsey makes no effort to conceal his exasperation. "If you'll forgive me for interrupting," he fumes, "it also means a savings of a quarter of a million dollars in the purchase price"(58).

Staples confronts Sloane about his apparently shaky position in the firm and expresses concern that Sloane might be fired. Sloane tells him, "Ramsey wants me to resign. He wants me to get my craw so full I'll forget what his father meant to me, what this great company has meant to me, that I'll chuck it all and pull out. He thinks he can make me miserable enough to do that."

"You take it," Staples observes.

"Sure," Sloane replies, "I'm the kind who does. The kind who gets into a rut and feels desperate about the job. The kind who gets used to a

big salary and decides it's more important than his pride. . . . The chain that binds. Habit. Pattern" (67-68).

The American poet Amy Lowell (1874-1925) knew this as long ago as 1915, when her famous poem "Patterns" first saw publication. The unnamed young woman who is the main character and narrator of this dramatic monologue reflects, as she "walk[s] down the patterned garden-paths," on the recent death of her lover, a military officer in World War I. Her "dress is richly figured, / And the train / Makes a pink and silver stain / On the gravel." Only that morning she had received the official letter informing her that her fiancé had been killed in battle. Then,

. . . I walked into the garden,
Up and down the patterned paths,
In my stiff, correct brocade.
The blue and yellow flowers stood
up proudly in the sun,
Each one.

I stood upright too,
Held rigid to the pattern
By the stiffness of my gown.
Up and down I walked,
Up and down.
In a month he would have been
my husband.
In a month, here, underneath this
lime,
We would have broke the pattern;
He for me, and I for him,
He as Colonel, I as Lady,
On this shady seat.

But it is not to be, and she resigns herself to the facts.

In Summer and in Winter I shall
walk
Up and down
The patterned garden-paths
In my stiff, brocaded gown.
The squills and daffodils
Will give place to pillared roses,
and to asters, and to snow.

I shall go
Up and down,
In my gown.
Gorgeously arrayed,
Boned and stayed.

And the softness of my body will
be guarded from embrace
By each button, hook, and lace.
For the man who should loose me
is dead,

Fighting with the Duke in
Flanders,

In a pattern called a war.

Christ! What are patterns for?

This is a question to which

Serling's Ramsey knows the answer by the time the curtain goes down on the third and final act of "Patterns." For though he still believes that there is necessarily some sort of conflict between morality and profits (73) — Ayn Rand, unfortunately, was not on hand to explain that profits are one of the moral high points of human life — he *has* learned that he cannot dispose so easily of Andy Sloane's devotion to decency, compassion, and the maintenance of goodwill among suppliers, customers, and employees: a proven path to long-term, rather than merely short-term profits. Ramsey has learned that his new recruit, Fred Staples, is just as concerned about long-term profit as Andy Sloane had been, and that if he wants to benefit from Staples' genius at sales, he will have to accept the younger man's sense of business ethics as part of the package. In effect, the market has imposed Andy Sloane's pattern on the company, whether Walter Ramsey likes it or not.

By the end of Gibson's tale, Cayce Pollard, too, knows the answer to the question, "What are patterns for?" She already knew that patterns have their uses. But she learns more as a result of an email she sends in a crucial scene on one of the "reddish gravel . . . paths" in London's Kensington Gardens. The response leads her, ultimately, to recognize the pattern — and identify the creative intelligence — behind the footage.

Cayce Pollard knows what patterns are for. So will you, once you've read her story. □

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"The Motorcycle Diaries," directed by Walter Salles. Focus Films, 2004, 126 minutes.

Ernesto Goes to Peru

Jo Ann Skousen

"Life is just school, vacation, school, vacation, and then it's work, work, work till you die."

— C. S. Lewis

Somewhere between school and work, American students often take one last unfettered vacation, comprising several weeks of backpacking through Europe, sleeping in youth hostels, eating little, and experiencing much, before returning to their middle-class roots and full-time careers. In the summer of 1952, Ernesto Guevara de la Serna (Gael Garcia Bernal), a young Argentine medical student, set off on a similar adventure around South America with his friend, biochemist Alberto Granado (Rodrigo de la Serna), before the two were scheduled to begin their duties as doctor and pharmacist in a leper colony in Peru. "The Motorcycle Diaries" is a

The most majestic part of the travelogue is their arrival in Machu Picchu, where they lounge within the walls of the fabled city virtually alone.

recreation of that journey, based on the diaries and letters the two wrote during the trip.

Although the story is rather slow moving, as a film about a road trip, it's a fine piece. The filming is deliberately amateurish, almost like a home movie at times, reflecting the ram-

shackle nature of their trip: no money, no food, and before long, no bike. Dusty villages and dustier townspeople are portrayed with a straightforward honesty, particularly in the Peruvian leper colony where the two find work. The most majestic part of the travelogue is their arrival in Machu Picchu, where they lounge within the walls of the fabled city virtually alone, their reward for the lung-wrenching mountain climb. This is a road trip at its finest.

Ultimately, of course, this is not a film about a summer vacation, but about the birth of a revolutionary. Loading their motorcycle (dubbed with the hopeful but woefully inaccurate moniker "The Mighty One") like a pack mule, Ernesto and Alberto set out on a journey toward manhood and enlightenment. The motorcycle crashes frequently, spilling their possessions along the road until they have only the goods they can carry on their backs. This seems to symbolize Ernesto's divesting himself of his middle-class goals and values and even his mother's name; by the end of the journey, he has become simply "Che" Guevara (a name teasingly applied to him by a Chilean girl making fun of his Argentine accent). Moved by the poverty and injustice he observes throughout South America, and perhaps motivated even more by his upper-class girlfriend's rejection, he leaves the leper colony to fight for a "United America," eventually becoming a leader of the revolutions in Cuba and Bolivia, where he would be assassinated "with the approval of the

CIA."

Every screening at the theater I attended was sold out opening weekend, even in the early afternoon. The closing credits were greeted with cathartic applause for Che's heroic martyrdom in bringing justice to Latin America. Ironically, this applause came from upscale Manhattanites — the sort of people Che fought to overthrow. Perhaps their enthusiasm came from the fact that we only saw the embryonic Che — the compassionate young doctor removing his rubber gloves to show the lepers he was their equal; the faithful young lover jilted by his wealthy girlfriend; the kind young man who gives his only dollars to a poor communist family. But I was nonplussed by the applause. Is it any more "just" to wrest lands and homes from the wealthy than it is to take them from the poor? Let's compare

Che's politics are kept to a merciful minimum, seen only through the innocent eyes of an idealist awakened to the problem, before he has hit upon his brutal solution.

the beauty and vibrancy of pre-Che Havana with the poverty and erosion of modern Havana to judge the effectiveness of Che's revolution. As Winston Churchill once said, "The inherent vice of capitalism is the unequal sharing of blessings; the inherent virtue of socialism is the equal sharing of miseries." I'll take the injustice of capitalism over the justice of socialism any time, knowing that I have the opportunity to increase my share of the blessings by my own work and innovation. I will never favor bringing someone down to my level, just to keep us equal.

Nevertheless, "The Motorcycle Diaries" is a movie worth seeing, if only to view the mystical peak of Machu Picchu rising above the grandeur of the Quechuas' ruined city, before cruise-ship tourism made the fabled mountain hideaway as accessible as a theme park. Che's politics are

kept to a merciful minimum; we observe the elitist snobbery of his girlfriend's family and the desperate plight of the poor displaced workers, but it is through the young and innocent eyes of an idealist awakened to the problem, before he has hit upon his brutal solu-

tion. It is also an opportunity to muse on how many lives might be different today if Che Guevara had decided to remain in Peru, quietly and humbly caring for the lepers he was trained to heal, instead of leading a murderous revolution in foreign lands. □

"Grant Comes East," by Newt Gingrich and William Forstchen. St. Martin's Press, 2004, 404 pages.

After the South Took Gettysburg

Lance Lamberton

One of the most debated subjects in American history is what would have happened if the South had won at Gettysburg. Most students of history speculate that Lee's march on Washington would have been all but a *fait accompli*.

In "Gettysburg," Newt Gingrich and William Forstchen paint a vivid and plausible picture of how the South might have avoided Pickett's suicidal charge, and outflanked, enveloped, and all but annihilated the Army of the Potomac. On the last page of "Gettysburg," Lincoln sent a telegram to Grant, making him Supreme Commander of all the Northern Armies, and ordering him back east to create a new army to pick up where the Army of the Potomac left off.

Thus the stage is set for the sequel, "Grant Comes East," in which Gingrich and Forstchen say to those who assume that a victory at Gettysburg would have meant Southern independence: "Not so fast." The North's industrial capacity would have remained intact. They had the ability (if not the will) to raise another army at least twice the size of the South's, this time under an able commander. Washington was the most heavily fortified city in the world.

And it would be a mistake to underestimate the steely resolve of Lincoln to subjugate the Confederacy, regardless of cost.

What makes the novel compelling is the way it extrapolates what famous historical figures would have done under different circumstances. It bases their thoughts and actions on the historical record.

Libertarians will be especially intrigued by two discussions which highlight the glaring flaws of both sides' leaders. In one, Lincoln is explaining to Grant why it is so impor-

Through his aggression against the South, Lincoln did more than anyone else to ensure that constitutional ideals would be put to the sword.

tant for the North to win. Using the ideas he expressed so well in the Gettysburg Address, Lincoln states his honest belief that if the Union is dissolved, then the ideals upon which the nation was founded will die with it.

I have always been amazed at the

brazen audacity of Lincoln's claim that the war was being fought to determine whether this "nation, or any nation so conceived, and so dedicated, can long endure." The tragic irony is that through his aggression against the South, he did more than any other figure in American history to ensure that those ideals would be put to the sword — and that limited, decentralized, constitutional government would "perish from the Earth."

The other telling conversation is among General Lee, Confederate Secretary of State Judah Benjamin, and Rabbi Samuel Rothenberg, a family friend of Judah's. Benjamin and Rothenberg argue that the South cannot win the war unless it taps its most powerful unused resource: its black slave population. By offering them manumission in exchange for military service, they would gain much needed manpower that would fight heroically both for their own freedom and the independence of their homeland. It would also undermine any and all pretenses of moral superiority by their adversaries.

In the novel, as in real life, the Davis government did not heed their advice. If it had, either before or after a victory at Gettysburg, who knows what the outcome would have been. There are many variables to ponder, and "Grant Comes East" does a masterly job of engaging the reader in this fascinating subject.

While "Grant Comes East" is a fictional history, it dramatizes a persistent theme in Ayn Rand's writing: the power of the mind over brute force. The North certainly had brute force, in its immense superiority in men and materials, and Lincoln did not hesitate to press his advantage with savage intensity. Yet the South's brilliant military leadership, pitting mental prowess against Yankee muscle, along with the fighting spirit it imbued its men with, is a legacy of which all Americans should be justly proud. To accomplish what they did with so little, in the face of such overwhelming odds, is nothing short of miraculous.

To avoid ruining the novel's suspense I shall not reveal any more of its plot, aside from mentioning that after the South wins yet another glorious victory, Southern scouts report to Lee that

Grant's reconstituted army is on the move, with massive troop movements streaming across pontoon bridges on the Susquehanna. Like a bad dream, where there is always some impossible obstacle to achieving your goal, the

dream of Southern independence must once again confront the might of the North.

As with "Gettysburg," Gingrich and Forstchen set us up for another sequel. I will be the first in line to get it. □

"Imperial Crusades: Iraq, Afghanistan, and Yugoslavia,"
edited by Alexander Cockburn and Jeffrey St. Clair. Verso, 2004, 378 pages.

Dwarf-Tossing and Empire

Richard Kostelanetz

From the other side of the political river, I've admired the journalism of Alexander Cockburn for many years; even though he is a veteran lefty who descends from a long line of lefties (including the British Communist writer Claude Cockburn), his writings invariably stand out in the journals in which they regularly appear. When such a dubious publication as *The Nation* falls into my hands, his article, if there, grabs me first. Likewise, I read him first in the *New York Press*, an alternative weekly that competes with the *Village Voice*. For a while in the 1980s, I recall, he was even a regular columnist for *The Wall Street Journal*.

Not only does he write clearly and strongly, but he is often full of surprises. The best pieces in his recent collection, "Imperial Crusades," exemplify this quality. In "Dwarf-Throwing and the UN," his classic, he mocks the UN Human Rights Committee for supporting a 1995 ban on dwarf throwing by a French high court:

"So here's a bunch of UN administrators, each of them probably hauling down an annual salary hefty enough to keep a troupe of dwarfs in caviar for life, dooming poor little Wackenheim to the unemployment lines before going home to scream at the underpaid

Romanian maidservants or to get a blowjob from a thirteen-year-old girl from Kiev in the local whorehouse. (UN guys do that, you ask? Oh yes they would. Remember the nasty little sex scandal about UN observers in Kosovo?)"

For concise demolitions like this, I'll forgive Cockburn such transgressions as deprecating Mikhail Gorbachev for betraying the Soviet Revolution or regarding Edward Said as a cultural saint.

No illiterate he, Cockburn then defends the exploitation of very short people whom he finds increasingly scarce, because:

"I guess even in Catholic Ireland the doc takes a look and chokes nature's sports before they've got out of the starting gate. If the UN had been around at the time, the hunchbacks of Philip IV of Spain would have been forbidden to pose for Velásquez, [etc.]."

Not yet letting his subject die, Cockburn then recalls historic dwarfs such as Jeffrey Hudson, adopted by the queen of King Charles I, and Charles Stratton, more familiarly known as General Tom Thumb. Curious about how others treated this "news" story, I found remarkably few entries on Google, implicitly congratulating Cockburn not only on interpreting but uncovering.

Biographical information about

Cockburn is limited. He was born in Scotland in 1941, but grew up primarily in Ireland and graduated from Oxford before working as an editor at the *Times Literary Supplement* and the *New Statesman*. He moved to the United States in 1973 — I assume because of the States' more receptive climate for idiosyncratic journalism. Currently living in Northern California, he co-edits with Jeffrey St. Clair a newsletter named *Counterpunch*, and contributes regularly to several websites. Incidentally, his Scottish surname is pronounced Co-burn, I assume for the same unique Scottish reasons that a friend named Colquhoun pronounces her surname Co-houn.

"Imperial Crusades" is disingenuous in suggesting that he and his *Counterpunch* partner Jeffrey St. Clair author the newsletter when they actually co-edit it; it includes chapters by other *Counterpunch* writers who aren't as good. This deception is unfortunate, because Cockburn as a professional bookman is customarily accurate in his own bibliographical data. Even so, "Imperial Crusades" is an interesting book that contains solid and entertaining writing from Cockburn, a lefty I admire for his libertarian sentiments. □

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Letters, from page 6

McCarthy responds: Dr. Geller seems to have an outdated, elitist, and defensive viewpoint, preferring that only medical experts and actuaries comment on the medical delivery system that we consumers pay to receive care from.

Experts seldom agree on the interpretation of various methodologies. The studies used by the Institute of Medicine or HealthGrades say, respectively, that between 100,000 and 200,000 hospital patients are killed each year from preventable medical errors. Some have argued that the HealthGrades study underestimates hospital errors because its results are garnered from records hospitals themselves have given to the researchers.

Far from being a big liar or a crisis-monger who is trying to whip up a media frenzy, I was a hospital patient whose life was saved in 1999 by risky surgery, but was almost killed three or four times in subsequent weeks by mundane hospital errors. That'll get your attention every time, especially when, just as you are breathing a big sigh of relief and gratitude for making it through surgery, you discover you've almost been killed by understaffing, by being sent out of the hospital too soon, and by a medication error. I discussed my hospital experiences in a Pittsburgh Tribune-Review article titled "Hospital Depot" (available online at PittsburghLive.com). If my story is representative, and I think it is, the American health-delivery system has some very serious structural problems.

In their book "Internal Bleeding: The Truth Behind America's Terrifying Epidemic of Medical Mistakes," Robert M. Wachter, M.D. and Kaveh G. Shojania, M.D. write that the Institute of Medicine (IOM), founded in 1970 as the think tank of the National Academy of Sciences for health issues, "has a venerable history." The tipping point for public awareness of the extent of medical errors was reached with the IOM's 1999 report, "To Err Is Human: Building A Safe Health System," which found that up to 100,000 patient deaths per year, or the "equivalent of a jumbo jet crashing every day," were caused by preventable medical errors.

As a result of these alarming stud-

ies, four important conferences were held in Pittsburgh within the last month to address these issues. Surprisingly, many national and regional leaders in health system performance recommend similar solutions.

"Rather than advocating a national policy fix, speaker after speaker called for improvements in basic service delivery," explained Karen Wolk Feinstein, chair of the Pittsburgh Regional Healthcare Initiative. "The current design of work, not the high cost of malpractice insurance or even the cost of prescription drugs, was identified as the major culprit."

Dr. Paul Uhlig of the Dartmouth Medical School declared that "health care will be transformed not by laws or regulations, but as it always has been — by people working together in new ways to give better care to their patients."

Michael Porter, in his recent study in *The Harvard Business Review*, states: "Information is integral to competition in any well-functioning market. . . . The most fundamental and unrecognized problem in U.S. health care today is that competition operates at the wrong level. It should occur in the prevention, diagnosis and treatment of individual health conditions. Providers should be rewarded for the best value care."

Traditionally, health care providers have not received higher reimbursements for better patient outcomes. Providers have not earned academic prestige or National Institute of Health funding for improving the safety and reliability of their daily practice. But, states Feinstein, "When work redesign is applied rigorously, the results are stunning."

In Pittsburgh, the Veterans Hospital and Allegheny General Hospital have both significantly slashed infection and death rates by redesigning workplace procedures, and have therefore made important reductions in the costs of caring for patients with infections. More specifically, Pittsburgh's hospitals have cut the rate of central line associated bloodstream infections by 55% between 2001 and 2004, saving both lives and money.

Cliff Shannon, president of SMC

Small Business Councils, charged at the conference for the Pennsylvania Health Care Cost Containment Council that Pennsylvania's businesses and individuals who buy health insurance are paying hundreds of millions of dollars each year for services that injure or kill patients.

And finally, Dr. Robert Bork, vice president of the Rand Corp. and director of its health-care research, took aim at the medical community itself, charging that providers have resisted the kind of performance measurements that other industries use, resulting in poor quality and unnecessary care driven by doctors and hospitals who resist performance measurements.

Rather than dragging his feet and quibbling about statistics, Dr. Geller should take a look around at what his more open-minded and up-to-date colleagues are accomplishing!

One last thing: Mark Twain's famous expression is "lies, damned lies, and statistics," not "truth, lies, and statistics," as Dr. Geller witlessly reports.

Full of Sound and Fury

R.W. Bradford's "Freedom at the Ballot Box" (October) argues "No one but an idiot gave Republican Bob Dole any better chance of winning the 1996 election than Libertarian Harry Browne had . . ."

As one with a certified 190 IQ I have to say that this was an idiotic statement to make. Simply switch about 618,000 votes spread over eight key states (increasing Dole's approximately 41% of the popular vote to 41.72%) and Dole would have won the election with 270 electoral votes to Clinton's 268 electoral votes. (Taken from "What if?" on Dave Leip's Atlas of U.S. Presidential Elections website.) It is the electoral vote, not the popular vote that counts. To say Dole had no better chance of winning that election than Browne, who had only 0.5% (one half of one per cent) of the vote is idiotic.

Stan Vaughan
North Las Vegas, Nev.

Bradford responds: The fact that switching 618,000 votes spread over several carefully selected key states would have changed the outcome is irrelevant — a shift that size and character would

change the outcome of almost all presidential elections. For example, in the 1940 election, FDR's margin of victory in the Electoral College was 70%, and he topped Wendell Wilkie's popular vote total by 10%. It was a landslide by any measure — yet if just 443,940 votes had been switched in 14 carefully selected states so that Wilkie carried each by a single vote, Wilkie would have been elected president by a margin of five electoral votes.

Based on pre-election polls, Dole's chance of winning was around 0.05%, versus Browne's chance of about .00005%. Dole's chance was a hundred times better than Browne's, but both were still virtually zero. Perhaps I should have written, "No one but an idiot or a person with an IQ of 190 but lacking a scintilla of common sense gave Bob Dole a chance of winning . . ."

Outcome-based Voting

R.W. Bradford has very clearly and succinctly expressed my own argument against using the commonly known "wasted vote" excuse to choose evil, even when it is the lesser of two. The small voice of your individual vote is only truly wasted when it mimics the "baas" and "moos" of the frightened, clamoring herd.

I would add one small point to Bradford's argument. Every measurement, including a vote count, comes with a statistical margin of error. Given the right voting mechanism, and taking the average of an increasing number of vote recounts, we might reduce that statistical error to some number less than one. As we saw in Florida in 2000, however, these are not the circumstances. We do not have a very accurate voting mechanism. (When should we actually count that dimple as a vote?) And, long before we can average a statistically significant number of recounts, we know that the vote will be decided not by a count, but by a court (or some other political power). In determining a victor, not only is one vote insignificant compared to some actual, likely large, vote difference number (e.g. "466"), it is also insignificant compared to the statistical margin of error in our ability to count — at least for a large race like the presidency using our current voting mechanism.

Deciding a victor is only the most

obvious part of the "outcome" of an election, the part that most voters naively focus on. Overlooked is the fact that all of the individual voices from all of the individual votes come together to spell out a message from the electorate. My one vote, no matter how insignificant, gives me a chance to affect the "outcome" by affecting that message. I would be deluded to think that my vote actually gives me the power to affect the "outcome" by determining a victor. No lover of liberty should ever waste the voice of their vote to send the message that we want more of what the Democrats and Republicans are giving us.

Doug Gallob
Denver, Colo.

Double-parking Palestine

"The New Anti-Semitism" (November 2004) asserts, in response to those who question the singling out of Israel for occupying foreign territory, that "One crime does not justify another one." I guess that a murder on one side of the street would not justify double parking on the other side. Still, should a police officer come upon the scene and write out tickets before attending to the murder, we would suspect he had an agenda other than just moving traffic. Anti-Semitism seems to be the most logical explanation for picking on Israel rather than the dozens of other occupiers such as China, which took over Tibet.

Tibet, mind you, has never threatened to drive the Chinese into the sea, as Arabs have threatened Israelis. And sometimes the Arabs forget the script and replace the word *Israelis* with *Jews*. And why should we be reluctant to criticize Israel? Because if our advice is heeded the Israelis, not us, will have to live with the consequences. No country will condone its own destruction. As long as Arabs insist on the elimination of Israel (and Jews) and praise suicide bombers who kill civilians, they are fair targets who do not deserve our sympathy.

David Kahn
Montville, N.J.

Poletown Dance

I was thrilled to read in the October 2004 issue about the Michigan Supreme Court reversing its (in)famous Poletown decision. It is a

staggering blow against Big Government, all the more striking as a unanimous decision. Upon reading it, I did a little dance of joy. A few days later, while writing to an elected official about a seemingly unrelated issue, I had what felt like an epiphany. What if the reasoning used against eminent domain in this decision was applied to, for example, corporate welfare expenditures?

All government expenditures are supported by seizing property, often in the form of money from taxpayers. So I modified the published parts of the Court's ruling, substituting "taxation" for "eminent domain" and "money" for "property" or "land," and (with some leeway for syntactical shortcomings and the like) I found a fantastic argument against, at the least, corporate welfare. Where, pray tell, might I find an attorney to put forth such an argument and a court to "see the light"? I wonder if even one of these seven justices would acknowledge the same underlying principles in this "new" case.

Wayne Betts
Wading River, N.Y.

Fighting Legitimate Freedoms

Gay marriage is *not* fabulous. It is number two on the list of sins that cries to heaven for vengeance. The first is willful murder, second is sodomy, third is defrauding the laborer of his wages, and fourth is oppression of the poor.

You are following on the road on which others have found their downfall. Not long ago, a publication called *The Week* had a picture of a car with two men looking out the window. The sign on the back of the car said "JUST MARRIED." I called in my cancellation along with so many thousands. The company went belly up. This will be your downfall as well.

The "queers" as we called them back in the '30s are only three-quarters of 1% — but are backed by big bucks.

Your magazine certainly could promote books, articles, and individuals that elevate human dignity and foster a strong nation.

I am a proud fighter of legitimate freedoms and a World War II Veteran.
Kenneth L Strain Sr.
Rathdrum, Idaho

Jaemtland, Sweden

Environmental success in the socialist paradise of Sweden, from a report in the New York Times:

Storsjodjuret, a species of huge black serpent with a catlike head native to Storsjoen Lake in Jaemtland province, has been removed from the Endangered Species List.

Sydney, Australia

Evidence that you can imprison a man, but not destroy his ingenuity, offered by the Brisbane Courier-Mail:

Inmates in a New South Wales prison have been caught breeding deadly redback spiders that they milked for venom to inject into themselves for a narcotic high, according to government records. A spokesman for the opposition Liberal Party said this shows "just how soft Australia is on prisoners."

Washington, D.C.

Daring reform in the ranks of federal management, described in the Federal Manager's Daily Report:

The Treasury Department eliminated such titles as chief of staff to the assistant secretary and associate deputy assistant secretary, while the Defense Department has created a deputy chief of staff to a deputy assistant secretary.

U.S.A.

A company spares no feelings to impress upon its customers the importance of safety, from the Honda Motors website for purchasers of its All Terrain Vehicles:

"Remember: safety starts with the rider. Read the 'Stupid Hurts' material that comes with your ATV."

Brisbane, Australia

Vigilance in the War on Terror, Down Under, reported by the Brisbane Courier-Mail:

A major regional airport was shut down for an hour after a vibrating adult sex toy was mistaken for a bomb. The terminal was evacuated until security officers could check out the suspicious package.

Cafeteria manager Lynne Bryant was cleaning tables when she heard a strange noise. "It was rather disconcerting when the rubbish bin started humming furiously," she said. "In retrospect the humming sounded exactly like a vibrator — but it was better to be safe than sorry. You can't afford to take chances."

Lansing, Mich.

Curious political development in the Great Lake State, from a dispatch in the estimable Detroit Free Press:

The Michigan Republican Party is asking four county prosecutors to file charges against filmmaker Michael Moore, charging that he illegally offered underwear, noodles, and snacks to college students in exchange for their promise to vote.

"We want everyone to participate in this year's election, but not because they were bribed or coerced by the likes of Michael Moore," said Greg McNeilly, executive director of the state Republican Party. Michigan's election law prohibits a person from contracting with another for something of value in exchange for agreeing to vote.

Livermore, Calif.

Aesthetic note, from a news report in the Modesto Bee:

A \$40,000 ceramic mural unveiled outside the city's new library misspelled the names of Einstein, Shakespeare, Vincent Van Gogh, Michelangelo, and seven other historical figures.

Maria Alquilar, the artist who misspelled the names, was not upset about the mistakes. "The people that are into humanities, and are into Blake's concept of enlightenment, they are not looking at the words," she said. "In their mind the words register correctly."

Mexico City

Religious diversity on the march in our neighbor to the south, from the Denver Post:

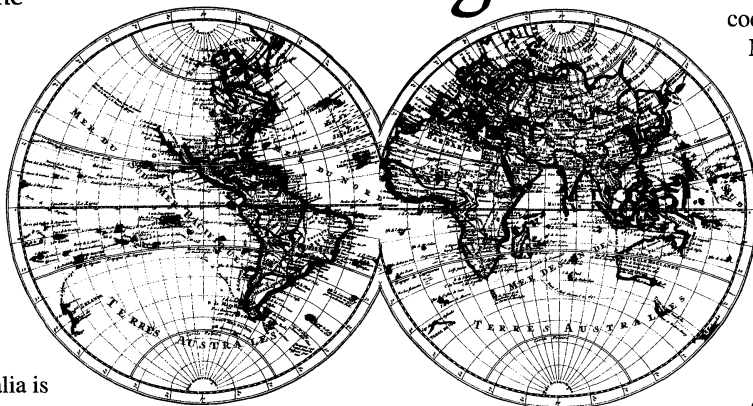
Crowds gather each month to pray to a 6-foot skeletal figure called La Santa Muerte, or St. Death. Miguel Miranda said he came to the ceremony to thank "the skinny lady" both for helping him survive a recent overdose and for keeping the police away when he deals drugs on neighborhood corners or mugs someone. A transvestite prostitute named Claudia was there seeking protection from violent clients and sexually transmitted diseases.

U.S.A.

Evidence of political progress in the world's greatest democracy:

On November 2, American voters will choose as president either George W. Bush or John F. Kerry.

Terra Incognita



Special thanks to Russell Garrard, William Walker, Charles Gordon, and Ari Armstrong for contributions to Terra Incognita.

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

Can anyone be happier than a Catholic libertarian?

Libertarians and Roman Catholics share one basic teaching, the Doctrine of Subsidiarity. It teaches that all problems should be solved at the lowest possible level.

Moses got Aaron to do his talking for him. Christ appointed apostles. Bishops ordain priests. The people of God have practiced subsidiarity in theological and operational matters. God loves Libertarians because they believe in subsidiarity when it comes to politics, and that's a bigger step toward truth than many on the other side can take.

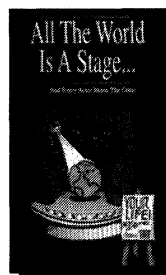
On the other side, control freaks want to do our thinking for us.

Should all libertarians be Catholics? Many already are, in that they feel God has given them the dignity and ability to think for themselves. It's a little harder to take the leap into full obedience, but a lot of smart people have.

You ought to explore this, especially if you're starting to be bitter and angry about how freedom is being destroyed a step at a time. Three books will cheer you up.



Crats! is a novel, halfway between Rand and Aquinas. It shows the relationship between reducing the size of government and God's great love for us. It shows that we can't fix government, even with armed rebellion, but we can fix ourselves.



All the World is a Stage is an easy read. It simplifies the world so we can see where we sit in our enemies' sights.

New Road to Rome explores a new theory of matter and human history. It helps us see that we live in God's world, which He programmed in place several thousand years ago. All human history (are you a child of Shem, Japheth, or Ham?) is boiled down to what our great-great grandparents believed. (They were largely right.). Learn about Catholic Fundamentalism and Radical Catholics, the theological soul-mates of libertarians.

Each book is \$6.95, plus \$2.00 s&h. The author has over a hundred patents, a sense of humor, and understands that, politically, libertarians are the salt that gives the world an important flavor. Order all three books for 19.95, plus \$3.00 s&h. If you don't like them, give them to your angriest friend, or send them back. We'll refund the purchase price.



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My city government wants to condemn my business.

And bulldoze it and my neighbors' properties, not for public use,
but for private economic development.

I am fighting for my rights.

And I am taking my fight to
the U.S. Supreme Court.

I am If

*Bill Von Winkle
New London, CT*

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

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Private property litigation*