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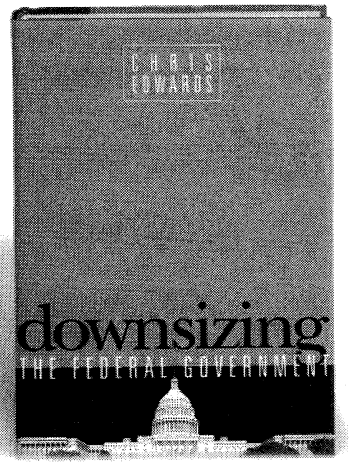

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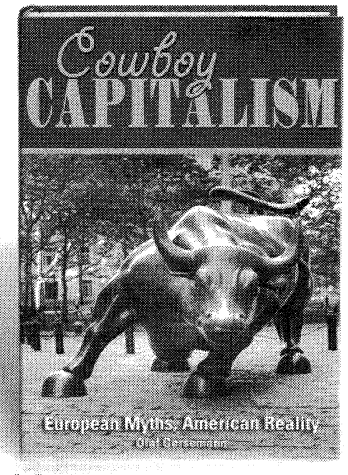

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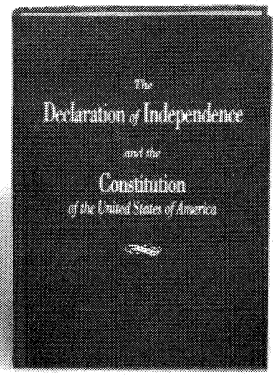

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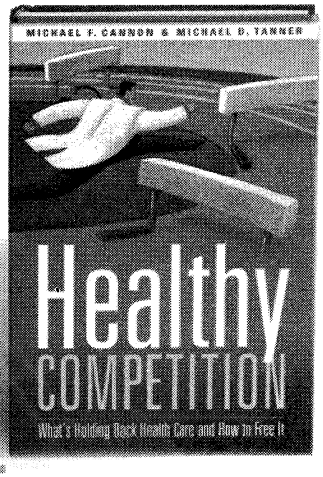

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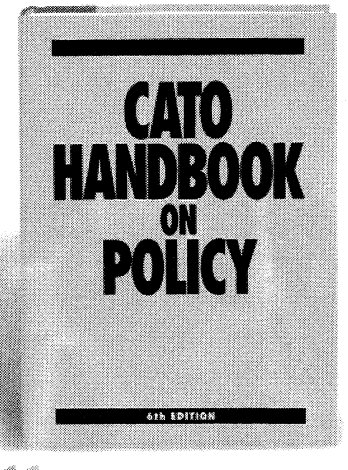

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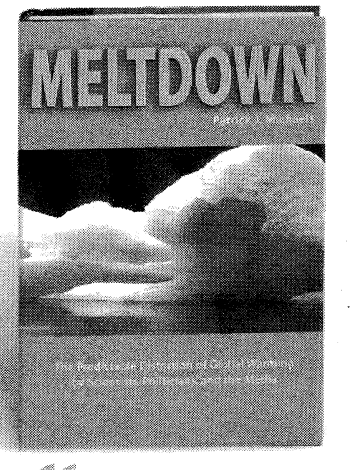

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— JOHN R. CHRISTY,
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December 2005
Volume 19, Number 12

Features

Reviews

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Letters

Right Thinking

Stephen Cox ("Word Watch," October) asks "How could a right — if it really is a right — conflict with some other right?" and suggests that rights be identified "in such a way that there is no conflict among them." How can every exception to what initially looks like a right be thought of in advance?

Would Cox have demanded, e.g., that the 1st Amendment include exceptions such as " . . . except to require reasonable medical care for dependent children despite parents' religious beliefs"? (Who would have anticipated religions forbidding medical care?) Or does Cox think that anything done as free exercise of religion, including withholding medical care from dependent children, is acceptable?

Rights cannot be viewed in terms of black and white — that something is either an absolute right or not a right at all. A "right" is a concept that requires thought at the border areas of its usage.

Charles Kluepfel
Bloomfield, N.J.

Facilitate, Not Dominate

With regard to the panel discussion on disaster management ("Bringing Order Out of Chaos," November), here are some observations that result from five years as an emergency preparedness officer for the Air Force and many years of political activism. The best response to the complex problems of a natural disaster is not a centralized bureaucracy. We need the creativity of local governments and, even better, private entities working together cooperatively. Funneling disaster relief funds through Washington results in huge waste and inefficiency. Also, whenever a centralized bureaucracy has billions of dollars to distribute in a short period of time, corruption is inevitable. Plus, a federal response will involve the military and take them away from their primary function — protecting our liberty. Finally, the ancillary problems of law enforcement tend to motivate requests for repeal of posse comitatus, the prohibition against using the military to enforce laws. This would be a very real threat to our personal freedoms.

Let's restrict the role of the federal government to that of facilitating local response, and not let it assume control.

Roy Miller
Phoenix, Ariz.

Yoga, Yes; Bigfoot, No

In Gary Jason's review of "The Skeptic's Dictionary" (October), he trots out a number of common logical fallacies and the public's susceptibility to them. One fallacy not mentioned was the habit of conflating two or more ideas, not necessarily connected, to illuminate the truth or falsity, or moral worth, of the first idea. When the Enron executives were found guilty of cooking the books, it wasn't just the parties involved who were blamed, but the profit motive of all businesses — as though the search for profits cannot be separated from those who would abuse that search in fraudulent ways.

Unfortunately, either Jason or the author of "The Skeptic's Dictionary" is also guilty of conflationary thinking. In this review, alien abduction and Bigfoot are conflated with holistic medicine — as though all three of these beliefs are related. Holistic medicine encompasses a wide variety of disparate beliefs and practices — everything from acupressure massage and yoga to the curious medieval practice of 'dousing.' Carroll (or Jason) assumes there is no difference between any of these beliefs or practices, or that people who believe in one necessarily believe in another. Yet people who have treated back pain or other health problems with yoga might think 'dousing' is simply hocus pocus. Unfortunately, once such conflationary assertions have been tossed into the popular imagination, the constructing of straw men is sure to follow. "Oh, you

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think some elements of holistic medicine are legitimate? I can't see how anyone could still believe in leeching."

Mark Hershey
Chiang Mai, Thailand

Congress: Not Kosher

Jane Shaw's "Hot Dog Highway" (Reflections, November) should be no surprise to anyone. President Bush and the Republican-controlled Congress have failed to control spending. Bush has failed to veto any of the pork-laden spending bills Congress has sent him. In 2004, Congress funded 14,040 pork-barrel projects at a total cost of $47.9 billion! The numbers in 2005 will be even worse. Except for Sen. John McCain and a few others, everyone believes the best way to grease the wheels of reelection is to load up on billions in pork-barrel projects. Democrats and Republicans have morphed into one inside-the-Beltway party dedicated to staying in power regardless of the cost to taxpayers. Their philosophy is to increase spending above the rate of inflation. Liberals won't say no to social welfare programs; conservatives love any defense spending. Both support corporate welfare subsidies. They are leaving the next generation an inheritance of debt already over $7 trillion.

The famous Greek philosopher Diogenes is still searching for some honest politicians in Washington. Who in Congress will be the first to give up pork to offset federal government assistance provided for reconstruction from Hurricane Katrina?

Larry Penner
Great Neck, N.Y.

Streetcar Desire

Randal O'Toole fails to understand the value to New Orleans' poorer residents of the "heavily-subsidized streetcar rides" that "transportation planners decided years ago to provide" instead of "providing low income people greater mobility" ("Riding Out the Storm," November). He writes that "these tourist lines do nothing to help any local residents except for those who happen to own property along the line."

This is hardly the case. The lines provide an activity that causes tourists to remain in the city at least an extra day, providing income not only to restaurateurs, shopkeepers, musicians, casinos, and hotels, but also tips and jobs to valets, bellmen, taxi drivers, maids, and waiters, among others. This income is precisely the income that enabled many citizens to own cars and flee in the first place.

If all the money spent on the streetcars from 1985 to the present had been spent instead on helping the city's low income residents buy cars, as Mr. O'Toole suggests, then it would also have had to be spent on auto insurance, gas, license fees, parking, and maintenance for that period of time. And it would have had to have been spent on many more people than calculated by Mr. O'Toole, who failed to consider how many more people would not have been automobile-owners but for the additional jobs and income provided by tourists precisely because of the tourist trolley lines he so derides.

As for the studies which found that "unskilled workers who have a car are much more likely to have a job," O'Toole fails to explain whether these studies prove cause and effect. Were workers able to purchase their cars because they already had jobs, or did they have jobs because they were somehow able to purchase cars without jobs?

Further, as to the studies that showed that those unskilled workers with cars "will earn far more than workers who must depend on transit," O'Toole fails to explain whether those with cars were already earning more than those who depended upon transit, which would suggest that it is the income from the better job which produces the ability to own a car, and not vice versa. It is also possible that workers who had figured out how to save or who had established good enough credit to purchase a car would likely be people with greater ability to earn more than those who had not been able to do so.

While it is undoubtedly true that many of the city's poor would benefit from being helped to purchase and maintain an automobile, it is probably equally true that a certain percentage of poor people would not be able to organize their lives in such a way as to be able to maintain payments on their car, their insurance, or the other attendant expenses of automobile ownership.

Ellen Schneider
Fort Lauderale, Fla.

O'Toole responds: In 2003, New Orleans streetcars carried about 6 million riders. New Orleans hosts more tourists than that during Mardi Gras alone. Throughout the year only a tiny percentage of tourists actually ride the streetcars and you would be hard pressed to find any who said that they came to New Orleans or stayed longer because of the new streetcar lines.

Numerous studies have proven a cause-and-effect relationship: access to automobiles helps low-income people get jobs, earn higher pay, and get out of poverty. Other studies have shown that any policy that makes it more difficult for people to drive hurts low-income people the most. Anyone who advocates such policies, including the diversion of highway user fees to rail transit, is letting his ideology get in the way of the facts.

Objectively Selfish

Stephen Cox ("Fruitless Controversies," October) observes that reasoned argument counts for little when opposed by emotion. He also emphasizes the importance of understanding an opponent's argument (even if you don't agree with it and even if you don't immediately see how to refute it). When he cites Rand's argument re: "selfish-

ness," I think he goes astray — she published a response to his objections.

Here is Cox's summary of the issue. "Ayn Rand first suggested that selfishness is a virtue. . . . She meant that you should respect your own individuality, your own capacity for reason, your own ability to make up your mind about what's good for you." So far, so good. "Suppose that someone constantly defers to other people. . . . He may seem 'unselfish,' but isn't he doing what he chooses to do . . . ? Isn't he fundamentally just as 'selfish' as Howard Roark? So it's meaningless for Rand to exhort people to be 'selfish'; we are all selfish, all the time." At this point I assumed that Cox would now point out the fallacy of this attack, but to my surprise he did not. He says "[E]veryone has a self and acts in accordance with its choices. And that's the end of the philosophic story."

Not quite. This philosophical attack relies on the assumption that whatever a person values is, ipso facto, in his self-interest. It assumes that values (and self-interests) are subjective, not objective. If values are objective then it is perfectly possible to subjectively believe in (and act on) values which are not in your objective self-interest. And, of course, Rand argues vehemently for the objectivity of values. When Rand uses the word 'selfish' she is referring to selfishness in the objective sense. Hence a man may truly act 'selfishly' or 'unselfishly' by Rand's reasoning.

The basic issue, which Cox raises only implicitly, is the objectivity of values. And that's where all the meat is.

Wendl Thomis
Acton, Mass.

Precious Metals

Alan Ebenstein ("His Mark on the World," August) says that Friedman "put forward the view that inflation is always and everywhere a monetary phenomenon . . . " But if I read economic history correctly, it depends upon what the meaning of inflation is. A great number of treatises indicate inflation is not always a monetary phenomenon.

Inflation exists only when politicians manipulate the currency. "Economist whores" have put forth their ideas on how to manage the money systems because they are telling their political "masters and compatriots" what they want to hear.

Under Friedman's policies, as expressed by Ebenstein, one should expect continuously rising price levels (which are not my definition of inflation).

However, he seems to ignore what I consider to be one of the most important features and characteristics of a good money system: good money is an excellent long-term store of wealth.

Ideally, a little old lady in Ottumwa could put away in safekeeping a small gold piece that would buy two loaves of good bread and come back 10, 20, 100, or even 500 years later and buy the same amount of bread (or even a little more or a little better bread as production efficiencies and competition increase) with the same small gold piece.

Under Friedman's (and all the other monetarists') systems, the little old lady would have to continuously "game the system" in order to preserve the "purchasing power" of her money.

True money can only be the accurate weight of a long-lasting metal (gold, platinum, silver, etc.) of specified purity that is used as a reference (or standard, if you wish to call it that) for the possible issuance of notes and electronic data-entries by individuals, banks, governments (and other thieves).

Otherwise we have so-called fiat money that is not really money at all, but the gullible belief by billions of poor souls that their governments would not take advantage of them. This allows those "in the know" to enrich themselves, over time, at the tragic expense of those who are not "in the know."

Fiat money systems are mirages. Dr. Friedman does not seem to understand or admit this.

But who cares? "In the long run we are all dead!"

David Michael Myers
Martinsburg, W.Va.

Letters to the Editor

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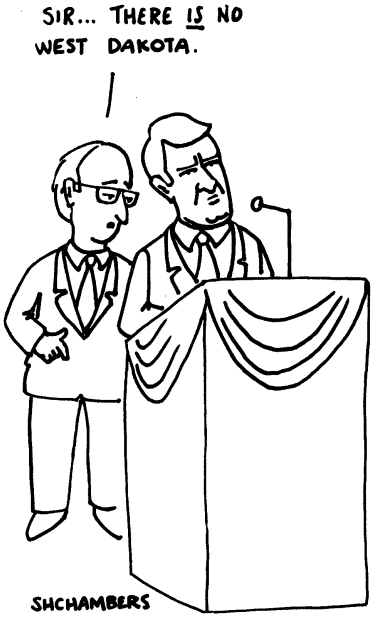
Reflections

Everything's bigger in Texas — George W. Bush increased total inflation-adjusted discretionary spending during his first term by 35.8%, or almost 8% a year. That's more than any recent president. Even with the Great Society and the Vietnam War, Lyndon Johnson only managed 33.4% over four years. Tell me again: why are conservatives supposed to be so loyal to this guy? — Alan W. Bock

Notion building — "If we don't stop extending our troops all around the world and nation building missions," he said, "then we're going to have a serious problem coming down the road, and I'm going to prevent that." He said he "would be very careful about using our troops as nation builders. I believe the role of the military is to fight and win war and therefore prevent war from happening in the first place." That's a little tangled, but you see where he was going with it.

"He," of course, is George W. Bush in the 2000 presidential debates.

I don't think this isolationist policy is good for America. I think President Bush should consider a little nation building. Maybe we should even get involved in a war someplace. — Patrick Quealy



When life gives you lemons, seek federal aid — With the projected price of federal relief to the Gulf Coast increasing to over $400,000 for every man, woman, and child who formerly lived in New Orleans — a sum that would enable a family of four to build a ducal palace virtually anywhere in America, including most of New Orleans itself — I am less likely than ever to send my charitable dollars in that direction. And I haven't talked with anyone, left, right, or center, who doesn't feel the same way. "Next time my basement floods, I can be a victim too." That sarcastic remark is on nearly everyone's lips. Yet stores and factories and websites are still full of donation boxes for the "victims of Katrina."

Well, I guess there's a sucker born every minute. And there are usually enough busy-bodies around to fill the donation boxes for almost any cause, so long as it's not the cause of prudence, individual responsibility, or the usefulness of insurance policies. But the sight of senators and congressmen, Democrats and Republicans, from northern as well as southern states, protesting against the outrage of the administration's refusal to do more for the "Katrina sufferers" — that sight still has the power to astonish. Virtually everyone wants the administration to do *less*. At first I wondered, Why can't our representatives pander to that desire, as they pander to everything else? Then I had the awful thought: Perhaps they've been sincere all along. — Stephen Cox

Sartorial observation — I've attended two weekend conferences in the last two weeks, first in Philadelphia, where our government began, and then Washington, D.C., where it now resides. Getting to either requires several flights. Everyone's grown accustomed to the routine searches, the casual giving up of property for inspection, the unquestioned removal of articles of clothing, that accompanies flying in George Bush's America.

I look carefully at the TSA bureaucrats who run the searches, and I study their uniforms, and I wonder: shouldn't they be wearing red coats? — Ross Levatter

They're coming for your site — Think of the Internet as a frontier; better yet, as a homestead. In order to get a plot, a prospective homesteader must register the "address" he wants and then indicate his continued interest in the plot by re-registering each year. As with physical homesteads, the plot is "free": the expense comes in getting to the territory (having the necessary hardware: computer, modem, etc.) and improving the territory (software: web design programs, graphics programs, etc.). The only expense for the plot itself is the registration fee, which ensures our homesteader that his address is unique — when he gets to his territory, he won't find any competing claimants on it. Add in some general stores, some squatters, and some neighbors to trade with, and the landscape is complete.

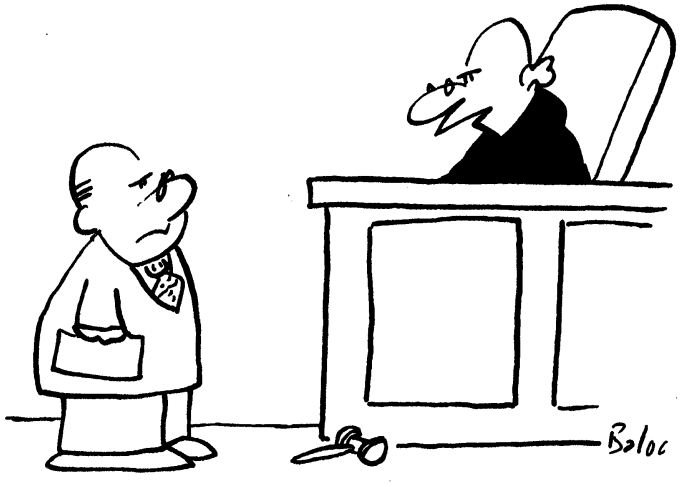
The part of the Homestead Board is here played by the Internet Corporation for Assigned Names and Numbers (ICANN), an American non-profit group. ICANN issues each unique address in two forms: one easier for computers to use (192.0.34.65); one easier for humans (icann.org). ICANN also administers the Top-Level Domains, like the .org above, or the ubiquitous .com — and, more contentiously, the country codes, like .ca for Canada. Collectively, these tasks are known as Domain Name Service, or DNS.

The United States doesn't own the Internet. No one does. But the U.S. does have some amount of control over it, and the restraint our country has shown in its DNS administration is remarkable. We have not used it as a political weapon (deleting, say, North Korea's .kp country code). We have not tried to tax other countries for allowing them Internet access (though the UN has, as yet another way to finance corrupt dictators).

Now the UN, and model states like North Korea, want DNS out of American hands, preferring control by a UN Subcommittee of Something-or-Other. To show how serious they are, they're deploying their favorite slogans, speaking of "American online hegemony" and "the imperialistic Internet."

What would happen if the UN gained control of DNS? A look at French policy is instructive — and bear in mind that I'm not using as my example a repressive regime. France has no First Amendment: speech is protected, except when it's not. Nazi paraphernalia falls in the "not" category; it can't be worn, displayed, or shown in France. A few months ago, the French government decided to ban from French webspace (any site hosted in France, or with the .fr country code) any websites selling or discussing Nazi gear, and also to ban any links to such sites. The homesteaders whose Internet plots were thus taken either closed down, or moved to U.S. webspace to take advantage of First Amendment guarantees. With DNS in American hands, that's the end of it. With DNS in UN hands, France could lobby the committee to vote that speech completely off the Internet, by cutting off any country that tolerated such websites. Once the Internet is turned into a political weapon — and the first instance will be for a Good Cause, like banning Nazi propaganda — it's not going to be used for surgical strikes. It'll be used as a blunt object, a stick to belabor those out of step with UN policy. So a country refuses to cough up foreign aid, or sign the Kyoto Treaty? No problem, cut their country off the Internet.

All this is set to explode at the upcoming World Summit on the Information Society in Tunisia (a country that has eagerly silenced online dissidents). The preparations for the summit have resembled a game of chicken, with various world reps threatening to "vote themselves power over the Internet," and the U.S. refusing to hear any proposal that would mean ceding DNS control. It is difficult to see how this will end, but easy to imagine the worst case: countries creating their own "Internets" and fragmenting the DNS, which would in effect boot millions of Internet homesteaders off their plots and turn them into refugees. And we all know how well the UN handles refugees. — Andrew Ferguson



"Dropping a gavel is *not* a reversible error!"

The Japanese Diet: cut taxes and sell the post office — Historically, you know, we have a couple of grievances with the Japanese. First, healed over like an old wound, are the events of December 7, 1941. In the usual American tradition, we won that war but lost the peace. Next was the Great Scare of the 1980s, when armies of U.S. economists, with teary eyes and downcast faces, predicted the mortal wounding of the U.S. economy. The Japanese system — a partnership of government and business — would flourish. They'd steal our jobs. It was the '80s version of outsourcing. You'd need a wheelbarrow of U.S. greenbacks to buy ten yen. Japanese conglomerates, partnering with banks, would eat us up like tuna sushi; the Tokyo Stock Exchange backed by big government was the golden brick road to wealth. The economic undertakers, leaning on their shovels, predicted our demise. Thankfully, we rejected the Japanese model and stuck with our halfway capitalistic system.

But now that the Liberal Democratic Party, led by Junichiro Koizumi, has scored a landslide victory, they too are rejecting old models. They plan to begin their reign with an innovation that should challenge American politicians: they intend to privatize their post office!

Handing over ownership from the Japanese government to shareholders will take about twelve years. The Japanese Postal Service is more than a vanilla Post Office. It's a bank. A huge one with US$3 trillion in assets and 270,000 employees. The bill to accomplish this immaculate transmogrification passed the lower house of the Diet months ago and seemed destined to become law, but the Upper House rejected it — provoking the new elections and a mandate for Koizumi. The objective of the new government is to downsize itself; take those 3 trillion dollars, and invest them for consumers.

Hmmm, sounds like our social security discussions, does it not? And, in the meantime, our postal monopoly rumbles on. — Ted Roberts

The fox guarding the greenhouse — I've had a problem with Disney's political correctness for some time now. Screenwriters have gone out of their way to rewrite classical stories to suit the leftist political agenda. For instance, Disney's "Little Mermaid," based on a Hans Christian Andersen fairy tale of the same name, had the ending entirely changed. In the original story, the mermaid falls in love with a human against her father's wishes, and ultimately meets her demise as justice for her disobedience. In the movie, dad realizes he was wrong to be bigoted against humans, and welcomes a fish-eater into the family.

A new Disney movie takes on the fable of Chicken Little. For those of you whose memory of children's stories might be lacking: an acorn falls on Chicken Little's head, and he thinks the sky is falling. He immediately rushes over to tell Henny

Penny, Goosey Loosey, Ducky Lucky and Turkey Lurkey. A panic ensues, and it is decided that only the king can save them from certain doom. Foxy Loxy overhears the hysteria, and tells them he can get them an audience with the king. He lures them into his den, claiming it is the back door to the King's palace. There in the dark, Foxy Loxy chops off their heads, cleans and plucks them, and hangs them up for sale on his poultry cart.

It really is a good fable, which warns against the dangers of hysteria, and how mass panic and a request for a government solution can be used against you. I see a great parallel between Chicken Little, and those who claim that signing the Kyoto Accords is the only way we can save the earth. The Foxy Loxys of today are the socialists, eagerly rubbing their hands, knowing that government environmental regulation will keep them eating poultry for a very long time. Imagine my dismay, watching the trailers for the upcoming Chicken Little movie. It turns out that in the Disney version, Chicken Little is a brainy little nerd whom everyone dismisses as overreactive. In this version of the story, the sky is actually falling, and only Chicken Little is smart enough to recognize it. Rather than starting a panic, he enlists a brave group of outcasts who fight together and save the earth.

Once again the parallels to the environmental movement are obvious, although this version has been written by someone sympathetic to the movement. It is a version spawned of the American Cultural Revolution, where the wisdom of the ages has been rewritten to comply with the youthful fad of the moment. — Tim Slagle

Fiscal note — As the federal deficit rises, the U.S. government borrows more and more money from China, a nominally Communist country, to carry on a war to make the world safe for democracy. The mind boggles. — Alan W. Bock

Innocent until photographed — Most lawsuits against state agencies are frivolous or exploitative; but when I heard that the Chicago police are posting mug shots of men arrested (but not convicted) for soliciting female prostitutes, I'd make an exception. The crime here is misrepresenting someone not proven guilty. The cost is the resulting loss of standing and income, especially for those later found innocent. For these infractions the state should pay dearly for the sins of its delinquent agents.

Incidentally, since websites are cheap, those arrested might consider posting mug shots of cops arresting them, as well as their superiors, under the old American principle that turnabout is exquisitely fair play. When I taught three decades ago at CUNY's John Jay College of Criminal Justice, most of whose students then were involved in law enforcement, my student cops told me that colleagues boasting of two kinds of arrests — marijuana use and prostitution — were really goofoffs. Spread that truth, and sue them blue, until police desist from such disgusting activity.

— Richard Kostelanetz

Got a license for that baster? — In the October 2004 Liberty, I suggested, in a reflection that was supposed to be satirical, that state governments ought to implement sex licenses. As one must have a driver's license to operate a motor vehicle, one would need a sex license to legally get it on.

Indiana state Senator Patricia Miller recently took strong first steps toward making this happen in her state. She proposed changing state law so that "before intended parents may commence assisted reproduction, the intended parents shall obtain an assessment from a licensed child placing agency in the intended parents' state of residence."

The assessment was to include, among many other things, "a description of individual participation in faith-based or church activities." Also part of the assessment was — I swear I am not making this up — "intended parents' purpose for the assisted reproduction." In case, I suppose, you're only using that turkey baster for fun and not for godly procreation.

When the would-be parents finally made it through the red tape, the placement agency would "issue a certificate that the intended parents . . . are ready to commence assisted reproduction." Commence assisted reproduction? What is this, pillow talk with Data from Star Trek?

But the, ah, climax of the text is this: "An intended parent who knowingly or intentionally participates in an artificial reproduction procedure without establishing parentage [as this law requires] . . . commits unauthorized artificial reproduction."

Unauthorized reproduction. Reproducing without a license.

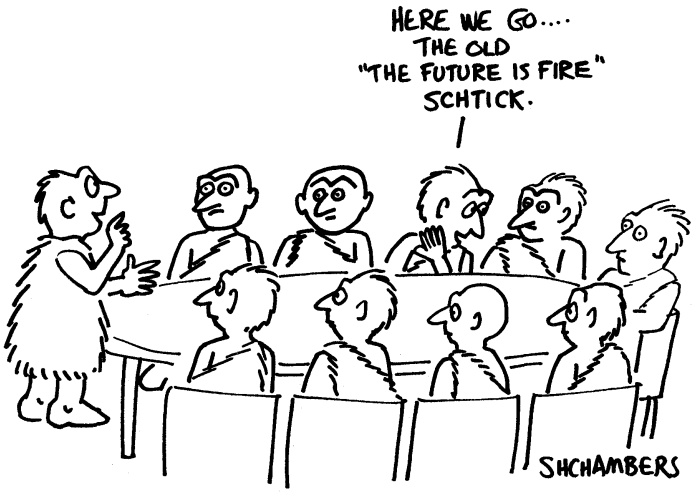
Predictably, the senator withdrew the proposed legislation shortly after bloggers got hold of it and had a field day. "The issue has become more complex than anticipated and will be withdrawn from consideration by the Health Finance Commission," she explained. It's easy to dismiss this as a crazy right-wing idea that would have been limited to one state, had it passed, and would in any case have been repealed or struck down before long. Maybe. But if a fascist-

friendly U.S. senator like Rick Santorum gets in on the act, what now seems comical could become truly frightening.

— Patrick Quealy

To infinity and beyond — Way back in January 2004, as almost a throwaway line in his State of the Union speech, President Bush proposed returning humans to the moon and eventually to Mars. This grandiose public-works proposal seemed to sink like a stone in the sea of public opinion, and the president has not stressed it since.

Perhaps, however, the constituency he was addressing was not the American people at all, but the brave little band (well, not so little at $16 billion a year, and not all that brave, now that you mention it) at the National Aeronautics and Space Administration. Pummeled by space shuttle failures, the widely acknowledged uselessness of the space station project, and renewed private-sector commercial space-travel efforts, the NASAcrats could at least take refuge in the idea that the president still believed in them.



And so, only 20 months later, a sprint by NASA's recent standards, NASA administrator Michael Griffin has unveiled a $104 billion plan to put Americans on the moon again — in 2018. The money will come from reordering priorities within NASA's existing budget and retiring the ill-conceived shuttle.

The moon program is to be cobbled together from modified existing hardware and a new spacecraft similar to the Apollo command capsule of the original moon program that put a dozen Americans on the moon between 1969 and 1972. A couple of new rockets, based on the 1960s-era Saturn rockets, are supposed to be built.

Perhaps it is commendable that NASA is trying to accomplish something interesting within its existing budget. But throwing together a program premised on modifying existing components and marrying them to some new hardware sounds like a formula for integration problems that will inevitably mean delays and cost overruns.

Will anybody — beyond Lockheed and Northrop Grumman/Boeing, which will compete for contracts — benefit from this program?

The desire to explore the heavens is an enduring human aspiration. But having the government dominate the project assures that it will be slow, expensive, and not especially innovative.

Last October, Burt Rutan of Scaled Composites in Mojave, Calif. showed us the likely future of space travel. SpaceShipOne, which cost about $25 million from the first scratches on a drawing board to successful flights, slipped out of the earth's atmosphere twice within a couple of weeks and returned successfully. Virgin Atlantic chairman Richard Branson immediately announced he was placing an order for several larger spaceships, and Rutan has practically had to fight off investors eager to put money into the next phase of commercial space travel. A Las Vegas hotelier has announced a plan to build a space hotel.

To be sure, those spaceships, and others being developed by other private companies, are not designed to go to the moon — not yet. But they will gradually bring the cost of venturing into space down, open up avenues of imagination that will lead to further developments, and provide a steady stream of income to finance future developments, at no cost to taxpayers.

What a concept! Let those who are really interested in space travel pay for it rather than seizing money from all taxpayers (some of whom are hardly enthusiastic) and building bloated bureaucracies that design blundering behemoths.

— Alan W. Bock

Real anarchists don't support the state — I ventured over to Seattle for a concert by a Japanese band called Acid Mothers Temple. Now, the fact that a Japanese band can come over and play a rock concert for an American audience is itself a sign of the astonishing success of globalization. Even more astonishing, considering America's penchant for telling other countries how to handle narcotics, is that Acid Mothers Temple has been touring our country for a decade and never had visa problems until this tour. But this time some State Department pinhead made a "Foreigners + Drugs = Terrorists" calculation, and the band had to wait an extra week to enter the States.

After the first song, lead guitarist Kawabata Matoko talked about the visa problem in broken but affable English. Though the words were a bit muddled, the moral was clear: government keeps things from getting done. Clear, that is, except to Seattle concert-goers: "Fuck Bush!" one yelled.

Kawabata seemed to think that his English was to blame, and tried again with admirable bluntness: "No, no, we hate all governments."

Confusion swept over the crowd. *All* governments? How can anyone hate *all* governments? (Remember, these are people who say "anarchist" when they mean "anti-corporate.") Fortunately, a quick wit saved the day: "Hate this one more!"

Kawabata opened his mouth, closed it, and launched into a furious guitar solo; the rest of Acid Mothers Temple picked

up the groove and the second song began. I don't know exactly what thoughts he buried in that distorted fuzzbox wail, but I've got my suspicions. — Andrew Ferguson

Party of missing teeth — According to a report from the American Dental Association, consumption of bottled water has led to an increase in tooth decay over the past ten years. Bottled water does not contain fluoride, an additive used to prevent tooth decay, which has been poured into municipal water supplies since 1945.

Modern people are so unaccustomed to things like polio and tooth decay, they forget that vaccinations and fluoride were given to children for reasons other than enhancing the profits of drug makers.

Today Democrats are rallying against fluoridated water and childhood vaccinations. What used to be the party of science and rational thinking, and the political home of the intelligentsia, is now dominated by lunatics, paranoids, and conspiracy buffs. — Tim Slagle

Pork on the bayou — The two hurricanes that lashed Louisiana and parts of Texas caused misery . . . and an outpouring of generosity and tangible help from people all over the country. There is little question that most of what has been destroyed will be rebuilt, including New Orleans — which leaves the questions of who will do the rebuilding and who will pay for it.

The Louisiana congressional delegation has announced a proposal that is breathtaking in its scope and audacity. Republican Sen. David Vitter and Democrat Sen. Mary Landrieu have introduced a $250 billion Hurricane Katrina Disaster Relief and Economic Recovery Act.

The Vitter-Landrieu proposal includes a $40 billion request for the Army Corps of Engineers — ten times the Corps' current budget for the entire nation. The Corps has estimated it can upgrade New Orleans' levee system to withstand a Category 5 hurricane for about $2.5 billion. But Louisiana's politicians, sensing opportunity in a time of crisis, want much more than that. Try $8 million for alligator farms, $35 million for seafood marketing, and $14 *billion* for ecosystem restoration.

This proposal might be just an opening bid, prior to negotiations that would reduce it to less outlandish proportions. But don't count on much restraint. President Bush, stung by criticism that the response to Katrina was slow, seems determined to compensate by opening the money spigot.

Despite murmurs from Republican backbenchers, who have proposed to offset hurricane relief spending with $102 billion in reduced spending in other parts of the federal budget, the Republican leadership seems wedded to the idea of spending the Gulf Coast into prosperity, with the bills covered by taxpayers all around the country.

A better approach would be to turn the Gulf Coast into a real Opportunity Zone — suspending regulations and taxes to spur the entrepreneurial spirit and encouraging private ownership over public works. Hurricane relief should come in the form of vouchers to victims so they can purchase construction materials, health care, and other services in a competitive market.

Private and personal charity outperformed government in the initial response. The private market would do better at rebuilding as well. — Alan W. Bock

Illegal, evil, necessary — The question of whether the U.S. should countenance torture has no single sensible, moral answer. The closest we can come is to assert that individuals are responsible for their choices and that government is a fearful master.

Consider the standard worst-case hypothetical. The federal government has a guy in custody, and they know for certain that he knows the locations of several nuclear devices terrorists have placed throughout New York City. They will detonate in a few hours and kill millions of people. Should it be legal to use torture to find out from the captive where those devices are located?

I'm not willing to grant my government the authority to use torture, even in those circumstances. Principles only mean something when they're tested at the margins. On the other hand, I wouldn't want the blood of millions on my hands. Given the choice, I imagine I'd personally torture the guy if there were reason to believe it would cause him to disclose the locations of the bombs. I wouldn't care if he died as long as I got the information out of him first, either. And I'd accept responsibility for the consequences. You do what has to be done.

Some things, though not exactly wrong, should never be legal. Some actions, if they are ever proper, cannot in any case be proper when administered by the state. That doesn't mean they are not, under certain circumstances and administered by individuals who accept responsibility for their own actions, the least of several possible evils. — Patrick Quealy

Bread and debit cards — In his 1845 autobiography, Frederick Douglass describes "the most effective means in the hands of the slaveholder in keeping down the spirit of insurrection. Were the slaveholders to abandon this practice," he wrote, "I have no doubt that it would lead to an immediate insurrection among the slaves."

What was this insidious practice that kept the slaves from revolting? Was it the threat of being sold, the practice of separating babies from their mothers, the capriciousness of sell-

ing slaves who tried to escape? No. It was Christmas. "The holidays are part and parcel of the gross fraud, wrong, and inhumanity of slavery," Douglass wrote. "They do not give slaves this time [off] because they would not like to have their work during its continuance, but because they know it would be unsafe to deprive them of it." He describes the levity of the holiday week, when slaves were given their clothing allowance for the year, an extra allotment of food, and enough time and whiskey to get thoroughly drunk. "The object seems to be, to disgust their slaves with freedom, by plunging them into the lowest depths of its dissipation. . . . Thus when the slave asks for virtuous freedom, the cunning slaveholder . . . cheats him with a dose of vicious dissipation, artfully labeled with the name of liberty."

Slavery is no longer legal in this country, but a paternalistic government artfully employs some of the same methods to keep down an insurrection among the poor (regardless of ethnic origin), providing just enough of an allowance in welfare benefits to give its recipients a sour taste of a fraudulent freedom. Forty years of the "Great Society" has not improved the lot of the poor; it has only made it worse. One study reveals that over $6.5 trillion have been spent on welfare programs in the past 40 years, yet millions of Americans live below the poverty line, more than ever before, with poor education, poor skills, and little hope for improvement. The amount spent on one year of incarceration could provide a four-year college education, yet many turn to crime because their skills are simply inadequate for a job that offers a living wage. Clearly, the Great Society has been a great disaster.

Now we are preparing to spend $200 billion in govern-

Word Watch

by Stephen Cox

Isabel Paterson said that she kept a copy of the "Federalist" papers near her desk, just to remind herself of what good writing is like. I sympathize with her. We are all struggling for life in an ocean of terrible prose. Every good sentence is a bit of planking that helps us stay afloat. Every well chosen word is a sign that somewhere in this world there are islands of sanity and beauty.

To show what I mean, here's a passage from the tenth "Federalist" paper, where James Madison is explaining why liberty benefits from a system in which powers are distributed among a central government and a diversity of states. It's just one of a thousand passages that Madison throws off without apparent effort, but it shows what good prose can do:

"The influence of factious leaders may kindle a flame within their particular States, but will be unable to spread a general conflagration through the other States. A religious sect may degenerate into a political faction in a part of the Confederacy; but the variety of sects dispersed over the entire face of it must secure the national councils against any danger from that source. A rage for paper money, for an abolition of debts, for an equal division of property, or for any other improper or wicked project, will be less apt to pervade the whole body of the Union than a particular member of it; in the same proportion as such a malady is more likely to taint a particular county or district, than an entire State. In the extent and proper structure of the Union, therefore, we behold a republican remedy for the diseases most incident to republican government."

What first won my heart about this passage was Madison's choice of the word "degenerate."

Madison's sentences tend to be long, much longer than most readers of today will tolerate, but they have an economy that is always instructive. Every word bears its weight — often, a double weight of meaning. "Degenerate" is an example. All that Madison really needs to say is that a religious sect may *change* into a political party, and that's what a lesser writer would have said. But Madison wants to say something more. He wants to say that it's *wrong* for churches to change in that way. "Degenerate" is the perfect word for that. Madison doesn't want to get stuck with discussing the separation of church and state. That's not what this particular essay is about. So he tucks his opinion into that one word; he expresses his idea as strongly as "degenerate" can do; then he moves on, having accomplished his purpose.

Now take a look at "wicked." That word fulfills approximately the same function as "degenerate," but it goes still farther. "Improper" has already appeared, and that would be enough, if Madison just wanted to indicate that in his opinion there's something wrong about printing a lot of paper money, using the law to relieve "poor people" of their financial obligations, or creating "equality" by seizing "rich" people's property — in other words, doing the things that most people in the 21st century believe that government was especially designed to do.

But Madison wants to comment on something more fundamental. He wants to criticize the relativism that afflicted politics even in the 18th century. That's why he adds "wicked" to "improper." In the 18th century, "improper" was about as emphatic as that ubiquitous modern word "inappropriate." It meant, "Well, that's not the best thing to do, but it doesn't make you a bad person." To correct this impression, Madison raises the ante with "wicked." Yes, printing paper money does make you a bad person.

Madison doesn't want to lecture you like a ranting puritan. So he slips "wicked" into the middle of his long and complex sentence and, again, moves on, implying his confidence that you're smart enough to agree with him. But to make sure you do, he creates a pattern of poetic imagery that identifies bad politics not only as morally wrong ("wicked") but also as unhealthy, lethal to the body politic. It's a "malady" that can "taint" society and, if you're not careful, even "pervade the whole body" with "disease."

The "disease" metaphor makes no concessions to the hypothesis that you can reason with political wickedness, con-

ment money to rebuild the southern coast. Like Santa Claus, government leaders are getting the credit, but the money is coming from you and me. Already the government has followed Douglass' model for keeping down an insurrection: when victims of the hurricane and flood complained of how the government mishandled the evacuation, they were handed debit cards worth $2,000 — just enough to avoid an immediate insurrection. The money was intended to buy temporary housing, food, clothing and other necessities, and I'm sure that many, if not most, spent the money carefully. But charges are appearing on these debit cards for everything from lap dances to Louis Vuitton handbags — and that's only the L's. The point is that throwing money at a problem will not make it go away. Money should be combined with community support, education, and job training.

The existence of emergency-relief agencies, funded by taxes, creates an implied contract between the government and its residents to take care of them. Like it or not (for those of us who believe in free-market solutions), the government failed to honor its contract. Don't impute to me a racism that does not appear in this article — the government failed in its contract with the poor and elderly who are white, as much as it did with the poor and elderly who are minorities. What I am saying is this: why does this surprise anyone? Government inherently fails to deliver. It has unchecked powers to tax, unlimited appetites to spend, and unnumbered hands stretched out to pocket money in between. It destroys the incentive to work and the incentive to be grateful. It provides just enough to keep a person alive, but not enough to give a person dignity.

vincing it to become less wicked. It argues that the most you can do is contain it, keep it from taking over the whole government. And that's what the Constitution is designed to do — contain the wickedness.

Such is Madison's argument throughout the "Federalist" papers. One sign of good prose, however, is its ability to do its job, not only in general terms or by the time you read to the last sentence but specifically and at every moment of its being. It is no accident that Madison calls movements he doesn't like "a rage" for this and that. To substitute, as a modern politician would inevitably do, some neutral word like "proposals" or "support" or "a groundswell of public opinion" would deprive his sentence of vitality. It would offer no clear image, no self-expressive phrase. As always, Madison isn't just stating his views; he's also projecting his vision, his way of *seeing* what he writes about.

Madison's sentences aren't really as complicated as they usually seem to modern readers. Only in comparison with the journalistic style that came in with television and the Truman administration does his prose appear intolerably complex. Modern political writers have fewer resources than he enjoyed: he could write a simple sentence, but they are prohibited from writing a complicated one. And even in the brevity department, Madison comes out the winner, once you start thinking about length in relation to meaning and interest.

Compare the sentences I quoted from the "Federalist" with any passage of recent political prose. Total the number of excess or useless words in each. How many do you find in Madison? How many in the contemporary passage? Here is a sequence of sentences, chosen virtually at random from President Clinton's second inaugural address, which is not a bad speech as such speeches go. Clinton is discussing racial and religious hatred:

"These obsessions cripple both those who hate and, of course, those who are hated, robbing both of what they might become. We cannot, we will not, succumb to the dark impulses that lurk in the far regions of the soul everywhere. We shall overcome them. And we shall replace them with the generous spirit of a people who feel at home with one another. Our rich texture of racial, religious and political diversity will be a Godsend in the 21st century. Great rewards will come to those who can live together, learn together, work together, forge new ties that bind together."

What would you leave out of that passage?

I'd start with "of course," a nervous phrase that insists (unlike Madison's prose, which assumes) that the reader will agree with the hazardous point being argued. Then there are the nagging, pseudo-sonorous repetitions involved in "we cannot, we will not," "we shall overcome . . . we shall replace," and "learn together, work together, forge . . . together," all of which are logically included in the preceding "live together." Clinton alludes to earlier writing — "We Shall Overcome," the anthem of the civil rights movement, and "Blest Be the Tie that Binds," the deservedly popular Christian hymn — but neither of his allusions pulls any particular weight, because he does nothing with them. They look like pandering, and they are. You see nothing like that in Madison.

"Godsend"? That's just a way of saying that something is good. And does Clinton mean to imply that diversity, which "will be a Godsend in the 21st century," is not a "Godsend" now? He mentions "political diversity" — a friendly gesture toward the majority of voters, who cast their ballots against him. But how do we know he means it? What's the intellectual basis of this diversity talk? No one can say. It may as well be omitted.

Madison raises the ante with "wicked." Yes, printing paper money does make you a bad person.

Then there's the imagery suggested by the words "succumb to the dark impulses that lurk in the far regions of the soul everywhere." I call this "imagery," but you might dispute the term. Try to picture these dark impulses lurking in the "far" regions of the soul. I can't. What is "far" about the soul, especially when the impulses in question are also "everywhere"? In any event, "far" and "dark" are hardly equivalent in effect to the "disease" imagery of Madison. I would rather have a far region in my soul than be raging with a mania for paper money.

Clinton's words, apparently so simple, are far too complicated for what he's saying. Now look at Madison's passage. Which words would you eliminate? Which words aren't doing the job? The answer, I believe, is "None."

Douglass concluded his treatise on the evil nature of benevolent holidays by saying, "When the holidays ended, we staggered up from the filth of our wallowing, took a deep breath, and marched to the field, feeling . . . rather glad to go, from what our masters had deceived us into a belief was freedom, back to the arms of slavery."

Let us hope that the victims of Hurricane Katrina do not march back into the filth of the welfare system. We should recognize that the real heroes of the past few months have been the private corporations and churches and the semi-private relief organizations who were on the spot immediately, assessing damage, handing out food, bandaging the wounded, providing housing, and giving millions and millions of dollars of their own free will and choice. Even more money could be given by private citizens if they weren't already spending staggering percentages of their paychecks on taxes for agencies that will always drop the ball and then scurry around trying to pick it up again before anyone notices. Compare that to the Red Cross, Salvation Army, Wal-Mart, celebrity fundraisers, and countless church and civic organizations, including neighborhood kids sponsoring lemonade stands. Government has had 40 years to produce a Great Society; let's give the free market a fair chance to find solutions. — Jo Ann Skousen

Wish in one hand, Shiite in the other — Even if it provides a talking point for war-whoopers, I'm hoping the vote on a draft Iraqi constitution begins a process that leads toward something resembling genuine Iraqi self-governance. If it happens, it will be because a sufficient number of Iraqis have decided to make a real try at establishing a government of their own rather than because of the wisdom of the U.S. occupying forces. Although the insurgents have taken to killing more Iraqis lately, the presence of U.S. troops in Iraq is a magnet for both Iraqi and foreign terrorists. So reducing the number of U.S. troops should reduce the ability of the most violent types to attract recruits. No guarantees, of course.

In the couple of weeks before the vote there was some evidence that people in the transitional government are looking for a way to handle the ethnic and religious divides inherent in a country cobbled together by the British after World War I. The National Assembly, dominated by Shiites and Kurds, went from tweaking voting mechanisms designed to weaken Sunni voting power to offering the Sunnis various carrots, including a promise to assemble a committee to tweak the new constitution quickly, to increase their turnout.

Americans who want to see troop reductions should hope this means a new political maturity in Iraq. President Bush is notably stubborn, and seems determined to have some kind of step toward democracy that he can point to before even considering troop reductions. Let the constitutional vote be the first step toward exiting Iraq. — Alan W. Bock

Keep honking, I'm reloading — A flier campaign, sponsored by the Brady Campaign to prevent gun violence, warns Florida tourists that residents can use deadly force, and cautions tourists not to argue with the locals. Although this is obviously intended to pressure Florida's most profitable industry to join the campaign against handguns, there is a good chance that it will have the opposite effect. I suspect that the locals would like it if tourists were a little more polite. After all, isn't the ultimate goal of the concealed-carry advocate to make civilization just a little more civil? — Tim Slagle

The do's and don'ts of torture — The most gratifying development in the nation's capital in weeks, perhaps years, was the 90–9 vote in the Senate to set clear limits on the techniques the U.S. military can use when interrogating detainees in military custody throughout the world. Now it's time for the House to do likewise.

Setting clear standards for handling detainees and prisoners is good for the military and good for the United States. The amendment proposed by Arizona Republican Sen. John McCain, a strong supporter of the war in Iraq, simply bans the use of "cruel, inhumane or degrading

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Do We Need Government?

by David Friedman

Suppose government were confined to activities which it performs better than the private sector. What would be left for it to do?

It is sometime in the 12th century, somewhere in Europe, and I am one of a line of men with spears, on foot, facing another bunch of men — on horseback with spears — moving rapidly in our direction. I make a rapid cost-benefit calculation. If we all stand, we might break their charge. If we run, we die. I should stand.

The mistake I have just made is the word "we." I only control me, and I am only one spearman out of several thousand. If everybody else stands and I run, my running has little effect on whether their charge is stopped — and I won't be one of the men who dies stopping it. If everybody else runs and I stand, I die. So whether the rest of the line is going to run or stand, I should run. Everybody else in the line makes the same calculation. We all run and most of us die.

Welcome to the dark side of rationality.

This is an example of market failure — a situation where each individual correctly chooses the action that best accomplishes his objectives, yet the result is worse, in terms of those same objectives, than if everyone had done something else. More familiar examples include the Prisoner's Dilemma, a situation where each of two criminals is better off confessing even though both would be better off if neither confessed, and air pollution in circumstances where it is in each person's interest to pollute but we would all be better off if none of us did so.

Central to these examples is the fact that my decision provides costs or benefits for other people. In deciding what to do, I take account of the effect on me. I correctly conclude that I am better off running than standing, ignoring the cost my running imposes on my comrades. They correctly conclude that they are better off running, ignoring the cost imposed on me. I gain by my decision but lose more by theirs, and similarly, mutatis mutandis, for them. We each decide correctly and are all worse off as a result.

This is clearly a failure of some sort — but the examples I have given have nothing to do with markets, so why is it called "market failure?" A likely answer is that the concept was developed in the context of neo-classical economics. Economists generally assume that individuals are rational, that they take the actions which best serve their objectives. That suggests that if we simply let each person do what he wants, the outcome should be attractive for everyone, a suggestion that can be converted into a formal proof, an efficiency theorem showing that, under some set of simplifying assumptions, the outcome of individual choice in a market system cannot be improved even by a wise and benevolent central planner.

In economic theory, market failure provides the exception to that conclusion — an exception that may arguably swallow the rule. Where one person's acts impose costs or benefits on others that he has no reason to take account of, individual rationality cannot be expected to lead to group rationality, so there are opportunities for a wise and benevolent central planner — perhaps also for a real world government — to intervene in ways that make everyone better off. So economists are used to viewing the various forms of

market failure they have analyzed — the public good problem, externalities, adverse selection — as reasons why free markets sometimes fail, hence arguments for government intervention.

They are half right. Market failure is a reason why free markets sometimes fail. But it is also a reason why the alternatives to free markets, the political mechanisms proposed for correcting those failures, fail. In order for government intervention to improve on the market outcome, it is not enough that there is something government could do that would give a better outcome. There must also be a reason to expect government to do it. Putting the point in the language of economics, the incentives of the relevant political actors have to be such that it is in their interest to act in ways that result in the improved outcome.

For government intervention to improve the outcome, it is not enough that there is something government could do that would give a better outcome. There must also be a reason to expect government to do it.

To see why this is unlikely, consider the simplest argument for why democracy works — what I like to think of as the civics-class model. In that model, politicians act in the voters' interest because if they do not the voters will vote them out at the next election.

The problem lies in the incentives not of the politicians but of the voters. In order to punish politicians for doing bad things, voters have to know that they are doing them. Politicians rarely run as bad guys or introduce bills to Congress entitled "A Program to Make Farmers Richer and City Folk Poorer." In order to figure out both what a politician is doing and whether he should be doing it, the voter must spend substantial amounts of time and effort studying the issues and the politician's voting behavior. In doing so, he is producing a public good — better laws — for a very large public; he himself collects only a tiny fraction of any benefit. Seen from the other side, he is bearing a large cost for a trivial gain — an increase of perhaps one chance in a million in the probability that the right politician will get elected. Spearmen facing that logic run, firms pollute, and voters remain ignorant — rationally ignorant. So far as achieving their objectives is concerned, since they know their vote has almost no effect on the outcome, it makes more sense to choose how they vote on other grounds — which candidate is more handsome, more articulate, more popular with their friends and neighbors. That fits my observations of how voters behave. When I ask my students if they know the name of their congressmen, about half of them say they do. It is hard to keep track of what a politician is doing if you don't know his name.

As a second example, consider a less idealistic theory for why democratic government might work. A congressman proposes a bill that will benefit some interest groups and harm others. People on both sides of the issue offer campaign contributions, illegal bribes, endorsements, and other goods and services of value to politicians in exchange for voting their way. The amount they are willing to spend getting their way depends on how important it is to them. If the gainers gain more than the losers lose, the gainers are willing to spend more, lobby harder, with the result that the bill passes — and should.

This argument too runs into the public good problem. How much an interest group is willing to spend to get its way depends on how important the issue is to that group, but that is not all it depends on. From the standpoint of the members of an interest group, contributing to the group's political efforts is the production of a public good — where the public is not the whole population but the members of the interest group. If the auto industry gets a tariff passed all the firms will benefit, not just the ones that contributed to the campaign funds of the politicians who passed it. If opponents block the tariff, all consumers of autos will benefit, not just the ones who contributed to the campaign against the tariff.

One of the things public good theory tells us is that it is harder to produce a public good for a very large public than for a very small public. A concentrated interest group — the auto interest group, say, which consists mostly of a handful of firms, one large union, and a few Michigan politicians — can raise a substantial fraction of the value to its members of legislation they support in order to support the legislation. But consider a dispersed interest group such as those injured by auto tariffs, mostly consumers of autos and producers of export goods. It is a large and very dispersed group — lots of people, each of whom loses only a little. Each individual member has little incentive to spend his time and effort opposing the tariff, when the result will be a

tiny reduction in the probability that the tariff will pass — a benefit received mostly by the other members of the group.

Two conclusions follow, both confirmed by real world experience. The first is that tariffs will get passed, even though they do net damage — hurt the losers by more than they help the winners. The second is that the opposition to tariffs will come not from those who bear most of the loss but from those who bear a concentrated loss — not auto consumers and export producers, but foreign car dealers.

Generalizing these examples to the more general political market, we conclude that there is no reason to expect individual rationality in that market to lead to group rationality. In private markets, most of the time, an individual who makes a decision bears most, although not all, of the resulting costs, and receives most of the resulting benefits. In political markets that is rarely true. So we should expect that the market failure that results from A taking an action most of whose costs or benefits are born by B, C, and D should be the exception in the private market, the rule in the political market. It follows that shifting control over human activities from the private market to the political market is likely to increase the problems associated with market failure, not decrease them.

Private Solutions in the Small — Working Around Market Failure

A market failure is also a profit opportunity. If the result of individuals acting rationally in their own interest is to make them worse off than if they acted in some other way, it follows that an entrepreneur who could somehow move them to the better outcome would produce a net benefit — some of which, with luck, he could pocket. Hence in a market society there is an incentive for private parties to find ways around the inefficiencies caused by market failure.

Consider one example of the public good problem — radio and television broadcasts. By producing and broadcasting an entertaining program, I provide a benefit to everyone who listens to it. Since I cannot control who listens to it I cannot, as in the case of ordinary production, collect my share of that benefit by charging for it. The public in question is a large and disorganized one so it is clear, on theoretical grounds, that programs cannot be privately produced.

The voter is bearing a large cost for a trivial gain — an increase of perhaps one chance in a million in the probability that the right politician will get elected.

Yet they are. Some clever person thought up the idea of combining a public good with positive production cost and positive value with a public good of negative cost and negative value and giving away the package — a program plus advertisements. As long as the net value is greater than zero and the net cost less than zero, people listen to the program and the broadcaster covers his costs.

There are a lot of other ways in which such problems get solved — imperfectly but adequately. Consider any case in which two firms interact in such a way that decisions of one have large costs and benefits for the other, of a sort not easily controlled by contract. One way of internalizing the externalities is for the firms to merge. Indeed, one way of looking at the theory of the firm is to consider the size of the firm as a balance between the advantages of getting mutually related activities within a single organization with a single bottom line and the disadvantages of organizational diseconomies of scale — too many layers of administration between the president and the factory floor.

Shifting control over human activities from the private market to the political market is likely to increase the problems associated with market failure, not decrease them.

For a final example out of many I might give, consider the problem of producing ideas and information. One solution is intellectual property law, but that solution is difficult to apply in areas such as basic research or business methods where defining just what is owned and who is infringing can become a very difficult problem. It is hard to imagine how a patent on the laws of physics or the idea of the supermarket could be defined and enforced. In the context of software, an additional problem is enforcement cost. When any individual customer can copy a four hundred dollar program onto a one dollar CD-R and pass it on to a friend, it becomes hard for the producer of the program to enforce his copyright.

Solutions to this problem in the context of basic research are discussed at some length by Terence Kealey. Knowledge of current cutting edge research — Kealey's field is biology — is of considerable value, and it is not the sort of knowledge easily summed up in a one-page memo. In practice, the knowledge is largely restricted to the people doing the research, both because they are the ones who can understand each other's work and because they are the ones that the other researchers want to talk to. That makes such researchers valuable employees and consultants for firms and universities. While the researchers are unlikely to internalize the entire value of the information they produce, they may internalize enough so that the resulting income, along with nonpecuniary rewards of their work, make their research worth doing. Kealey's conclusion, looking at several different fields where government subsidies went from near zero to very substantial, was that there was no observable effect on the rate of progress in the field. One might interpret that as evidence that the cost of misallocation of resources through the political mechanism — diverting

smart people into whatever field looked good in the popular imagination at the moment — at least balanced the benefit of the additional money.

A similar pattern of incentives can be observed in the case of open source software and has been discussed at some length by Eric Raymond. Programmers claim no rights over others' use of the code they contribute — the one restriction is that any program derived from an open source program must itself be open source. Why then is it in the interest of programmers to spend their time and effort contributing to an open source project?

Part of the answer is nonpecuniary returns — status from doing work that others use and know is yours, satisfaction from helping to produce something worth producing. Part of it, as in the case of scientific research, is the real benefit to the programmer of being part of the relevant community. A contributor to an open source project who encounters a problem with the software that he cannot deal with or finds it lacking some feature that he cannot easily add has immediate access to the other contributors, some one of whom may be well positioned to solve the problem — and happy to do favors for someone who is contributing to the project and may next week do a similar favor in return.

That explains how programmers get useful services from their work, but not how they pay their bills. Part of the answer to that is that most programming is not done to be sold but to be used — customized software for a particular firm. By basing its software on open source code, a firm not only saves a lot of programming time, it also provides itself with access to a pool of experienced programmers familiar with the code. That makes familiarity with an open source project and access to the associated community — advantages that programmers contributing to the project already possess — valuable assets for a programmer who wishes to be an employee or consultant of such a firm.

These examples are suggestive, not exhaustive. They do not imply that the problem of market failure does not exist. But they do suggest that the problem can easily be overestimated, owing to the failure to consider the many ways in which ingenious individuals can work around the inefficiencies produced by market failure — and find it in their interest to do so.

When the incentives generated by the political marketplace are sufficiently perverse, illegal market transactions may be the best way of dealing with the problem.

The point applies to the political market as well as private ones. There too, inefficiencies caused by market failure provide opportunities for enterprising individuals to rearrange the outcome and gain by doing so. Arguably that is why government does not work even worse than it does. One relevant mechanism was hinted at by the title of a news story in the Harvard Crimson that I remember from when I was an undergraduate, reporting on a talk by a prominent political scientist: "Banfield Favors Corruption."

The conditions leading to market failure are the rule in political markets, the exception in private markets.

When the incentives generated by the political marketplace are sufficiently perverse, illegal market transactions may be the best way of dealing with the problem.

The argument for favoring private over political markets is not that market failure is always insoluble in one but not in the other. It is that the conditions leading to market failure are the rule in political markets, the exception in private markets.

It is tempting to think that we could get the best of both worlds by permitting the political market to intervene only where the private market fails badly. But someone has to decide what situations fit that criterion — and it is in the political market that the boundaries of political control are set. The range of possible arguments for the existence of market failure is broad enough so that intervention can be justified almost anywhere — if there is enough to be gained by justifying it.

Private Markets In the Large: A World Without Government

Imagine a society without a government to provide law and law enforcement. Individuals wish to protect their rights and settle their disputes, so entrepreneurs create firms to produce those services. Each individual is the customer of a rights enforcement agency that provides him the service of enforcing his legal rights against others. Each pair of such agencies contracts with an arbitration firm, a private court that settles disputes between their customers, and agrees to abide by its decisions.

There is no government over the agencies to force them to abide by their contracts. Instead there is the discipline of repeat dealings. A firm that reneges on its arbitration agreement when the decision goes against it will find other firms unwilling to contract with it for arbitration. Violent conflict is more expensive and risky than arbitration, so a firm that can only enforce its clients' rights by violence is at a severe market disadvantage compared to firms that abide by mutual arbitration agreements. So we can expect an equilibrium in which such agreements are made and followed.

The legal rules and the structure of rights they embody in this society are created not in the political but in the private market. Part of the product that an arbitration firm

sells to the enforcement agencies that are its customers is the set of legal rules it applies in deciding cases.

As in ordinary private markets, the result is a tendency towards an efficient product — in this case, a set of legal rules that maximizes the welfare of the people living under it. To see why, consider first a case where some change in legal rules would, on average, benefit the customers of both agencies. The better the service they provide to their customers, the more willing customers will be to pay for the service, so it is in the interest of both agencies to persuade the arbitration firm to alter its rules accordingly — or if it does not, to shift to one that does. In the case where the change produces benefits for customers of one agency and (smaller) costs for customers of the other, it is still in the interest of both to agree on the change — accompanied by an appropriate side payment from the one agency to the other, or changes in other rules that favor the second firm.

This is one advantage of the institutions I have described over those we are more familiar with. For reasons discussed above, the creation of legal rules in the political market has only a very weak tendency to generate efficient rules, since the efforts that go to supporting or opposing legal changes are proportioned not only to the size of their effects on different interest groups but also to the degree to which each interest group is able to solve its internal public good problem — loosely speaking, to how concentrated or dispersed each interest group is.

A second advantage of private law is that it avoids the public good problem associated with rationally ignorant voting. What determines the legal rules of the private market for law is individual choice — the same mechanism that determines the characteristics of ordinary private goods. The individual consumer who decides that agency A has, on the whole, chosen a better set of legal rules for its customers than agency B is free to switch agencies, just as a consumer is free to decide to buy a different brand of car. He pays the cost of his research — and gets the benefit. We expect rational individuals to be better informed about their market choices than about their political choices — and in this system, law is chosen in the market.

These examples show the difference between failure in the private market and failure in the political market. On the political market each is jointly choosing for all. Externalities and public goods are routine features of that market, private goods exceptions, hence market failure is the norm. The market failures I have just discussed occur naturally in the political market — and are naturally absent in the alternative private market.

Let's consider problems that might be expected to arise with such a system and might outweigh its benefits.

The Stability Problem

In the system I have described, enforcement agencies serve much the same function as police forces in our system. This raises an obvious problem — the risk that a group of such agencies may gain sufficient force to overcome the others and establish a government, perhaps a worse government than we now have.

Such a project faces several difficulties. One is that, if there are many agencies, customers threatened by an agency that wishes to convert them to subjects can hire another to defend them. Such a monopolistic enforcement agency is a cartel, and cartels are hard to maintain if there are many firms and easy entry to the industry. Thus one important issue will be how many agencies there are; the answer will depend upon economies of scale in the rights enforcement industry.

A second difficulty, also faced by a tyrannical government of the more familiar sort, is that governments do not have all of the relevant resources. Individual citizens control themselves and may have access to weapons, communication equipment, reputational and information assets of various sorts, and so some ability to use force in their own defense.

Finally, the practicality of converting a society from market anarchy to tyranny depends on a set of important but hard to define ideological factors. Consider the corresponding change in our society. Currently, military and police forces control most of the weaponry and are not particularly well paid. Why do they not seize power and revise our political system in their favor? Presumably the answer has to do with what sorts of actions they regard as appropriate and expect potential allies and opponents in such a move to regard as appropriate. Similar constraints would exist in the society I have described.

Violent conflict is more expensive and risky than arbitration, so a firm that can only enforce its clients' rights by violence is at a severe market disadvantage.

If a firm with a third of the market can produce a better service at a lower cost than any smaller firm, we will end up with at most three firms — making a cartel agreement in favor of them and against us a likely outcome. If a firm of optimal size serves only one percent of the market, such an outcome is unlikely.

So far as the ordinary business of rights enforcement is concerned, the evidence of existing police forces suggests that economies of scale do not go very far — big city forces do not seem to provide better services at lower cost than smaller forces, although that judgment is complicated by the fact that big cities and small towns differ in lots of ways relevant to the cost of preventing crime. It is also complicated by the fact that most of what we observe are geographical monopolies. It is possible that a firm with 80% of the customers in a given area can outcompete a firm with only 20%, even if police forces in large areas cannot outcompete those in small.

A more interesting complication comes from the fact that the agencies are producing two related products. One

is the enforcement of legal rules. The other, via the arbitration firms, is the set of rules being enforced. I have described how bargaining between agencies would change legal rules in the direction of efficiency but I have left out one important element of the problem. I have ignored the distributional outcome, the background starting point from which the agencies bargain. If the customers of one firm prefer rule A to rule A′ by 1 million dollars

A monopolistic enforcement agency is a cartel, and cartels are hard to maintain if there are many firms and easy entry to the industry.

and those of another prefer A′ to A by 2 million, we expect them to end up with A′ — but does the bargaining involve the second group offering to pay the first more than 1 million to get A′, and having the offer accepted, or the first group offering the second less than 1 million to get A and having the offer refused? Where does the bargaining start?

The pessimistic answer is that the distributional outcome arises from the underlying threat game — the options each party has if bargaining breaks down and conflicts must be settled by violence. If so, we would expect firms to get better results for their customers the better they were at interfirm violence. Economies of scale then depend both on economies in the business of enforcing rights and on economies in the business of threatening other firms with violence — and evidence from current institutions suggests that economies of scale in the latter activity may exist to a considerably larger size than in the former. That brings us to the nightmare scenario that some critics of private law imagine, with the big fish eating the small and private order dissolving into civil war and eventual tyranny.

The optimistic answer is that once a stable system is established the recourse to violence is no longer a credible threat, hence the ability to use violence is no longer an important asset. If two firms get into a mini-war, both lose — because both now have higher costs for producing a lower quality service than all the other firms that are peacefully settling their disagreements by arbitration. The distributional outcome, the background state from which firms bargain, is determined by history not threats — the dead hand of the past providing the Schelling points* of the bargaining game which both parties fall back on if no offer to change the rules can be agreed on. That view is supported by the extraordinary stability of national boundaries, also, presumably, the outcome of a mutual threat game. They do not shift a mile one way or another every time one of the two countries expands its army by a division or launches a new battleship. If this view is correct, it will be economies of scale in police services, not warfare, that determine the equilibrium size and number of rights enforcement firms.

So far I have been discussing the stability of the system against internal threats. Another concern is stability against external threats — the defense of an anarcho-capitalist territory against aggression by adjacent states. Defense against governments is a public good with a large public, hence difficult to provide privately.

Difficult but not necessarily impossible. Providing an open source operating system is also a public good with a large public — yet Linux exists. Tipping cab drivers who do their job well, and so offering incentives for better service, provides a public good for a large public — and it does happen. As these two very different examples suggest, there are a variety of social mechanisms by which it may be possible to provide, at some level, public goods even for quite large publics.

Consider the following model for one way in which a large, modern, stateless society might defend itself — a model variously inspired by open source, Kipling's story, "An Army of a Dream," and the 18th-century militia system underlying the 2nd Amendment to the U.S. Constitution.

At the bottom level we have the militia, made up of a large number of volunteer units of amateur soldiers. For the volunteers, part of the reward is the same sort of fun they used to get from paintball, video games, or mass medieval combat in the Society for Creative Anachronism — a chance to play soldier. Another part is the satisfaction of feeling that they are doing their part in defending their homes, families, and the society they are a part of.

Military units require more than volunteer manpower. In my imaginary future, many of them are financed by firms. What the firms get out of it is good public relations — when the liberty parade goes by, on April 15th of each year, their banner is there, carried by a trimly uniformed

Some stateless societies, such as the Apache, have been militarily formidable despite the lack of a government to fund and coordinate their efforts.

band of their employee-volunteers. Thus the firm demonstrates — as firms today try to demonstrate, sometimes at substantial cost — that it is a good corporate citizen, the sort that one ought to buy from and work for.

What the model so far lacks is organization — 10,000 separate companies of 100 men each do not an army make. To provide that organization we have a small cadre of full-time professional soldiers, funded by charitable donations. In peacetime they organize war games for the militias, define communication standards, recommend weaponry,

* Named for economist Thomas Schelling; also known as *focal points*. See http://en.wikipedia.org/wiki/Schelling_point.

teach tactical doctrine, provide the professional superstructure for an amateur army. In wartime, if there is a wartime, the cadre is the command structure of the army.

Whether such a system could successfully defend its territory depends on a number of factors. One crucial one is the size of the threat relative to the resources of the ungoverned society. If, as we might expect, a stateless society grows faster and so becomes richer than competing states, it may not take a large fraction of its resources to fund an adequate defense — perhaps no more than can be provided in the ways just described. The collapse of the Soviet Union considerably increased the chances that a stateless America could defend itself, since what I have just described, or something similar, should be more than adequate against any plausible threats from either Canada or Mexico.

Another factor is the system of norms and values in the society. Some stateless societies, such as the Apache, have been militarily formidable despite the lack of a government to fund and coordinate their efforts. Others have not.

One advantage to this particular model for defense, like the historical model on which it is based, is that it provides a protection against the threat of internal tyranny. The cadre, like the professional army of the original U.S. system, is too small to seize power. The amateurs who control most of the military force are ordinary citizens widely distributed through the population.

How Well Would it Work?

So far I have been concerned with the stability of a society without government against internal and external threats. Another set of issues arise if we ask how well such a society, presuming it was stable, would work — how nearly the laws it enforced would fit our views of either justice or efficiency.

To a first approximation, the answer is that such a system would generate efficient law, for reasons sketched earlier and discussed in more detail in Friedman (1996, 2), legal rules that maximized the welfare of the people to whom they applied. But in this case as in other private markets, efficiency is only the first approximation, and may be prevented by market failure.

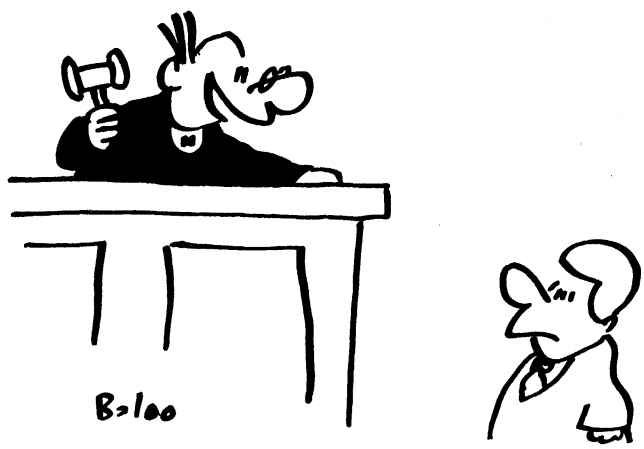
One problem arises when the legal rule applying between A and B has substantial effects on C. Intellectual property law provides one example. By agreeing to respect your copyrights, I increase the incentive for you to write books or create computer programs. One consequence is that there are more books and programs available to be pirated without payment by people who, via their enforcement firm and arbitration agency, have not agreed to respect copyright. My incentive to agree to respect your intellectual property rights understates the real benefit from my doing so. It follows that I will sometimes fail to so agree even when doing so would produce net benefits. We can expect, in a world of privately produced law, a less than optimal level of protection for intellectual property. Similar arguments imply a less than optimal legal protection against pollution. Another form of the same problem might be associated with the deterrence of crime. By paying my protection firm to make strenuous efforts to apprehend and punish those who violate my rights I make crime less profitable — and the reduction in the number of criminals may benefit you as well.

In this case, however, the result is ambiguous. It is in my interest to not merely pay for protection, but make sure that potential aggressors know I have done so — to identify myself and my property as protected. We observe such efforts today — "All shoplifters will be prosecuted" signs in department stores, "These premises protected by . . ." signs on stores. In a world where all protection against crime is private we can expect more such efforts, converting deterrence, in large part, into a private good. So while the deterrence I have paid for may help you by deterring a criminal who does not know which of us is protected, it may also deter criminals from crimes against me, leaving them more time for crimes against you. Thus the sign of the potential externality from my efforts at deterrence is uncertain — we might get either a suboptimal or superoptimal level.

We cannot expect perfectly efficient outcomes. But we have more reason to expect them from private markets than from public markets.

These examples bring us back to a central point of this essay. Market failure is a real phenomenon in private markets. Hence we cannot expect perfectly efficient outcomes from private markets, whether in law or in other things. But we have more reason to expect them from private markets than from public markets.

Intellectual property law at present is in large part the product of concentrated producer interests — while the claim that whenever Mickey Mouse is about to go out of copyright the term of protection is extended is no doubt an



"Yes, it's fine to question authority, but you didn't say 'May I?'"

exaggeration, it is an exaggeration of a real pattern. On theoretical grounds, it is hard to tell what the optimal level of protection would be, given the advantages and disadvantages of treating ideas as property. Whatever it is, there is no reason to expect our present institutions to produce it. As some evidence that they do not, consider the extraordinary stability of the term of U.S. patent protection, roughly speaking from 14–21 years, over the past two centuries — a period during which the conditions likely to determine the optimal term, most notably the rate of innovation, have changed drastically.

Similarly for protection against crime. It is possible that a private market would produce a sub- or superoptimal level of criminal deterrence. But is hard to see any reason to expect the political system to do better, or as well.

Similarly for defense against foreign nations. The private market may well produce a suboptimal level. But the public market has not always produced an optimal level of defense either, and what it produces often seems to be produced at a considerably superoptimal cost. And a government equipped with an army may face political incentives to use it under circumstances that do not increase the welfare of its subjects.

A government equipped with an army may face political incentives to use it under circumstances that do not increase the welfare of its subjects.

Will such a society — one characterized by private defense and arbitration — be just?

Unfortunately I have no theory of justice adequate to answer that question. For those readers who are libertarians, however, I can point out the existence of a variety of arguments and evidence for the claim that liberty is efficient, that it permits people to achieve their individual goals better than any alternative set of social arrangements. If so, a society with efficient law should be, on the whole, a free society.

What follows from these arguments is an uncertain conclusion. There are circumstances in which a stateless society would be unstable against internal or external threats, making the creation of such a society an unattractive gamble. There are other circumstances in which such a society should be able to maintain itself.

If a modern stateless society did prove stable, would it be attractive? Here I think the conclusion is clearer, although it is hard to imagine any rigorous proof. There are forms of market failure that would make the outcome of such a society less than perfectly attractive, inferior to what could be produced by a wise, all-powerful, and benevolent despot. But Superman as philosopher-king is not a real-world option. The political alternatives to the market for law can be expected to suffer from more frequent and more serious problems of market failure.

The private market will not produce perfectly efficient law, but it is hard to see why the public market will come even close — and there is little evidence that it does.

The private market will not produce perfectly efficient law, but it is hard to see why the public market will come even close — and there is little evidence that it does. The economic arguments to show that a tariff injures the country that imposes it, for most countries most of the time, were worked out by David Ricardo almost 200 years ago. Most countries still have tariffs — and we know why. ❑

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The Myth of Peak Oil

by Randal O'Toole

Some people assess a hypothesis by how well it matches their ideology, rather than by how well it fits the data. Consider the case of "peak oil"...

The world is running out of oil. Demand in China and other Asian nations is rising rapidly, yet total oil production will soon peak and then decline. As a result, today's high oil prices, driven by Katrina and Rita, are only a harbinger of even higher prices to come. Such high prices mean an end to life as we know it — life in the suburbs with automobiles, Wal-Marts, and other modern conveniences.

Those, at least, are the claims of the peak-oil theorists. Some proponents of peak oil are actually petroleum geologists who have some idea what they are talking about. But many are simply people who hate suburbs and automobiles and are gleeful at the thought that they will soon go away. "Forget Wal-Mart and another $286 billion to pave over good land. Finally!" one group happily reports.

Of course, if what they say is true, we should stop building any more low-density suburbs or highways, and instead build New Urban communities and rail transit. The peak-oil theory thereby helps politicians justify intrusive land-use regulations and wasteful transportation projects.

Leading the charge in this field is James Howard Kunstler, author of "The Geography of Nowhere," which argued that suburbs were "trashy and preposterous"; "Home from Nowhere," which advocated New Urbanism as a replacement for traditional suburbs; and now "The Long Emergency." As summarized in Rolling Stone, Kunstler's latest book argues that oil prices are rising to catastrophic levels, and that we will only be saved by building "walkable, human-scale towns."

Kunstler is no petroleum geologist. As his earlier books show, he simply considers suburbs abominable. If peak oil means an end to the suburbs, then he is all for it. This attitude blinds him to any realistic assessment of his argument.

Broken down, Kunstler's conclusions depend on four separate hypotheses:

1. We are rapidly running out of oil, and fuel prices will soon become unaffordable for ordinary auto drivers.
2. For powering automobiles, there is no substitute for oil.
3. Higher prices will necessarily mean less driving.
4. Less driving will favor New Urbanism over low-density suburbs.

If any one of these four hypotheses are wrong, then Kunstler's conclusions are unwarranted. All four must be true for there to be any support for the diversion of highway funds to rail transit, or for government regulations or subsidies that favor New Urbanism over low-density suburbs.

Let's look at each hypothesis in detail.

Are we running out of oil?

In 1920, the United States Geological Survey officially estimated that the U.S. had just 6.7 billion barrels of oil left, including undiscovered oil fields. Eighty-two years later, the U.S. had produced 180 billion barrels of oil and still had 22 billion barrels of proven reserves. The USGS's 1920 estimate was off by a mere 2900%.

People have long feared running out of oil, but doomsayers' predictions have all proven false. Given that there is a fixed amount of oil in the world, someday we will doubtless

see prices rise due to disappearing supplies. But that hasn't happened yet, and probably won't happen for at least 30–100 years.

Virtually all fluctuations in gasoline prices have been due to political events and natural disasters, not to actual shortages of oil in the ground. Though Katrina and Rita have driven oil prices today to $65 a barrel, this is less, after adjusting for inflation, than prices in 1979–1981.

Some geologists estimate that 150 years ago the earth contained 6–8 trillion barrels of oil. We've used 1 trillion barrels since then. That leaves 5–7 trillion barrels which, if we can extract them, will easily last another century. The problem is that most of this is not "cheap oil," and so is not included in listings of "proven reserves," which amount to just over 1 trillion barrels. That supply is forecast to last about 30 years.

The estimate of 1 trillion barrels of cheap oil is almost certainly conservative. In an article titled "Crying Wolf," MIT energy economist Michael Lynch documents that the geologists who lead the peak-oil debate have a long track record of underestimating future oil production from known reserves. Plus there are still parts of the globe that have not yet been fully explored. Thus, the 30-year time horizon for cheap oil is also conservative; while demand is increasing, known reserves of such cheap oil are also increasing.

After cheap oil is exhausted, there will still be plenty of oil in the ground. Radford University Professor Bill Kovarik points out that:

- Venezuela estimates it has at least 1.2 trillion barrels of "heavy oil," which is thicker and more expensive to refine than ordinary oil.
- Alberta is estimated to have another 1.8 trillion barrels in tar sands, which will be more expensive to extract than liquid oil in the ground.
- Wyoming, Colorado, and Utah are estimated to have 2.6 trillion barrels in oil shales, which will be even harder to extract than oil from tar sands.

Other parts of the world are supposed to have another trillion or so barrels of oil shales. Taken together, these "unconventional" oil reserves add up to more than 6.5 trillion barrels — enough, if they can be extracted, to last more than 40 years even in the unlikely event that everyone in the world increases their oil consumption to U.S. levels of about 24 barrels per person per year.

"More expensive to refine or extract" does not necessarily mean significantly higher prices at the pump. Typically, people go after the cheapest sources of a raw material first, then move on to the more expensive sources. But when they start on the more expensive sources, often they quickly develop techniques of extracting and using the resource much more cheaply. As long as cheap Saudi Arabian oil is available, there is little incentive to find ways to cheaply refine heavy oil or extract oil from tar sands or shales. But when the incentive arrives, expect the costs of refining and extraction to drop.

Some peak-oil theorists are are actually petroleum geologists who have some idea what they are talking about. But many simply hate suburbs and automobiles.

For example, U.S. production of iron once centered on the Great Lakes region, where high-grade ores were mined from about 1870 through 1950. When those ores were running out, scientists developed a process of mining low-grade ores, known as taconite, which continued through 1995 or so. Despite having to rely on low-grade ores, U.S. steel production peaked in 1969, and pig iron prices were no greater than in 1900, 1910, or 1920, when top quality ores were still being mined.

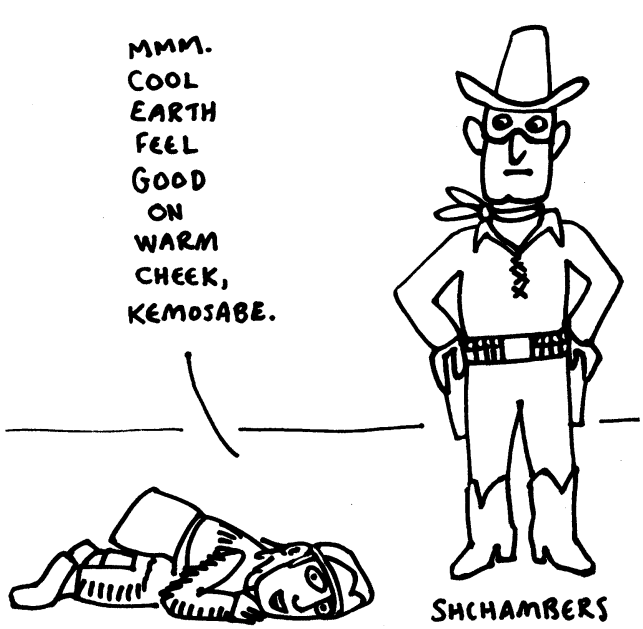
Since then, U.S. steel production has fallen by nearly a third, and someone could easily write a "long emergency" book about "peak iron." Yet after adjusting for inflation, the price of steel today is considerably lower than it was in 1969.

This is because raw materials make up only part of the cost of production. As resource prices rise, producers can respond by making other production costs more efficient. Similarly, while the costs of extracting oil may rise — though to nowhere near the levels projected by Kunstler — the cost of gasoline and other refined products may not appreciably increase at all.

In short, there is no clear proof that any shortage-induced price increases will happen soon. For the next 30 years, at least, oil prices will depend more on political events and natural disasters than on natural supplies or extraction costs. After that time, extraction costs may rise, but those costs may not lead to significantly higher fuel prices for many decades.

Are there substitutes for oil?

While it seems intuitive that the world's oil supply is ultimately limited, it is not so intuitive that there are no substitutes for oil. Yet Kunstler has to take this as a given, because if there are substitutes his entire argument falls apart. "No



combination of alternative fuels will allow us to run American life the way we have been used to running it," he asserts.

It doesn't take a genius to think of several potential substitutes:

• Modest increases in gasoline prices could lead car makers to switch almost entirely to hybrid automobiles and make other improvements that could nearly double fuel economy, as Toyota has already said it will do. Along with efficiency gains in other industries, this could nearly double our effective oil reserves. We know such a response is possible. In 1983, Americans drove 26% more miles than in 1973, yet used only 5% more fuel. Between 1973 and 1991, the fuel efficiency of the average American car increased by 42%. Since then, cheap oil has given people no incentive to buy more fuel-efficient cars, so fuel economy has remained constant. But that will change if fuel prices remain permanently high.

• Nuclear power could easily turn water into hydrogen that could be used in fuel-cell-powered automobiles without posing any risk of global warming. China is currently building dozens of nuclear power plants using new technologies that are supposed to be far safer than any used in the United States. Kunstler dismisses this possibility by saying Americans won't accept nuclear power. (I'm not enamored with it.) But rather than totally give up on the automotive lifestyle, Americans may be quite willing to accept safe nuclear technologies, especially if rival countries use them to gain economic power.

The geologists who lead the peak-oil debate have a long track record of underestimating future oil production from known reserves.

• There are several other potential power sources, although some of them may contribute to global warming. Solar power hasn't yet been fully explored. The United States has a huge supply of coal, and coal gasification can keep automobiles rolling — albeit while producing greenhouse gases. The idea of turning corn into ethanol is mainly a subsidy to Archer Daniels Midland and corn farmers, and probably requires more oil than it saves. But who knows? Someone might figure out how to do it right.

While I suspect hybrid cars will be the short-term response, I can't begin to guess what technology will ultimately replace oil, and neither can anyone else. We may not even find out within our lifetimes, if oil turns out to be plentiful for the next century. It would be absurdly expensive for the government to promote one technology over others (as it currently is doing by subsidizing ethanol, among other things). Worse, government support could lock us in to the wrong technology, leading to long-term waste.

One thing is certain: light-rail transit will never replace petroleum-fueled autos. Most people just will not give up the mobility the automobile provides for a slow, clunky train that doesn't go where they want to go.

Will higher prices necessarily mean less driving?

At first glance, it may seem obvious that people will drive less if gasoline prices rise, but it is not that clear. Let's take a look at the history of spending on driving and gas and oil.

Since 1950, Americans have spent about 9% of their personal incomes on automotive transportation. The year-to-year variation has been quite small, from about 8.1 to 10.1%. This suggests that people have a consistent budget for travel based on a percentage of their incomes.

The percentage of driving costs that go for gas and oil, however, vary dramatically from year to year. In 1974, Americans spent a full third of their driving expenditures on gas and oil. By 1998, this had fallen to less than a fifth. In 1974, of course, people were responding to high gas prices by buying smaller, more fuel-efficient cars. In 1998, people were responding to low gas prices by buying large SUVs.

In other words, people trade fuel costs for other auto-related expenses. When fuel prices rise, people reduce other auto expenses in order to keep total costs (as a percentage of their incomes) constant. They may keep their cars a little longer, for example, or buy less luxurious cars. When fuel prices fall, people spend more on bigger or more luxurious cars.

People also seem to have two different budgets for travel: a dollar budget and a time budget. When incomes are low relative to the cost of driving, the dollar budget is the main limiting factor. When incomes are high enough, the time budget becomes the limiting factor. When your time budget is the limiting factor, you are much less sensitive to changes in fuel costs.

Most Americans have already reached the limit of their time budgets. That means their main response to increased fuel prices will be to spend less on other aspects of driving.

For the next 30 years, at least, oil prices will depend more on political events and natural disasters than on natural supplies or extraction costs.

Of course, some Americans still have incomes low enough that their dollar budgets will be their limit, so higher prices will cause them to drive less. The higher fuel prices that Kunstler eagerly anticipates will primarily hurt poorer drivers.

We can get some idea of the effects of high prices by looking at Europe, where high taxes have long made gas prices two to three times those in America. European incomes are lower than those in America, so even without higher gas

taxes you would expect them to drive less. As it is, they drive about two-thirds as much per capita as Americans, and their growth in driving is faster. High prices don't seem to slow this growth down.

In short, higher prices will mainly affect driving among low-income families. Moderate- and high-income families will respond by making other changes in their transportation expenses, most likely by keeping their cars a little longer and, when they do buy new cars, buying more fuel-efficient or less luxurious cars.

Modest increases in gasoline prices could lead car makers to switch almost entirely to hybrid automobiles and make other improvements that could nearly double fuel economy.

Will less driving favor New Urbanism over low-density suburbs?

Before Americans had cars, they lived in denser "traditional" neighborhoods and many lived in mixed-use areas. New Urbanists such as Kunstler reason that, when cars disappear, people will cheerfully return to such neighborhoods. But is that the only possible outcome?

Before considering this question, it is worth asking: is that even a desirable outcome? Kunstler has no doubt that this would be "a glorious way to live."

"Imagine it's 1881," says Kunstler. "You leave the office on Wabash in the heart of vibrant Chicago, hop on a train in a handsome, dignified station full of well-behaved people, and in thirty minutes you're whisked away to a magnificent house surrounded by deep, cool porches, nestled in a lovely, tranquil, rural setting with not a single trace of industrial hubbub."

That sure sounds glorious. Of course, Kunstler isn't much of a historian, or he would know that only a tiny fraction of American urbanites lived this way in 1881. Most of them lived in high-density housing, better known as "tenements" or "slums." Their lives were a lot less glorious than Kunstler describes, characterized by sweatshop jobs, poor sanitation, and high crime.

As planning historian Peter Hall notes, "Twentieth-century city planning, as an intellectual and professional movement, essentially represents a reaction to the evils of the nineteenth-century city." Whereas the goal of 21st-century planning seems to be to return us to those evils.

Of course, Kunstler imagines that everyone could live in his traditional neighborhoods. Without the mobility provided by the automobile — the same mobility that led the descendents of the people living in 19th-century slums to increase their incomes and escape — this is unlikely.

But let's say Kunstler's dream is possible. Is it likely? Or could Americans respond to high gas prices in other ways?

One possibility is that more people will telecommute and move even further away from urban centers than today's suburbs. As Ted Balaker of the Reason Foundation observes, telecommuting is growing faster than commuting by transit. Although the Census Bureau doesn't measure exurbanization, some studies have concluded that the number of exurbanites (people with urban incomes living in rural areas) is growing far faster than the number of New Urban residents.

Another possibility is that more jobs than ever will move to the suburbs where people live and higher fuel prices will lead many of those people to live in suburbs close to their jobs. Such a "jobs-housing balance" is actually part of the smart growth platform, but it doesn't mean an end to low-density suburbs or an increase in New Urban residences. Moreover, it effectively destroys the utility of rail or other high-capacity transit, because there will be few or no job centers with enough jobs to attract that many transit commuters.

Even less pleasing to smart-growth advocates is a third possibility: more people *and* jobs move out of the cities and suburbs to the exurbs. One study notes that many manufacturing facilities are already moving to the countryside, where both factories and their employees can avoid high taxes, regulation, and congestion.

All of these trends could actually be accelerated by higher fuel prices. Why sit in traffic burning expensive gasoline when you can work at home some days and drive 20 or 30 miles to work on uncongested rural roads on other days?

Meanwhile, one retail analyst predicts that, far from putting Wal-Mart out of business, higher fuel prices will "create further opportunities for one-stop-shop retailers like supercenters and warehouse club stores to win more day-to-day shoppers." In other words, people will continue to drive to stores, but they will make fewer trips by going to bigger stores rather than the small shops that the New Urbanists favor.

Fuel costs influence two stages of the retail transaction: first, the cost of getting the customers to the stores, and second, the cost of getting the goods to the stores. Wal-Mart has become dominant because it minimizes the second cost, and higher fuel prices may actually help it. Higher-priced fuel will hit retailers located in congested urban areas the hardest, as their trucks are forced to burn fuel in stop-and-go traffic. Stores such as Wal-Mart and Costco that tend to be located in rural areas and on urban fringes can keep these costs down, thus allowing customers who have to drive to their stores to enjoy a net savings.

Far from devastating our economy, changes in energy supply will lead Americans to become more fuel efficient and explore new technologies for producing fuel. No matter what technology they select, they are not likely to drive significantly less than they do today. To the extent that higher fuel prices change their travel habits at all, those changes may actually accelerate the suburbanization and exurbanization trends that New Urbanists such as James Kunstler hate. If anything devastates our economy, it will be the intrusive government regulations and expensive rail transit systems that many New Urbanists want to impose on our urban areas. ❑

Short Story

Dark Charity

by Tamara Wilhite

People would throw back at me if I said I wasn't an organ donor — How could I be so selfish? It wasn't like I was going to need them after I died.

"Are you an organ donor?"

After every organ donation awareness campaign, organ donations crept up a few percentage points as more patients answered yes to that question. As organ donations went up, the profitability also crept up. The charitable caseload crept up, too, albeit at a slower pace, as the hospital diverted some of that profit and even a few donated organs to the truly needy. All the data looked good.

So why did that question still haunt me after the quarterly audit? My sister's old taunts echoed through my mind the whole time. People who obsess over statistics are even duller and more boring than the computers that crunch the numbers. All the data looked fine, and the trends were what we wanted.

I woke up in a cold sweat a few nights later. Mortality data. The question of — or, rather, an answer to why it bothered me — had to be tied to mortality data. Correlate the trends to the mortality data.

Mortality rates looked insipidly normal. Heart bypass survival rates were among the best in the nation. Morbidity rates among the terminally ill were utterly within expectation; there were no signs of any angels of death wandering the floor. Premature infant survival was a little lower than the national average, but one couldn't be perfect in all areas. Death rates from trauma were higher than expected.

Was that what was bothering me? I ran a correlation of patients against race and income. Nothing stood out. Patients were as likely to survive if they paid their own way as if they were charity cases. When racial data was available, there was no difference in quality of care. Older patients were a little more likely to survive than younger ones . . . One would expect younger patients to be more likely to survive. It was only a few percent points of difference, but reality and the data didn't correlate. To a biostatistician like myself, that was a red flag.

I ran the data a hundred different ways. Nothing tied the age to higher mortality rate in a way that made sense. On a hunch, I told the system to correlate based on organ donor status. Bingo!

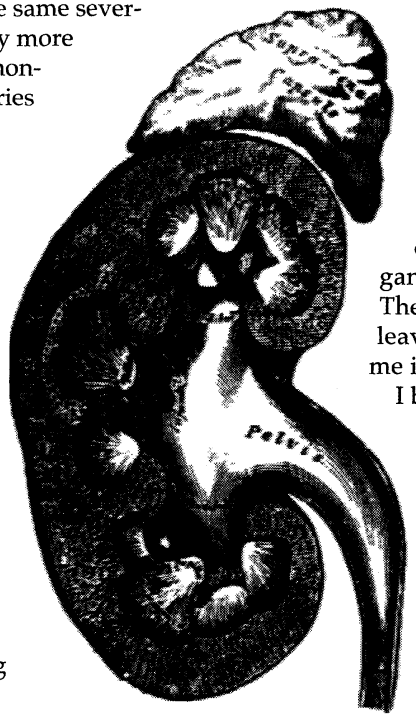
Organ donors in trauma were 40% more likely to die from their injuries than

non-donors, even when the injuries were the same. Older patients were just as likely to be donors as those in their prime, but were harvested less frequently. Reconditioned organs from older patients were still used, but less so. And the difference in the rate of organs taken from older patients to younger patients accounted for the difference in their mortality rate.

My stomach turned to ice. If you were injured and you were an organ donor, you were more likely to die from your injuries. The younger the donor, the more likely he was not to survive. Those who were the ideal donors — young accident victims with donor cards — were the most likely to die.

For sanity's sake, I ran the same analysis for non-donors. Their survival rates from accidental injuries were a touch higher than average. They weren't dying disproportionately; in fact, the opposite was true. Then I realized why. People with crushed bodies were more likely to get what they needed. Especially if they weren't going to be giving.

Maybe the staff is extra careful to harvest when someone is a donor and is getting 100% of those eligible to donate. Given the hospital's reputation for organ donation, that would make sense. How could I verify that the higher accident death rate for donors and the lower death rate for non-donors wasn't a fluke? Then I saw the field for injury severity upon admission. For patients with the same severity of injuries, the donors were drastically more likely to die from their injuries than the non-donors. Donors that died from their injuries were harvested 98% of the time.



Ninety-eight percent? That's way too close to 100%! Nothing is 100%! Yet it was. Not only were donors more likely to die exactly when they were in the best scenario to be used to save others, they were being used. Who, exactly, were the 2% that were donated and not harvested? I queried that oddball 2%. Those few cases were people who'd died in accidents and been harvested . . . and whose organs turned out to be in too bad a shape to be used or were diseased.

Donors were far more likely to die in all situations. Donors were harvested 100% of the time they die. That statistic had to be result of something far greater than a good policy. There's no such thing as 100% in life — except death.

Statistics had attracted me because it seemed the way to have all the answers. Numbers are what is collected in the field and in real life. Data is what you have when meaning is assigned to it. Knowledge is what you get when a person makes use of the data to help others. That's why I'd picked biostatistics as a profession — to use my number-crunching obsession to try to help society as a whole. Sift through the data about death and disease and use the results to help others.

That was why I had access to all the data in the first place, not just the reports I was hired to generate. A few years before, I'd gotten in to look around for curiosity's sake. A spike in pediatric disease admissions correlated to a demographic trend that I'd spotted two full weeks before the Centers for Disease Control. I showed it to my boss. With a pattern established, we'd identified the mutated pathogen nearly three weeks before the CDC confirmed it. More importantly, we had quarantined the suspected patients with the unique strain. Four kids and two adults died in quarantine, but that was a resounding success compared to the dozens who'd died in other outbreaks. I had wandered through the databases at will since then. Is it possible that no one else has seen this? But what does it mean?

Donors were being allowed to die. Donors were being allowed to die from injuries when they might be saved. It was happening in such numbers that it wasn't one doctor's decision. Someone might say it was letting one patient die so that a dozen more might be saved, but it was a hospital-wide syndrome of neglect. Doctors were asking, "Are you an organ donor?" If the answer was yes, they were consciously saying, "Let them die."

That's what was leaving me cold. Doctors were supposed to save lives. But they were letting patients die. The fact that non-donors with the same injuries were living more often than donors was proof of that. Maybe it was on the misguided idea that this death might save far more lives in the short term. Why didn't matter. If you were the family member of that person who died and might have lived, the others who went home with your loved one's organs didn't make up for the person you'd lost.

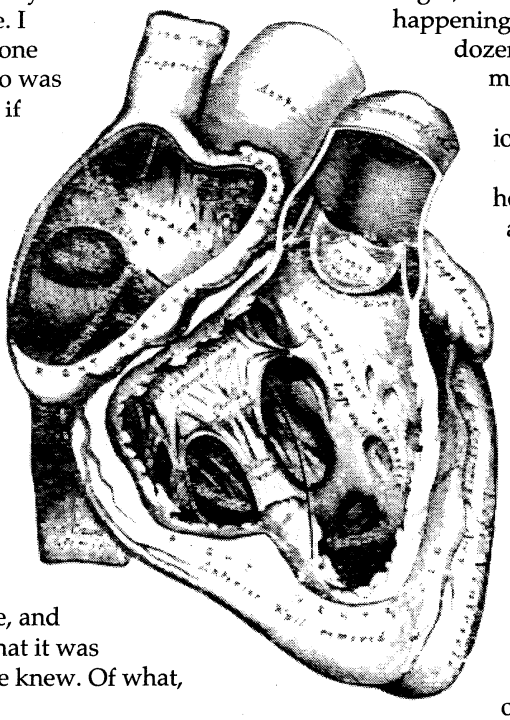
I queried my own medical file. I'd checked "no" in response to that critical question. It seemed selfish to many. The slogans had been sinking into daily conversation. The ultimate in recycling. You are what you leave behind. People would throw that back at me if I said I wasn't an organ donor. How could I be so selfish? It wasn't like I was going to need them after I died. Save a life, even in death. Have a change of heart, give yours. Make their deaths worth something. Worth something? Profits were up . . .

Transplants were a profitable procedure. The law said people had a right to have a poisonous appendix removed, but they did not have a right to a new liver if they'd poisoned their original. There were charity cases. Sometimes the hospital did arrange transplants for indigents; however, that was a small percentage because the hospital usually had to assume the lifetime cost of anti-rejection drugs for the poor patients. Rich patients who could afford the lifetime of anti-rejection drugs could afford the cost of the procedure as well. Transplants were one area where supply and demand could drive up cost, and the government did not mandate that the hospital absorb the cost for the poor. Unlike emergency care . . .

In a fit of paranoia, I checked the death rates for the poor

accident patients. No correlation. They weren't dying at a higher rate than rich patients. They were actually harvested at a lesser rate. Whatever else the staff might be accused of, they clearly weren't killing the poor to save the rich.

I drove to the hospital the next day with the silence weighing heavily on me. I didn't want to say anything to anyone about what was bothering me. Who was in on it? Who would justify it even if they hadn't already known about it? Conspiracies in medicine usually involved murder; did these unnecessary deaths count as murder? Who would accuse a doctor of murder who denied care to one to save ten? Yet I thought of that one who might have been saved, who should have lived. Who would have lived if he hadn't been an organ donor. The one who would have come home in one piece if he'd made the selfish choice.



My supervisor waited until shift change to talk to me. She knew something was bothering me, and could only tell from my message that it was important. Another correlation, she knew. Of what, she did not.

"I take it you were reviewing the databases."

"Yes."

"What's wrong?"

"I was looking at the organ donation data . . ."

"We've already found the source of that malaria outbreak via an infected donor. Immunology found out last night."

"No. Not that. I found that donors were dying at a higher rate than non-donors."

"Donors by definition have to be dead."

"I meant that non-donors are more likely to survive their injuries than donors."

"I'll restate the obvious."

I had to rethink how to communicate the concept. "If two people come in from a bus crash with severe injuries, one an organ donor and the other not, the organ donor is more likely to die than the non-donor. Even if they have exactly the same injuries."

"How did you come to this conclusion?"

I detailed the analysis and the correlations. If anything, I knew how to explain how I'd gotten to an answer. My supervisor nodded the whole time and even started taking notes. "And what is your opinion of the whole situation?" she quietly asked me.

"We're not doing everything possible to save donors who come in with injuries because there is an impetus to let them die."

"Death by neglect? That's a serious accusation." Her voice was utterly emotionless. She had to be thinking of the potential lawsuits.

"I don't think it's intentional. No one says, 'Let them die so that others may live.' It's more likely a decision made time and again that when a patient is a donor to not take extraordinary measures."

The silence was deafening. I had tried to minimize the charges, even as I felt worse about the scope of what was happening. Hundreds of donations each year meant dozens of donors. That meant tens of people who might have gone home.

"I'm going to bring this up with my superiors."

The tone itself was a dismissal. I went home that night wondering if anything would actually be done. How could they fix a problem that might lead them into massive lawsuits by anyone whose family member died in trauma? How could they fix a problem that might be caused by something as superfluous as attitudes? How do you fix attitudes that were ingrained in the medical profession and even into society as a whole? How do you tell doctors that the needs of those few outweighed the needs of the many?

I didn't see my supervisor the next day. She was caught in a string of high level meetings. Whether or not the problem would be solved, at least I was certain that it had been made a priority. I was given a ton of surprise system checks and diagnostics to work on. The overtime pay was nice, but there was no time to follow up on my prior discussions.

After month's end, I logged into the system to see whether the latest data showed any change in mortality results only to discover that I was locked out of those reports. I couldn't run the correlation. Five different work-arounds either generated errors or messages that the report itself could not be generated. The data existed. The system just wouldn't let anyone correlate it. In any shape, way, or fashion.

I didn't bother trying to minimize the accusations or the motivations in my mind this time. This was a cover-up. And from the system access codes, the data access settings had been set from far above my level. The problem had gone up the chain, and their solution was to hide it.

My supervisor was waiting in her office. I didn't even bother looking at the two security guards with her. "Why is the mortality data off limits to me?"

"You don't need access to it as part of your job."

"So now no one can find it?"

"Were you able to get the report some other way?"

"No! All I get are system errors and report lock-outs. You don't want anyone to know . . ." I cut short when one of the senior system administrators came in.

"We are in the business of saving lives," my supervisor stated quite calmly. "That is the most important thing."

The two security guards came into sight. "Am I fired?"

One of the stun guns was leveled at me. When it fired, the world went black as the pain arced through my system. I heard the supervisor say, "Are you certain this will cause brain death? And be sure to edit her organ donor status in the database." ❑

Not Yours to Give

by Colonel David Crockett

Disaster relief was a hot issue even before hurricanes had names. Here, Davy Crockett explains why he voted against opening the Treasury for charitable aid.

One day in the House of Representatives a bill was taken up appropriating money for the benefit of a widow of a distinguished naval officer. Several beautiful speeches had been made in its support. The speaker was just about to put the question when Crockett arose:

"Mr. Speaker — I have as much respect for the memory of the deceased, and as much sympathy for the suffering of the living, if there be, as any man in this House, but we must not permit our respect for the dead or our sympathy for part of the living to lead us into an act of injustice to the balance of the living. I will not go into an argument to prove that Congress has not the power to appropriate this money as an act of charity. Every member on this floor knows it.

"We have the right as individuals to give away as much of our own money as we please in charity; but as members of Congress we have no right to appropriate a dollar of the public money. Some eloquent appeals have been made to us upon the ground that it is a debt due the deceased. Mr. Speaker, the deceased lived long after the close of the war; he was in office to the day of his death, and I never heard that the government was in arrears to him.

"Every man in this House knows it is not a debt. We cannot, without the grossest corruption, appropriate this money as the payment of a debt. We have not the semblance of authority to appropriate it as charity. Mr. Speaker, I have said we have the right to give as much money of our own as we please. I am the poorest man on this floor. I cannot vote for this bill, but I will give one week's pay to the object, and if every member of Congress will do the same, it will amount to more than the bill asks."

He took his seat. Nobody replied. The bill was put upon its passage, and, instead of passing unanimously, as was generally supposed, and as, no doubt, it would but for that speech, it received but few votes, and, of course, was lost.

Later, when asked by a friend why he had opposed the appropriation, Crockett gave this explanation:

"Several years ago I was one evening standing on the steps of the Capitol with some members of Congress, when our attention was attracted by a great light over in Georgetown. It was evidently a large fire. We jumped into a hack and drove over as fast as we could. In spite of all that could be done, many houses were burned and many families made houseless, and besides, some of them had lost all but the clothes they had on. The weather was very cold, and when I saw so many children suffering, I felt that something ought to be done for them. The next morning a bill was introduced appropriating $20,000 for their relief. We put aside all other business and rushed it through as soon as it could be done.

"The next summer, when it began to be time to think about election, I concluded I would take a scout around among the boys of my district. I had no opposition there but, as the election was some time off, I did not know what might turn up. When riding one day in a part of my district in which I was more of a stranger than any other, I saw a man in a field plowing and coming toward the road. I gauged my gait so that we should meet as he came up, and I spoke to the man. He replied politely, but as I thought, rather coldly.

"I began: 'Well friend, I am one of those unfortunate beings called candidates and—'

"'Yes I know you; you are Colonel Crockett. I have seen you once before, and voted for you the last time you were elected. I suppose you are out electioneering now, but you had better not waste your time or mine, I shall not vote for you again.'

"This was a sockdolager . . . I begged him tell me what was the matter.

"'Well Colonel, it is hardly worthwhile to waste time or words upon it. I do not see how it can be mended, but you gave a vote last winter which shows that either you have not capacity to understand the Constitution, or that you are wanting in the honesty and firmness to be guided by it. In either case you are not the man to represent me. But I beg your pardon for expressing it that way. I did not intend to avail myself of the privilege of the constituent to speak plainly to a candidate for the purpose of insulting you or wounding you.

"'I intend by it only to say that your understanding of the Constitution is very different from mine; and I will say to you what but for my rudeness, I should not have said, that I believe you to be honest.

"'But an understanding of the Constitution different from mine I cannot overlook, because the Constitution, to be worth anything, must be held sacred, and rigidly observed in all its provisions. The man who wields power and misinterprets it is the more dangerous the more honest he is.'

"'I admit the truth of all you say, but there must be some mistake about it, for I do not remember that I gave any vote last winter upon any constitutional question.'

"'No, Colonel, there's no mistake. Though I live in the backwoods and seldom go from home, I take the papers from Washington and read very carefully all the proceedings of Congress. My papers say you voted for a bill to appropriate $20,000 to some sufferers by fire in Georgetown. Is that true?'

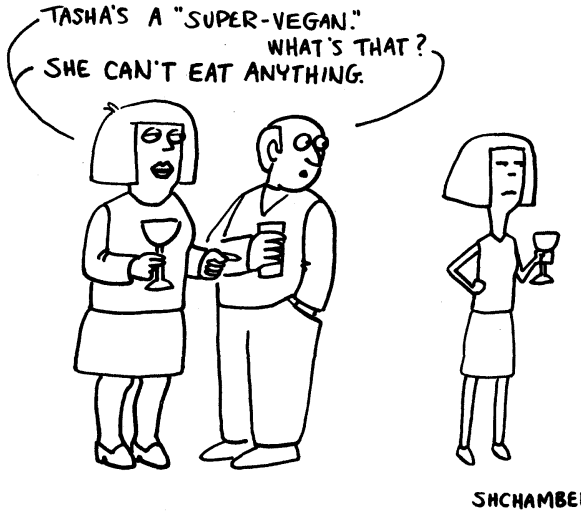
"'Well my friend; I may as well own up. You have got me there. But certainly nobody will complain that a great and rich country like ours should give the insignificant sum of $20,000 to relieve its suffering women and children, particularly with a full and overflowing treasury, and I am sure, if you had been there, you would have done just the same as I did.'

"'It is not the amount, Colonel, that I complain of; it is the principle. In the first place, the government ought to have in the Treasury no more than enough for its legitimate purposes. But that has nothing with the question. The power of collecting and disbursing money at pleasure is the most dangerous power that can be entrusted to man, particularly under our system of collecting revenue by a tariff, which reaches every man in the country, no matter how poor he may be, and the poorer he is the more he pays in proportion to his means.

The power of collecting and disbursing money at pleasure is the most dangerous power that can be entrusted to man.

"'What is worse, it presses upon him without his knowledge where the weight centers, for there is not a man in the United States who can ever guess how much he pays to the government. So you see, that while you are contributing to relieve one, you are drawing it from thousands who are even worse off than he.

"'If you had the right to give anything, the amount was simply a matter of discretion with you, and you had as much right to give $20,000,000 as $20,000. If you have the right to give at all; and as the Constitution neither defines charity nor stipulates the amount, you are at liberty to give to any and everything which you may believe, or profess to believe, is a charity and to any amount you may think proper. You will very easily perceive what a wide door this would open for



fraud and corruption and favoritism, on the one hand, and for robbing the people on the other. No, Colonel, Congress has no right to give charity.

"'Individual members may give as much of their own money as they please, but they have no right to touch a dollar of the public money for that purpose. If twice as many houses had been burned in this country as in Georgetown, neither you nor any other member of Congress would have

While you are contributing to relieve one, you are drawing it from thousands who are even worse off than he.

thought of appropriating a dollar for our relief. There are about two hundred and forty members of Congress. If they had shown their sympathy for the sufferers by contributing each one week's pay, it would have made over $13,000. There are plenty of wealthy men around Washington who could have given $20,000 without depriving themselves of even a luxury of life.

"'The congressmen chose to keep their own money, which, if reports be true, some of them spend not very creditably; and the people about Washington, no doubt, applauded you for relieving them from necessity of giving what was not yours to give. The people have delegated to Congress, by the Constitution, the power to do certain things. To do these, it is authorized to collect and pay moneys, and for nothing else. Everything beyond this is usurpation, and a violation of the Constitution.

"'So you see, Colonel, you have violated the Constitution in what I consider a vital point. It is a precedent fraught with danger to the country, for when Congress once begins to stretch its power beyond the limits of the Constitution, there is no limit to it, and no security for the people. I have no doubt you acted honestly, but that does not make it any better, except as far as you are personally concerned, and you see that I cannot vote for you.'

"I tell you I felt streaked. I saw if I should have opposition, and this man should go to talking, in that district I was a gone fawn-skin. I could not answer him, and the fact is, I was so fully convinced that he was right, I did not want to. But I must satisfy him, and I said to him:

"'Well, my friend, you hit the nail upon the head when you said I had not sense enough to understand the Constitution. I intended to be guided by it, and thought I had studied it fully. I have heard many speeches in Congress about the powers of Congress, but what you have said here at your plow has got more hard, sound sense in it than all the fine speeches I ever heard. If I had ever taken the view of it that you have, I would have put my head into the fire before I would have given that vote; and if you will forgive me and vote for me again, if I ever vote for another unconstitutional law I wish I may be shot.'

"He laughingly replied: 'Yes, Colonel, you have sworn to that once before, but I will trust you again upon one condition. You are convinced that your vote was wrong. Your acknowledgment of it will do more good than beating you for it. If, as you go around the district, you will tell people about this vote, and that you are satisfied it was wrong, I will not only vote for you, but will do what I can to keep down opposition, and perhaps, I may exert some little influence in that way.'

"'If I don't,' said I, 'I wish I may be shot; and to convince you that I am in earnest in what I say I will come back this way in a week or ten days, and if you will get up a gathering of people, I will make a speech to them. Get up a barbecue, and I will pay for it.'

"'No, Colonel, we are not rich people in this section but we have plenty of provisions to contribute for a barbecue, and some to spare for those who have none. The push of crops will be over in a few days, and we can then afford a day for a barbecue. This Thursday; I will see to getting it up on Saturday week. Come to my house on Friday, and we will go together, and I promise you a very respectable crowd to see and hear you.'

"'Well I will be here. But one thing more before I say good-bye. I must know your name.'

"'My name is Bunce.'

"'Not Horatio Bunce?'

"'Yes.'

"'Well, Mr. Bunce, I never saw you before, though you say you have seen me, but I know you very well. I am glad I have met you, and very proud that I may hope to have you for my friend.'

"It was one of the luckiest hits of my life that I met him. He mingled but little with the public, but was widely known for his remarkable intelligence, and for a heart brim-full and

If you had the right to give anything, the amount was simply a matter of discretion with you, and you had as much right to give $20,000,000 as $20,000.

running over with kindness and benevolence, which showed themselves not only in words but in acts. He was the oracle of the whole country around him, and his fame had extended far beyond the circle of his immediate acquaintance. Though I had never met him before, I had heard much of him, and but for this meeting it is very likely I should have had opposition, and had been beaten. One thing is very certain, no man could now stand up in that district under such a vote.

"At the appointed time I was at his house, having told our conversation to every crowd I had met, and to every man I stayed all night with, and I found that it gave the people an interest and confidence in me stronger than I had ever seen manifested before.

"Though I was considerably fatigued when I reached his

continued on page 34

My Military Career

by Pfc. Aaron Anderson, (ret.)

With a pregnant girlfriend and the draft board breathing down his neck, what's a young man to do? Join the band, of course!

It was 1956, and I had just turned 18. My girlfriend was pregnant. My Cadillac needed a new engine. I got drafted.

Not to worry. My girlfriend's father, Harold, had a solution that sounded pretty simple. He explained to me that if I was married to his daughter and had a child on the way, my draft board would no longer rate me 1-A.

He further advised me that he knew a high mucky-muck in the government who could get me into the National Guard Band, which would deliver me from draftable status altogether. I had been supporting myself at the time by playing music in a few jazz clubs around Seattle. It sounded like just another gig to me at the time.

Well, it wasn't. In the National Guard Band, we were forced to stand in rows at attention or what they called "at ease" for long periods of time while some guy with bars on his collar would inspect us one at a time and holler about anything he saw or didn't see that upset him. When we did play music, every once in a while we would hit a groove and then he would freak out and make us start all over again.

One time when I had just gotten home from a non-stop drive from a gig in Missoula, Mont., I was exhausted. I took a shower and went to sleep forgetting it was National Guard Band night at the Armory, which is now used as a food court.

I lived on Queen Anne Hill about a mile away. About 7:30, loud banging on the door of my house awakened me. It was three of my bandmates who had come to arrest me and take me to the Armory, where I had to answer for my absence. So I did. They calmed down some and decided to "let me off easy." They fined me three months pay ($95).

In my opinion the National Guard wasn't much fun at all.

That winter I started contracting to build and remodel homes. Business was slow in the winter in Seattle, but when spring came I got very busy. One night at the National Guard meeting it was announced that we were all going camping together for two weeks in August at the Yakima Firing Center. What to do?

I went home after the meeting and wrote a letter to the appropriate high mucky-muck in the National Guard, explaining how August was my peak earning point for the year and what with a wife and child I just couldn't see how I could support them if I didn't work in August. I also told him that I was going to be a Seafair Pirate and I needed to grow a beard for the event and would that interfere with the dress code at Yakima Firing Center?

The high mucky-muck bought it and I received a reprieve from summer camp duty. However I would be assigned a two-week winter camp at Fort Lewis.

The next year I got a divorce and moved to Portland, Ore. to work with my dad, so I was re-assigned to the National Guard Band in Vancouver, Wash., right across the Columbia River from Portland. This outfit was much more laid back. Everyone was there for the same reason, to make it as easy as possible. We could check out instruments to take home. I had six excellent Zildjian cymbals at home most of the time. The guys in the Vancouver band were way more fun and

soon I was playing in a cowboy band called "One Ton Tomato," and a jazz trio two nights a week.

Somewhere in early April I was attempting to do my taxes. I had my records and receipts spread all over the floor for several days. One afternoon when I got home from work I noticed that my house had burned down. Damn! All my clothes, my furniture, my black Gretch drum set with all the National Guard cymbals, and, of course, all my tax records, along with my nearly new Morgan Plus Four Roadster that was in the attached garage. My insurance covered the car — the insurance company got me a check in three days. I was able to buy some clothes and move to my dad's couch.

Life was beginning to look possible again except for one small problem. What to do about all my tax forms? I called the IRS and explained my situation. All they needed was a letter of proof from the fire department about the fire. So that was that, except I got so used to not filing that I haven't done it since.

I was beginning to realize that the National Guard was a pain in the ass, so I did some research. I found that if I lived more than 50 miles from an Armory I wouldn't be required to attend meetings. I bought a piece of property right on the beach in Pacific City, Ore. I rented a Post Office box there and notified the National Guard of my new situation. They were okay with that but I would still have to go to Ft. Lewis for two weeks in January. When I arrived at Ft. Lewis and checked in with the band it became obvious quickly that I was an extra thumb in this finely tuned operation. They assigned me a bunk in a barracks that was empty and said I could set up my drums and practice all I wanted, and they also gave me a permanent pass to come and go as I pleased.

Loud banging on the door of my house awakened me. It was three of my bandmates who had come to arrest me.

After that I never heard from the National Guard again. ❑

Not Yours to Give, *from page 32*

house, and, under ordinary circumstances, should have gone early to bed, I kept him up until midnight talking about the principles and affairs of government, and got more real, true knowledge of them than I had got all my life before.

"I have known and seen much of him since, for I respect him — no, that is not the word — I reverence and love him more than any living man, and I go to see him two or three times every year; and I will tell you, sir, if every one who professes to be a Christian lived and acted and enjoyed it as he does, the religion of Christ would take the world by storm.

"But to return to my story. The next morning we went to the barbecue and, to my surprise, found about a thousand men there. I met a good many whom I had not known before, and they and my friend introduced me around until I had got pretty well acquainted — at least, they all knew me.

"In due time notice was given that I would speak to them. They gathered up around a stand that had been erected. I opened my speech by saying:

"'Fellow citizens — I present myself before you today feeling like a new man. My eyes have lately been opened to truths which ignorance or prejudice, or both, had heretofore hidden from my view. I feel that I can today offer you the ability to render you more valuable service than I have ever been able to render before. I am here today more for the purpose of acknowledging my error than to seek your votes. That I should make this acknowledgment is due to myself as well as to you. Whether you will vote for me is a matter for your consideration only.'

"I went on to tell them about the fire and my vote for the appropriation and then told them why I was satisfied it was wrong. I closed by saying:

"'And now, fellow-citizens, it remains only for me to tell you that the most of the speech you have listened to with so much interest was simply a repetition of the arguments by which your neighbor, Mr. Bunce, convinced me of my error.

"'It is the best speech I ever made in my life, but he is entitled to the credit for it. And now I hope he is satisfied with his convert and that he will get up here and tell you so.'

"He came up to the stand and said:

"'Fellow citizens — it affords me great pleasure to comply with the request of Colonel Crockett. I have always considered him a thoroughly honest man, and I am satisfied that he will faithfully perform all that he has promised you today.'

"He went down, and there went up from that crowd such a shout for Davy Crockett as his name never called forth before.

"I am not much given to tears, but I was taken with a choking then and felt some big drops rolling down my cheeks. And I tell you now that the remembrance of those few words spoken by such a man, and the honest, hearty shout they produced, is worth more to me than all the honors I have received and all the reputation I have ever made, or ever shall make, as a member of Congress.

"Now, sir," concluded Crockett, "you know why I made that speech yesterday. There is one thing which I will call your attention, you remember that I proposed to give a week's pay. There are in that House many very wealthy men — men who think nothing of spending a week's pay, or a dozen of them, for a dinner or a wine party when they have something to accomplish by it. Some of those same men made beautiful speeches upon the great debt of gratitude which the country owed the deceased — a debt which could not be paid by money — and the insignificance and worthlessness of money, particularly so insignificant a sum as $20,000 when weighed against the honor of the nation. Yet not one of them responded to my proposition. Money with them is nothing but trash when it is to come out of the people. But it is the one great thing for which most of them are striving, and many of them sacrifice honor, integrity, and justice to obtain it." ❑

Reviews

Historians' Triumphs

Stephen Cox

Many people think of history as something that exists wholly apart from the human mind — a collection of facts that stand on their own and vouch for their own significance. Of course that's not the way things are. Some of the most important and interesting historical facts make no impression at all until someone wakes us up to what they really mean. Probably everyone obscurely realizes that the United States, unlike other fertile parts of the globe, has never suffered a famine. But so what? We may know that fact of history, but do we feel its significance? Do we recognize its dramatic confirmation of the value of this country's social and economic system?

Doubtful. Yet a good historian could make us see and feel such things. A good historian can open our eyes both to the big facts and to the purportedly small ones.

It follows that a good work of history pleases not just by its revelation of the facts but by its revelation of the mind that is shaping those facts for our understanding and enjoyment. A limp work of history can be harder to endure than any of the events it describes; a brilliant work of history can be much more exciting. One turns the pages hastily, eager to discover what happened to Washington or Lenin or the first person who went over Niagara Falls in a barrel, and just as eager to find out what the historian is going to do next.

But how does one locate such exciting works of history? If they weren't written by someone who is alive and well and being interviewed on TV, almost no one but narrow specialists ever hears of them. And narrow specialists are usually too narrow to do anything so obvious as consider the literary quality of the works they study.

They may be too narrow even to read the classic works in their disciplines. I have met many specialists (note that I do not say "experts") in English literary history who have never opened C.S. Lewis' classic, and vastly entertaining, "English Literature in the Sixteenth Century." A couple of weeks ago I picked up a recent book about the history of Cuzco, the Inca capital. It was a collection of essays by several people, each of whom offered many references to other studies. None of them brought up B.C. Brundage's monumental "Empire of the Inca," the great work of literature on the subject. Presumably, this was because of the book's extreme old age — 42 years! — although in certain circles, high literary merit is considered a positive detriment to "scientific" history.

In any event, it's up to nonspecialists to keep their own lists of great achievements in historical literature, and pass the lists around. The present review is one of those lists. It's concerned with six works of New World history that deserve to be read — especially because each of them shows what a good author can do with an unpromising subject.

Even William Cronon's subject, the creation of a great modern city, is unpromising in several respects. Histories of places are almost always long on conscientious detail and short on epic sweep. And Chicago isn't exactly a name that sets the heart a-singing. Rightly or wrongly, the allure of America's Second City, the Capital of the Heartland, the City with Big Shoulders, Hog Butcher to the World, etc., etc., is pretty much confined to the city limits of Chicago. I was born 50 miles away, into a family that had lived in the Midwest for 150 years, to a mother who once lived in Chicago itself, and I remember the word "Chicago" being mentioned in our home about as often as the word "malaria." As a young man, I made the Michiganian's rare visit to Chicago and was thrilled by the sight of the Loop rising superbly beside the waters of the lake, the most magnificent architectural ensemble in the world. Yet the idea that there was anything intellec-

tually interesting in the history of Chicago itself was completely foreign to me, until I read Cronon's book.

Cronon isn't a great writer; he's a serviceable writer with a great conception: the uniqueness of Chicago as a city that was born exactly where a city should be born, at a natural crossroads for capitalist commerce and industry. On the west was an enormous, fertile, empty plain; on the east, the open highway of Lake Michigan, promising ready access to the mines and virgin forests of the upper midwest. Chicago was also born at exactly the right time, a time when the newly exploited power of steam was making revolutions in almost every type of human endeavor. Chicago was the place where trains and steamboats brought the products of the fields and pastures, to be graded and traded and transformed by industrial processes into salable commodities that could then be hurried back across America to the consumers hungrily awaiting them.

In certain circles, high literary merit is considered a positive detriment to "scientific" history.

It wasn't "nature" that created Chicago; it was the inventive genius of the industrial age. Everyone knows Chicago's importance in the development of the skyscraper. Cronon shows its importance in the development of grain elevators, futures markets, balloon frame houses, catalog marketing, meat packing, and a hundred other inventions that modern America was soon able to take for granted and regard as if they had no history.

The story of these events is uniformly exciting, despite the fact that "Nature's Metropolis," unlike the other books I'm discussing, is more about economic processes than it is about the individual people who devised and used them. The futures market, for instance, grew out of a generation of commercial experience and a common desire for orderly means of making a profit. Particular individuals contributed only incrementally to the process. But Cronon's vivid picture of human action — which contains many illustrations from individual lives — lets readers imagine their way into 19th-century America, feeling the surprise and speed of its economic development as they would have been felt by the participants themselves.

Cronon's charts and maps help, too. On page 77 there is a pair of them, one showing how far you could travel from New York City in a day, two days, a week, and so forth, in 1830; the other showing how far you could travel in the same amounts of time in 1857. The first map has you reaching Ann Arbor in two weeks, traveling, presumably, by boat along the Hudson-Erie Canal-Lake Erie route, then by stagecoach the last 50 miles. Another week would take you to Chicago. The second map shows the lightning progress you'd be able to make just 27 years later. Now a train takes you to Chicago or Springfield in two days or less. This isn't just "material progress": it's a new vision of human capability. Everyone knows that advances like this were made during the industrial (or, more fundamentally, the capitalist) revolution; Cronon's book makes you feel just how revolutionary 19th-century capitalism was.

"Empire of the Inca," by Burr Cartwright Brundage. 1963; reprint: University of Oklahoma Press, 1985, 414 pages.

"Nature's Metropolis: Chicago and the Great West," by William Cronon. Norton, 1991, 555 pages.

"Historians' Fallacies: Toward a Logic of Historical Thought," by David Hackett Fischer. Harper & Row, 1975, 360 pages.

"France and England in North America," by Francis Parkman. Library of America, 1983, 3124 pages (2 volumes).

"Filibusters and Financiers: The Story of William Walker and His Associates," by William O. Scroggs. 1916; reprint: Russell & Russell, 1969, 420 pages.

"Conquest: Montezuma, Cortés, and the Fall of Old Mexico," by Hugh Thomas. Simon & Schuster, 1993, 832 pages.

There is only one thing wrong with this book: despite Cronon's vast knowledge of economic processes, he seems to have practically no understanding of economic theory. In one of the most confused passages of economic discussion that I have ever encountered, he declines to repudiate Marx's long-exploded labor theory of value (perhaps because, as seems probable, he doesn't understand it), while admitting that "it cannot by itself explain the astonishing accumulation of capital that accompanied Chicago's growth."

Rightly or wrongly, the allure of America's Second City, the Capital of the Heartland, the City with Big Shoulders, Hog Butcher to the World, etc., etc., is pretty much confined to the city limits of Chicago.

What explains that phenomenon, of course, is people's willingness to invest in enterprises that they thought would make them money. But Cronon believes that nature somehow did the trick. It was "the light of the nearest star" that put energy and therefore value into the fields and forests, then into the pockets of the people who exploited them. An absurd picture emerges of trees and weeds rejoicing in economic "value," despite the fact that nobody ever used or, perhaps, even encountered them. It doesn't occur to Cronon that certain things simply had no economic value before capitalists found a way of making them available to people who might want to buy them.

Almost as absurd is Cronon's revival of Frederick Jackson Turner's idea that western land was in some sense "free" to its settlers. If it was, why didn't everybody east of Pittsburgh show up right away to cash in on this strangely valuable "free" commodity? True, you could buy an acre of land

from the government by paying the modern equivalent of $50 or so, but to make your investment worthwhile you'd have to pay a great deal more in terms of time, effort, and money to get to your property, clear it, develop it, and market its products. That's why so many western farmers were so deep in debt. This part of Cronon's book (149–50) is so embarrassing as to be unworthy of comment, except to emphasize the fact that the rest is fascinating enough to make one forget his feckless economic speculations. Their goofiness actually contributes its mite to the book's human interest.

If Cronon faced a difficult literary task — arousing interest in the history of Chicago — then B.C. Brundage faced a seemingly impossible one. The affairs of the Inca empire are wholly irrelevant to modern American life. The student of Roman history can rely on the assumption (false or true) that Rome's various wars and revolutions made a deep and enduring impact on Western thinking; the chronicler of Tahuantinsuyo (The Four Quarters, the Inca empire) has no such assurance. Even Brundage pronounces it an "error" to regard the Incas as "precursors or practitioners of the politics of today." Their empire was "unique and sui generis" (xiii).

In addition, the history of the Andean peoples, who possessed nothing that we would call a written literature, isn't the easiest thing to reconstruct from available records. Yet Brundage, the master both of the historical and of the anthropological sources, knew how to assess their omissions and divergences, and he knew, better than almost any other serious historian I can think of, how to integrate his findings into a compelling historical narrative.

His inspiration, at least in matters of approach and style, appears to have been Edward Gibbon's "Decline and Fall of the Roman Empire," with an important qualification. Gibbon's style is almost always loftier than his subjects; it is continuously arch and ironic, even when Gibbon has no particular reason for irony. Brundage hasn't gone that far. His characters are often as deserving of ironical treatment as Gibbon's, but he is willing to treat them with respect and, in a way, to take them at the value they gave themselves.

Unlike most experts on Amerindian civilizations, he views his subjects neither as exhibits in an anthropology museum nor as quaint instances of primitive life nor as implied protests against Western civilization. He gives them the dignity of their original status, using the same words for them that he would for Europeans of similar position and character. Like Europeans, they have an "emperor," "an imperial mystique," a "nobility," a "theology," a "hymnology," "centers of intrigue and immorality," "factions," political "parties," and so on. He writes "Tahuantinsuyo" as easily as if he were writing "France." And wherever he has the data to do so, he evokes the personalities of the people in his story, treating their individual ideas and motives as things that matter, not as mere static on the screen of historical theory. He describes their "counsels" and "stratagems" and "policies" in the same way in which one would describe the political affairs of Hadrian or Bismarck.

It doesn't occur to Cronon that certain things simply had no economic value before capitalists found a way of making them available to people who might want to buy them.

This interest in individuality is conspicuous in his account of the fascinating last half-century of Tahuantinsuyo, a history first dominated by powerful and creative rulers, then debased by a savage conflict between Atahualpa, the last true Inca ruler, and his crazed half-brother Huascar. It was during those latter days, when the empire was wholly absorbed in its internal affairs, that the Spanish crept over the horizon, first as rumors, then as facts, at last as conquerors. It is as if Lincoln had finally gotten the drop on Lee and Davis, only to be captured, the next day, by invaders from Mars.

Brundage relishes the ironies of history; he also relishes its grim poetry. Describing the plague that preceded the conquerors' appearance in the Andes, he says: "A fulminating disease introduced by the Spaniards had been gestating along the reefs and rotting beaches of the Caribbean; perhaps it was that illness, similar to both typhus and bubonic plague, which had been brought into Darien during August, 1514, by the armada of Pedrarias. It had flared and smoldered its way over the Isthmus and down along the mangrove coast of Colombia, bartered unwittingly by native traders. It flashed inward wherever there was a road, a trail, or any passage through the thicket. No skirmishers could have been more cunningly insinuated — like hooded

heralds they flew silent and unseen ahead of the bearded men, their captains, and few were their poisoned darts that missed the mark" (261).

Brundage has no illusions about the moral qualities of the people whose adventures he narrates. Describing the conquistadores' entrance into the city of Cajamarca, where they captured Atahualpa and killed 2,000 of his followers "like ants," he gives his assessment of the conquest in a single sentence: "The years of Peruvian history have echoed to the sullen sound of that entry, which has cast a spell of gloom, of blood, of deceit, and of extortion over every passage of Peruvian life since" (301). Yet the Incas, with their hideous cults of human sacrifice and their unrestrained delight in war and torture, are hardly models of ethical behavior, and Brundage never tries to present them as such.

Brundage views his subjects neither as exhibits in an anthropology museum nor as quaint instances of primitive life nor as implied protests against Western civilization.

In this case, as in that of the Spanish conquest of Mexico, one has the strong impression that the Europeans and the Americans richly deserved each other. The impression is confirmed by Hugh Thomas' magisterial account of the Mexican affair. Like Cronon, Thomas is not a great stylist. He is a writer of clear and persuasive prose, with a fine intuition for the scene or speech that will illuminate his story. His special virtues are vast research, a deep interest in showing the conquest from both the Spanish and the Aztec point of view, and a splendid fairness and sensitivity to facts.

As with "Empire of the Inca," there is no hint in Thomas' book of a desire to make the facts fit a preconceived hypothesis. It's easy to come up with an explanation of how the Spanish were able to conquer the Aztecs, a warlike people, vastly more numerous than the Spanish, and residing in their own country. The obvious explanation is technological: the Aztecs, who lacked even such things as draft animals and wheels (except on toys), could never have stood up against Western weapons and Western wealth. If anything was inevitable in human history, it was the Aztecs' elimination by some European power. But Thomas' story of how it actually happened complicates the picture considerably.

Even if one retains the "technology" explanation (which I think is basically correct), one cannot point to one particular technology as crucial. Surely it wasn't firearms. Thomas shows that guns were much less effective than crossbows as tools of conquest. Even more effective was the Spaniards' ability to construct ships on the lake that surrounded the Aztec capital, besiege it, and gradually reduce it. "Who could conquer Tenochtitlan?" asks an Aztec poem. "Who could shake the foundation of heaven?" (5). Well, boat-builders could.

Yet without the aid of the Aztecs' neighbors, who took the arrival of Cortés as an invitation to throw off the hateful domination of Tenochtitlan, the Spanish couldn't have built or launched their boats, or done much of anything else, either. And without the dogged courage and brutal self-assertion of a certain type of Spaniard, no allies would have been mustered, and nothing resembling a conquest would have taken place. Any technological explanation must be supplemented by a political explanation, and any political explanation must be supplemented by a cultural and psychological explanation. As Thomas says, "One does not have to be a believer in any special theory that great men dominate history to see at once that Cortés' combination of intelligence and prudence, bravery and originality [was] decisive in the extraordinary events in Mexico between 1519 and 1521" (602).

Thomas dispenses with theories about the conquest and presents the facts, in all their amazing variety, vitality, and strangeness. These are not just the big facts about the Aztecs' peculiar religious and political customs. They are also the small facts that give history its fascinating, serrated edge. Did you know that the Mexican emperor's descendants, far from being destroyed, became "counts of Moctezuma" and "survived many generations" after the conquest (594)? I didn't know that. And who could have guessed it? Who could imagine or predict the things that actually happen in this astonishing world?

Alas, most of the astonishing events that Thomas relates are far from charming. No one who reads his descriptions of Aztec rituals will ever fall for the idea that the culture of these "Native Americans" has been misrepresented as cruel and bloodthirsty in order to legitimize the cruelties of the "Christian" invaders. I cannot bring myself to recite the details; I wish, indeed, that I had never read them. Acquiring such memories is the one really bad thing about reading Thomas' book. One might think that its length — 832 pages, including notes — would pose another problem. It doesn't, and neither does the fact that this is the kind of book in which names like Cuauhtémoc, Coanacochtzin, and Tetlepanquetzatzin are apt to turn up in the same sentence (485). As remote and difficult as everything about the characters may be, their story never loses its attraction.

"Who could conquer Tenochtitlan?" asks an Aztec poem. "Who could shake the foundation of heaven?" Well, boat-builders could.

Not so unlikable, but not so grand a subject, either, is William Walker, a young American journalist who during the 1850s mounted filibustering expeditions — private attempts to take over foreign countries — in Baja

California and Central America. ("Filibuster" comes from a Spanish term for "freebooter.") One of these forays, the expedition of 1855–1857 that made him president of Nicaragua, was the most important filibustering adventure in American history. Still, that doesn't put the topic very far up on the scale of intellectual urgency. And Walker's reputation, among the few people who have heard of him, is simply that of a horrid purveyor of Yankee imperialism.

No one who reads his descriptions of Aztec rituals will ever fall for the idea that the culture of these "Native Americans" has been misrepresented as cruel and bloodthirsty in order to legitimize the cruelties of the "Christian" invaders.

That, perhaps, is what he was. But to see him chiefly as an agent of "imperialist ideology" misses his personal motivation, which seems to have been a childish but besetting desire to make himself the president of something. The Yankee-imperialism approach also misses the fact that he gained considerable support among Central Americans trying to extricate themselves from the swamp of the region's cruel and ridiculous politics. In the republics of the isthmus, anyone who came from abroad and looked as if he might actually change something exerted an instant and not wholly irrational appeal.

William Scroggs, a professor at the Louisiana State University, was the Audubon of this political landscape. He identified its rare birds and startling flowers, and he showed how little you know the country until you know the swamp. His "Filibusters and Financiers" is the type of book that all professors should aspire to write, but virtually none have the wit to try — a learned, judicious, and irresistibly amusing account of an episode that expands one's knowledge of human life.

Gracefully, without apparent effort, Scroggs turns the story of Walker's expedition into a window on the world as it was, and perhaps still is, in places now gently described as "underdeveloped nations." In 1855, the population of Nicaragua was barely 200,000. Its sole visible asset was an American company that shuttled travelers from the Atlantic (or New Orleans) side of the country to the Pacific (or San Francisco) side. The nation's demoralized citizens were the sport of "violent factionalism which was based on no real principles" (82). Travelers on the transit company's riverboats and macadam road beheld "disorder and desolation . . . deserted fields, abandoned houses, and churches whose walls were marred by shell and bullet as a result of their use as fortresses" (83).

Into this bedraggled outpost of progress waltzed the dynamic Mr. Walker and his gullible comrades, the "Fifty-Six Immortals." (Scroggs, in the kind of footnote that warms the reader's heart, observes that "the number actually carried [to Nicaragua] was fifty-eight, though the newspaper accounts at the time gave it as fifty-six. For some reason, which it is useless to try to explain, the number reported by the papers became commonly accepted even by the men themselves, who gloried afterward as belonging to the 'Fifty-six Immortals'" [92].) By playing off one local faction against another and exercising superior military and organizational skills, Walker managed to establish himself as the dictator of Nicaragua. So tenacious was his grip on power that he could be pried loose only by the united forces of the other Central American republics and Cornelius Vanderbilt, owner of the transit company and the principal "financier" to which Scroggs' title alludes. Vanderbilt was angry because Walker had expropriated his property, and he had the means to satiate his wrath.

The picture Scroggs paints of Walker is that of a soulless man, ambitious only for power and prepared to take all practical means of seizing and holding it, a man who was relentlessly clubbed into the ground by the same intractable circumstances that had opened Central America to his ambitions in the first place. The region was capable of supporting many warring factions but incapable of supporting a government that any sane person would regard as legitimate.

Walker's position was rendered still less secure by foreign rivalries. The ownership of the transit company was booted back and forth between Vanderbilt and a couple of his former colleagues, and Walker himself became a political football in the contest between politicians in the American South, who hoped to expand the empire of slavery, and politicians in the American North, who wanted to keep it from expanding. I haven't even mentioned Great Britain's intrigues.

"Whenever he gained a new friend," Scroggs says of Walker, "he usually also made a new enemy. . . . He could favour neither political faction in Nicaragua without displeasing the other. What made his cause popular to Americans as a whole was to make him an object of suspicion to the British. He succeeded in gaining support in the Southern States only at the expense of antagonizing his friends in the North. By winning the support of one group of American capitalists he incurred the wrath of a powerful captain of industry, who resolved that he must be destroyed. These were matters beyond the filibuster leader's control. For lack of any better explanation, we may as well attribute them to the decrees of fate" (123–24).

Central America was capable of supporting many warring factions but incapable of supporting a government that any sane person would regard as legitimate.

Scroggs has a droll style, and he appreciates a droll style in others, such as Vanderbilt: "'I won't sue you,' he is quoted as saying to his rivals, 'for the law is too slow. I will ruin you'" (135). When it comes to character and

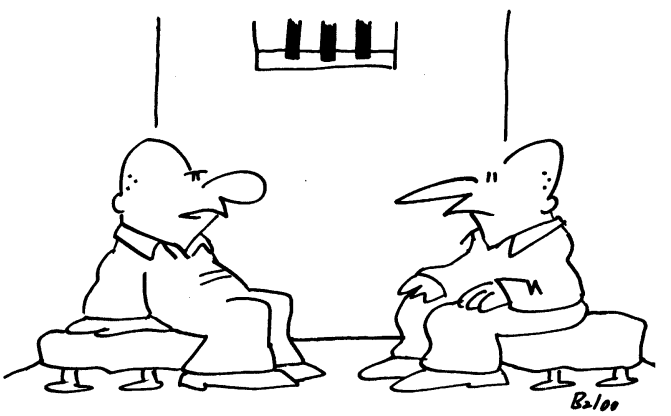
morals, however, he disapproves of nearly everyone in his story — Walker, who was "mastered by, rather than master of, his dreams" (397), his "misfit" followers (40), his European and Central American foes, who "vented their rage on . . . helpless noncombatants" and committed "treachery of the basest sort" (253, 392), and the civilian population of Nicaragua, which was, "as a whole . . . proud, ignorant, and intolerant" (82). (Scroggs has no notion of political correctness.) Yet he sees, in his Olympian detachment, how funny it all is. It "needs," he says, "the pen of a Cervantes to do it full justice" (40). In the absence of Cervantes, Scroggs himself will do very nicely.

In communist Poland, they used to say, "The state pretends to pay us, and we pretend to work." The only difference seems to be that in Louisiana no one even pretended.

The literary problem for Francis Parkman, the great 19th-century historian, was many times what it was for Scroggs. Parkman, who had written the story of the Oregon Trail, faced a much larger task in the story of the contest between France and England for the empire of North America. When his work, the labor of a lifetime, was completed in 1892, it occupied seven volumes, published over a period of 27 years. The current Library of America edition occupies only two, but it's still over 3,000 pages long — and there aren't any useless sections. It takes that long to tell a story that extends across two centuries and ranges across the map of North America from Green Bay and the Straits of Mackinac to the suburbs of New York and the bayous of Louisiana.

This is the North America whose wealth was the beaver and the fox, the America of the coureur de bois and the missionary priest, the America of primitive blood-letting and of starlight on the inland sea. It is also the America of fractious New England legislators and godlike French proconsuls, of Indian cultures both savage and civilized, of bottomless cruelty and limitless spiritual striving, and above all of European wars — the first world wars, played out amid the colossal scenery of America. To tell this story, Parkman had to explain what it was like to sit at Versailles and plan an empire; he also had to show what it was like to sneak through the frozen woods of northern New York, trying to survive till your Indian allies could slit some English farmer's throat.

Parkman presents this tale of America both exhaustively and perspicuously. His resources are an encyclopedic knowledge of history, a novelist's understanding of character, an adventurer's feel for exotic landscapes, and a philosopher's understanding of the reasons why some civilizations succeed and other civilizations fail. He demonstrates the futility of the plausible French idea that all the important things in life must be planned and ordered by the state, and he explains the astounding success of Britain's failure to organize its colonies on a "logical" basis.



"I've been a burglar, a blackmailer, a mugger, and an armed robber, but by gosh, I've never been a *lawyer*!"

While France was doing everything it could to keep any unlicensed person, settlement, transaction, or idea from appearing on its American frontiers, Britain was treating its own settlements with salutary neglect, broken only by some blundering and spasmodic attempts to get them to contribute to their own defense. The British government's laxity and the French government's assiduous care of its possessions — its "unmitigated paternalism" (2,416) — resulted in the British dominions' becoming ten times wealthier and more populous than the French. British North America was a military asset; French North America was a sitting duck, waiting for the British to capture it.

Fischer requires no more than a footnote to deal with the vagaries of Herbert Marcuse, whom some people still regard as a distinguished philosopher.

The capture came in 1759, with the conquest of Quebec by British and North American forces. The last campaign wasn't easy, but its success had been prepared by generations of systematic mistakes on the part of France. The classic discussion is Parkman's chapter on France's colony in Louisiana, which was in desperate need of settlers, but in still more desperate need of common sense.

To this place where everything was always going wrong, France sent "about eight million livres . . . without any return." But even the simplest initiatives failed to work: "The settlers, always looking to France to supply their needs and protect them against their own improvidence, were in the habit of butchering for food the livestock sent them for propagation." The king replied with an edict forbidding anyone to kill any livestock "without permission of the authorities . . . on pain of death" (2,548). One can imagine how effective that edict was.

To one Antoine Crozat the king

granted a monopoly on enterprise in Louisiana, with predictable effects: "As the inhabitants were expected to work for Crozat, and not for themselves, it naturally followed that they would not work at all; and idleness produced the usual results" (2,544). In communist Poland, they used to say, "The state pretends to pay us, and we pretend to work." The only difference seems to be that in Louisiana no one even pretended. Crozat's resignation produced no change for the miserable inhabitants; it was the statist system that was at fault: "Louisiana was a prison. But while no inhabitant could leave it without permission of the authorities [a common situation in non-English colonies, whether French or Spanish], all Jews were expelled, and all Protestants excluded. The colonists could buy nothing except from the agents of the [government monopoly], and sell nothing except to the same all-powerful masters" (2,546).

Far from being a strong regime, however, this was an extraordinarily weak one: "Authority and order were the watchwords, and disorder was the rule. The agents of power quarrelled among themselves, except when they leagued together to deceive their transatlantic masters and cover their own misdeeds" (2,548). Much the same might be said about all the French dominions in North America. The seat of the folly was the central government. Though desperate to populate Louisiana with hard-working Frenchmen, the king refused a petition of four hundred Protestants who had emigrated to the Carolinas but were anxious to remove to a French colony: "The King replied, through the minister, Pontchartrain, that he had not expelled heretics from France in order that they should set up a republic in America. Thus, by the bigotry that had been the bane of Canada and of France herself, Louis XIV. threw away the opportunity of establishing a firm and healthy colony at the mouth of the Mississippi" (2,537). As in many modern regimes, it was the victory of ideology over every other consideration.

When you reach the final page of Parkman's marvelous book, setting it aside with reluctance and wishing that its 3,000 pages could have been still more, you might take a look at Willa Cather's little novel, "The Professor's House" (1925), which is about the sense of desolation that comes to an historian who has written a great work like Parkman's, once his life's work is completed. Or — seeking the comic rather than the tragic effect — you might look at David Hackett Fischer's richly amusing analysis of the ways in which other historians, especially historians of America, have failed to complete their work, at least in any intellectual sense of the word "complete."

Fischer is himself a prominent historian, the author of powerful books on early American history: "Albion's Seed," "Washington's Crossing," and the eloquent and affecting "Paul Revere's Ride." But when he wrote "Historians' Fallacies" he was not yet an august figure. The book is a remarkable performance for a young scholar. It exhibits an enormous range of historical knowledge and historio-

Even the study of logic can be enriched by a feel for life as it is lived, in its inexhaustible variety, by individual human beings.

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graphical reference; it is virtually a guidebook to approaches that have been taken to the study of America's past. It also exhibits enormous courage. There is hardly a school of historical or social thought whose logic it does not satirize; there is hardly a prominent historian who is not made to look the fool.

Anyone interested in argument should read this book, if only to enjoy its encyclopedic lists of logical fallacies: "fallacies of question-framing," "fallacies of generalization," "fallacies of motivation," "fallacies of narration," "the fallacy of essences," "the fallacy of the lonely fact," "the fallacy of the insidious generalization" — anything your fallacious heart desires. At the moment, my favorite is "the fallacy of false dichotomous questions," which Fischer exemplifies with a review of book titles that will send a thrill of merriment down the spine of anyone who has even the slightest appreciation for history's complexity: "Napoleon III: Enlightened Statesman or Proto-Fascist?", "The Abolitionists: Reformers or Fanatics?", "Renaissance Man: Medieval or Modern?", "The Absolutism of Louis XIV — The End of Anarchy or the Beginning of Tyranny?", and finally (you probably knew this was coming) "What Is History — Fact or Fancy?"

There is also the pleasure of watching Fischer pounce on self-important people. He requires no more than a footnote to deal with the vagaries of Herbert Marcuse, whom some people still regard as a distinguished philosopher. Fischer is criticizing "materialist" thinkers for imagining that all ideas are historically "determined," except, of course, their own, when he remembers the existence of Marcuse and adds the following note: "The same mistake appears in Herbert Marcuse's 'Eros and Civilization' (Boston, 1955), which, with other work by the same author, seems to be an attempt to combine the metaphysical determinism of Hegel, the economic determinism of Marx, and the psychic determinism of Freud with a plea for human freedom!" (195). Off with his head! So much for Marcuse. His work "seems to be an attempt . . ."

A worthier victim is Jeremy Bentham, whose "Book of Fallacies" is an important precursor of Fischer's own work. Fischer sees merit in Bentham but does not like his suspicious moralism: "He tended to assume that these forms of error [logical fallacies] are usually evidence of some sort of sinister interest in their authors. 'Is it credible . . . that their inanity and absurdity should not be fully manifest to the persons who employ them?' he asked. 'No,' he answered in his solemn way, 'it is not credible.' But this is a very great mistake. Many [fallacies] are clearly not the result of a deliberate attempt to deceive but rather of obscured understanding by authors who were themselves deceived" (283).

Authors cannot be acquitted quite so easily. If there is deception, it is ordinarily self-deception. Wasn't Bentham deceived ("in his solemn way") by his own failure of imagination? In any event, Fischer is right in emphasizing the complexity of human character. A good person, a brilliant person, as Bentham certainly was, may be a very bad arguer. As Fischer's book demonstrates, even the study of logic can be enriched by a feel for life as it is lived, in its inexhaustible variety, by individual human beings.

How much more is this true about the study of history! That's the lesson of virtually all the books I've discussed, whether they are concerned with the ambitions of William Walker or the struggles of Cortés and Montezuma or the disappointments of Pontchartrain and Atahualpa or the whims of professional historians. And whoever has that feel for individual human life will always have a claim on the attention of other individuals. ❑

"Death of a Salesman," by Arthur Miller. Lyric Theater, London.

New Life for Willy Loman

Jo Ann Skousen

Sometimes a director's staging changes the meaning of a play without changing a single word of the dialogue. Such is the case with Robert Falls' production of "Death of a Salesman" currently in London, starring Brian Dennehy as down-and-out salesman Willy Loman, and Clare Higgins as his long-suffering wife Linda.

Arthur Miller's Salesman is often called the Great American Tragedy, but I've never been a big fan, with its dark moralizing on the evils of capitalism and its despairing, dysfunctional family. Willy badgers his sons into occupations they don't like, belittles his wife, and hides his failures. He's not just a loser, he's an abusive loser victimized by an uncaring boss. The name says it all: Willy Loman is "low man" on the totem pole.

Robert Falls' masterly direction, however, skyrockets this Willy to the top of the pole. Every character is changed, just by inflection and delivery. Dennehy enters the stage with a stooped shuffle, the fingers of his right hand slightly clinched, his lips moving before he speaks as though he is reaching for language itself. This is no overbearing abuser, but a befuddled old man who has suffered a minor stroke or the onset of Alzheimer's. Clare

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Higgins turns Linda into the heart of this production, no longer a cowering abused wife but a woman who loves her husband passionately and demands that her sons respect him too. When she tells her sons, "Don't upset your father," it's not because she fears his abuse but because she doesn't want him to suffer any more anguish. Yes, Willy cuts her off mid-sentence, and it irritates Biff to see his mother treated that way. But it doesn't bother Linda. She loves Willy. She appreciates him. And she wants to protect him from the confusion that has come over him.

When the play was first written, Miller's producers were concerned about how to stage the flashbacks. Would audiences understand, or would they be confused? Dennehy's performance leaves no doubt.

Dennehy's Loman is no overbearing abuser, but a befuddled old man who has suffered a minor stroke or the onset of Alzheimer's.

Midsentence he turns his stooped back on the audience, shuffles a few feet into the scene, and straightens into a robust, powerful, lighthearted businessman 20 years younger, throwing footballs with his sons. As the scene ends he turns back, his shoulders droop, his fingers clinch, and he pulls at his eyebrow distractedly. He is in the present once more. During these flashbacks the other characters change costumes and hairstyles to indicate the earlier time period, but Willy remains in his gray suit throughout the show, a subtle reminder that these events are taking place inside Willy's tortured memory.

One aspect of the play that does not change is Miller's Marxist interpretation of money as a measure of self-worth. According to Marx, using money as a medium of exchange separates the laborer from the end product, dehumanizing the worker. Being a mere salesman, not involved at all in the production of any good, would then be the basest form of capitalism. But even that concept becomes more alive and personal in Falls' interpretation, which emphasizes the family's admiration of and appreciation for Willy's home repairs and renovations. Biff, who wants to be a rancher instead of a salesman, has more in common with his father than either of them realize; the tragedy is that Willy has been pushing them both in an unnatural direction their whole lives, instead of embracing their natural talents in working with their hands.

Who is the real Willy Loman? Is he the forlorn failure of the capitalist system Arthur Miller created, worth more dead than alive when he can no longer sell useless gadgets? Or is he the triumphant Willy Loman Robert Falls has created, who heads to his death with a sparkle in his eye, ready to earn another $20,000 as he sets out on one last road trip. In the penultimate scene, son Biff cries, "Pop! I'm a dime a dozen, and so are you!" Willy responds angrily, "I am not a dime a dozen! I am Willy Loman, and you are Biff Loman!" It's a pitiful irony from a man who has become a nobody. But midway through the line in this production Dennehy turns center front, opens his arms wide, and proclaims to the balcony, "I am Willy Loman!" Overwhelmed by the passion of the moment, I thought, "Yes, you are indeed." This play has been forever changed by the stamp put on it by Robert Falls and his remarkable cast. I shall never read it the same way again. If you are going to London in the next few months, or if it transfers to Broadway as many West End plays do, don't miss it. ❑

One aspect of the play that does not change is Miller's Marxist interpretation of money as a measure of self-worth.

"1491," by Charles C. Mann. Alfred A. Knopf, 2005, 466 pages.

Europeans at the Gates

Jane S. Shaw

Charles Mann's "1491" is a big-themed, richly detailed book that challenges conventional wisdom about the people who lived in the Western Hemisphere before Columbus arrived. Mann brings together recent anthropological and archaeological research to argue for three major propositions: (1) The Western Hemisphere had a greater population before Columbus arrived than scholars used to think — possibly 100 million — most of whom were killed by diseases inadvertently brought by the Europeans; (2) These early Americans shaped their environment through agriculture, irrigation, and fire, even in places such as the Amazon basin usually considered impenetrable; (3) Humans settled in the Western Hemisphere earlier than previously thought and perhaps did not come from Asia over a dry land bridge after all.

These arguments and ideas have been around for awhile. Specialists are still battling over them, but I don't think they have been collected in one place before. Mann presents the issues in a journalistic fashion, weaving in his own observations from his travels

throughout the Americas. His overall message is clear — he believes that the Americas had more people, probably for a longer time, and with more effect on the landscape than experts used to think. But Mann does not marshal convincing scientific arguments. You know which side he is on, but you aren't really sure you have the full story.

Partly that is because the topic — pre-Columbian America — is so big. Mann can't begin to cover it all. He has to pick and choose his civilizations, which range over time and space to include not only the advanced civilizations of Central America such as the Olmecs, Mayans, and Inca, but also the less well-known Mississippian cultures such as Cahokia in the midwestern United States, as well as the East Coast Indians who greeted the Pilgrims. With all this territory to cover, the book has a scattershot feel. Mann swings between describing civilizations and reporting on the contentious modern debates going on among archaeologists and anthropologists. Soon after, he is describing the 100 Years' War of the Mayans, pieced together through information found on walls and pottery (because all the Mayan paper or deerskin codices were destroyed by the Spanish). And then he is boating on the Amazon, and then summing up with lessons from the Haudenosaunee, the Indians who lived in what is now known as upstate New York and whom most people call the Iroquois. Along the way he contemplates why the Andeans, who had wheeled toys for children, never invented a working wheel, and explains how mitochondrial DNA is helping determine whether all South Americans could have originated in Siberia.

Mann is clearly in the camp of "high counters" who think that the population of the Americas could have been well above the early demographers' estimates of around 1.5 million, even as high as 100 million, more than the population of Europe at the time. The available evidence, much of it anecdotal, does seem to suggest high numbers. Hernando DeSoto, searching for gold in the Mississippi Valley in the mid-16th century, encountered several thousand Indian soldiers at once and reported seeing frequent towns. In 1682, the French explorer Robert LaSalle found the same area all but deserted.

The argument is that smallpox and other diseases hit the vulnerable Indians as soon as the Europeans landed. The Europeans didn't even have to approach the Indians to infect them; the 300 pigs that DeSoto's party started out with, for example, undoubtedly carried deadly viruses and spread them around the countryside.

Mann is convinced that Indians had an enormous impact on the land, whether using fire to create grasslands in order to attract game or through the creation of rich soil (called terra preta) in the Amazon, apparently formed by the deliberate addition of charcoal and ceramics. But Mann passes lightly over another effect — the likelihood that paleo-Indians during the Pleistocene wiped out the large mammals such as the mastodon, the mammoth, and the sabre-toothed cat. He expresses some doubt about this "overkill" theory, but never tells us why.

On a related issue, however, he is persuasive. Early white settlers were amazed at the prevalence of some animals such as passenger pigeons and bison. Mann makes clear that they were so pervasive because their human predators had been killed off by disease.

The third big issue is how long people have lived in the Western Hemisphere. For the first three decades of the 20th century, most American ethnologists resisted the idea that Indians could have been present in the Americas as far back as the last Ice Age. Mann recounts how amateur artifact collectors kept coming up with evidence of Pleistocene-age tools, only to have the experts reject them, ostensibly because the bones didn't look old enough, but possibly, he suggests, because they didn't like amateurs invading their turf. At a time before carbon-14 dating, one expert, William Henry Holmes of the American Bureau of Ethnology, examined site after site but concluded in every case that all the amateurs had come up with were colonial-era Indian relics.

Early white settlers were amazed at the prevalence of passenger pigeons and bison; they were pervasive because their human predators had been killed off by disease.

The attitude changed with the discovery of the Folsom and Clovis sites in New Mexico. Although the leading opponent of the early-American theory objected till the end, the discovery of spear points in the ribs of bison that had lived during the Pleistocene era clinched the argument — especially since their retrieval coincided with the emerging view that there had been a land bridge between Asia and North America that allowed Siberians to reach North America. Since this migration became conventional wisdom in the 1930s, however, doubt has surfaced, mostly because it seems unlikely that immigrants could have walked south because of the giant ice sheets

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that spread across Canada. Now some experts think that the newcomers may have arrived even earlier from Asia by boat, moving south along the Pacific coast. Mann seems to lean toward these views.

Perhaps one reason why Mann doesn't argue too forcefully on some of these points is that the evidence of early civilizations is so difficult to read. For me, Mann's most valuable contribution is illustrating the extent of scientific disputes, the power of the scientific establishment in resisting new ideas, and the fact that new theories and new evidence can always invalidate the conventional views. Sometimes, after an issue is fought over for decades, conditions suddenly "flip" and the new idea becomes conventional wisdom. This was the case with the land-bridge idea, which, Mann says, "leapt from the pages of Science to high school history textbooks."

An illustration of the difficulty of finding the truth is a dispute among scientists over the level of social and cultural complexity possible in the upland forest of the Amazon. Betty Meggers, a prominent archaeologist, made a major mark in 1971 by arguing that the soil of the Amazon is too fragile and lacking in nutrients to support a complex society. The lush and verdant rain forest is misleading; all the nutrients remain in the vegetation, not the soil. Take away the vegetation and you have "wet desert" — soil so poor that it cannot provide enough food to sustain a complex civilization. Thus, Meggers argued, Amazonians adopted "slash-and-burn" agriculture, which let them live within the ecological limits of the rainforest. Meggers contended that the people of the Amazon had lived that way — cutting down the jungle, farming for a few years, and then moving on — for 2,000 years. In the 1940s, Meggers and her husband had studied a city, Marajo, that seemed to defy those limits — it existed in the Amazon rainforest from A.D. 800 to 1400. But Meggers concluded that it was a mere offshoot of a more sophisticated culture from the Andes.

Recently, however, archaeologist Anna Roosevelt has harshly attacked the "ecological limits" theory. Roosevelt argues that Marajo was a rich civilization in its own right. She goes on to argue that "slash-and-burn" agriculture is actually a relatively new way of farming, made possible by the Europeans' steel axes. Armed with only stone axes, the early Amazonians would have faced an overwhelming task in cutting down rainforest trees. To Roosevelt, "slash-and-burn" was virtually impossible as the basis for a sustainable way of life. This relatively modern debate is just as bitter as the one surrounding the question of when the first Indians arrived. Ultimately, according to Mann, this one "featured charges of colonialism, elitism, and membership in the CIA."

As these controversies show, there is much more to be learned about early Americans, and perhaps the conclusions will never be definitive. These are sensitive topics, and the arguments are undoubtedly affected by ideology, prejudice, and professional standing. Mann's own diffidence in arguing for specific positions may stem from a desire to avoid the emotional minefields that could weaken acceptance of his book. But he has given the new ideas a broader audience, and we can expect to read much more about early Americans in the years ahead. ❑

Reflections, *from page 14*

treatment or punishment," and specifies that U.S. troops use only interrogation techniques authorized in the new Army field manual. This is no formula for kid-glove treatment: it authorizes the use of techniques ranging from subtle to hard-nosed that don't cross the line into barbarism.

Given all the talk from our noble leaders about the Global War on Terror being a struggle of civilization against barbarism, using tough but civilized techniques should have gone without saying. But the shocking photographs from Abu Ghraib, and the testimony of Capt. Ian Fishback and a few other soldiers who have come forward, suggest that some military people lost their way during this war.

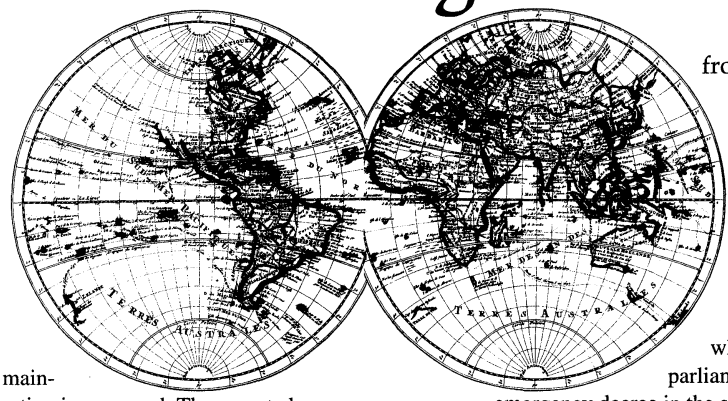
The fact that two dozen retired senior military officers, including Colin Powell and John Shalikashvili, endorsed the McCain amendment is an indication a significant number of military people believe that setting understandable limits is in the military's interest. In Iraq, soldiers — many of them "weekend warriors" from the National Guard who had not received sufficient training — were confronted with dangerous situations, and confusing and sometimes nonexistent guidelines from civilian authorities, some of whom resisted making it clear that inhumane treatment was not condoned. Having clear guidelines will make their job easier in the future.

The most disappointing aspect of this whole sorry story is that the Bush administration resisted setting humane guidelines, and has talked about a veto — this from a president who has never vetoed anything, ever. That he would consider using his first presidential veto on a measure designed to prevent torture suggests an alarming moral hollowness.

It is probably significant that this legislative effort was led by Sen. McCain, a veteran who endured torture himself as a POW during the Vietnam war. For civilians without military experience, the use of torture is somewhat theoretical, and the idea of condoning it might seem like an exciting, even necessary tactic in a new kind of war. Those with experience know better. Torture and other extreme tactics not only demean those who use them, but seldom produce reliable information.

— Alan W. Bock

Terra Incognita



Albuquerque, N.M.

Curious dispatch from the animal control front, from the *Albuquerque Tribune*:

> Bob Schwartz, the author of a new state law that allows felony charges against owners of dangerous dogs, was hospitalized over the weekend after his own dog attacked him.

Barstow, Fla.

The reasonable regulation of free speech, from the *Lakeland Ledger*:

> After First Baptist Church of Bartow put up a Nativity scene without permission on a grassy plot near the center of the county's government office complex, county commissioners decided to create a "free speech zone" to eliminate controversy.
>
> Groups wishing to use the zone must apply 21 days in advance and pay a $50 application fee, and an additional $100 to cover maintenance costs if the application is approved. They must also have liability insurance of at least $500,000. Displays cannot include any profanity or pornography, commercial speech, or lights or sound effects, and all content is subject to review by county officials.
>
> Commissioners planned to hold a lottery last week to determine when groups could use the space during the following year. As it turned out, no lottery was needed because no applications were submitted.

Washington

Literary note from the seat of democracy, reported by the *Washington Times*:

> Sen. Barbara Boxer's debut novel, "A Time to Run," a suspense tale penned by the California Democrat, portrays Republicans as "snakes" and Democrats as "saints" in the book, which chronicles the adventures of a diminutive redhead who assumes her husband's Senate seat after he is killed, then tries to foil the nomination of a conservative woman to the Supreme Court.

Wellingborough, England

Advance in "swear jar" technology, from the *London Daily Mail*:

> The Weavers School in Northamptonshire allows pupils to swear at teachers — as long as they do not do so more than five times in a lesson. A running tally of how many times the f-word has been used will be kept on the board. If a class goes over the limit, they will be "spoken" to at the end of the lesson.
>
> The school also plans to send "praise postcards" to the parents of children who do not swear and who turn up on time for lessons.

Washington

Reasonable regulation of the right of peaceable assembly, from the *Washington Post*:

> Organizers of the Pentagon's 9/11 memorial Freedom Walk fenced off the route of the march, lined it with police and closed it to anyone who did not pre-register.
>
> Officers were instructed to arrest anyone who joined the march or concert without credentials, said Park Police Chief Dwight E. Pettiford, adding that officers would patrol to keep interlopers out because the Pentagon restricted the event in its permit application. "That is what their permit called for, so we have those fences to keep the public out."

Bangkok, Thailand

Advance in public relations, from the *Sydney Sun-Herald*:

> Prime Minister Thaksin Shinawatra, who has complained of press criticism, has sought to turn the tables with a new tactic: sounding a buzzer every time reporters ask questions he deems "not constructive."
>
> Thaksin sounded the alarm when a Thai newspaperman asked why the government had failed to seek parliamentary consent before introducing an emergency decree in the southern provinces, where a Muslim insurgency has taken hold. "Not constructive!" he exclaimed.

Montgomery, Ala.

Protecting America from bioterrorist fish, noted in the *Mobile Register*:

> Alabama is banning the sale of a Vietnamese-imported fish that competes with U.S.-farmed catfish. Jesse Chappell, a fisheries specialist with the Alabama Cooperative Extension System, said that the purpose "is to protect people from virulent infections and bioterrorism" but the effect in the short term will be to "create an even playing field" where U.S. catfish farmers "can better compete."

Washington

The wheels of justice grind on, from the *Washington Times:*

> Former National Security Adviser Samuel R."Sandy" Berger was fined $50,000 by a federal judge for illegally taking classified documents out of the National Archives by stuffing them in his pants. Berger claimed he took the documents as the result of an "honest mistake."

Nashville, Tenn.

Admirable vigilance against tobacco, from the *Nashville Tennessean*:

> Tenneessee attorney general Paul Summers has asked country singer Gretchen Wilson to stop "glamorizing" smokeless tobacco, noting in a letter to Wilson that her performance might violate the 1997 advertisement agreement between tobacco companies and state attorneys general. During performances of her song "Skoal Ring," Wilson takes a can of Skoal from her pocket and displays it to the crowd.

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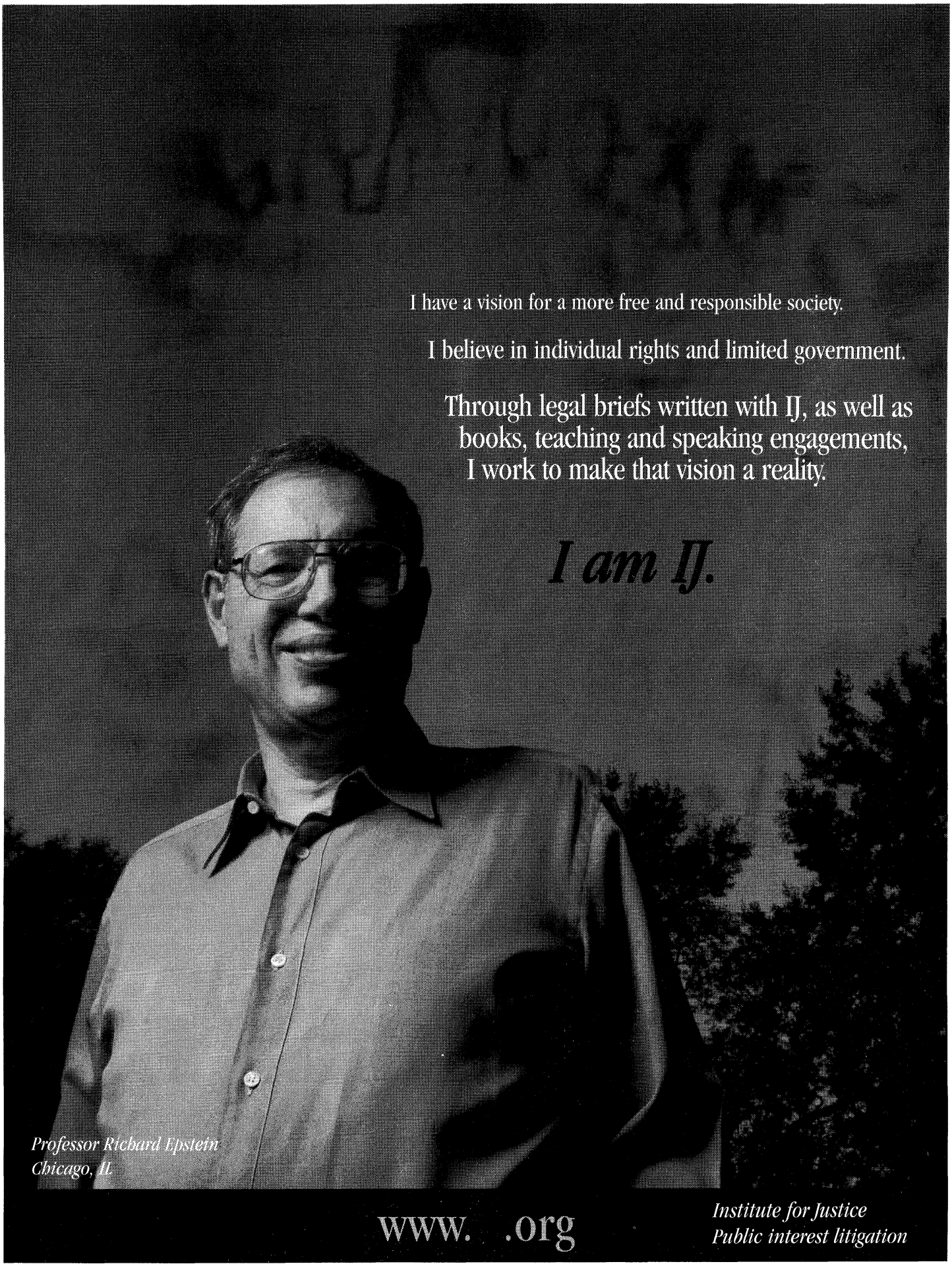
(Readers are invited to forward news clippings or other items for publication in Terra Incognita, or email to terraincognita@libertyunbound.com.)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