

Liberty

January 2004

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Christmas:
Our Pagan
Holiday



Learning from the California Election

by R. W. Bradford

I Drop My Pants to Airport Security

by Tim Slagle

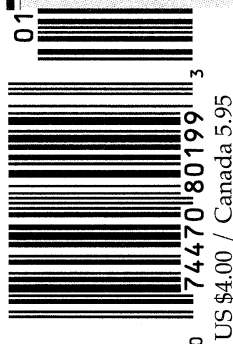
Love, Sex, and Sanctimony

by Sarah McCarthy

A Strange Little Town in Texas

by Larry J. Sechrest

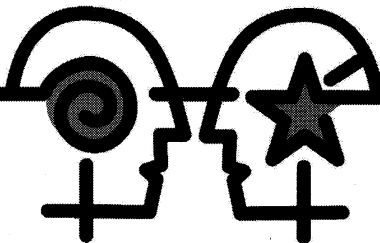
Also: Bruce Ramsey looks at how antidiscrimination laws hurt free speech, Leland Yeager makes the case for monarchy, Christopher Chantrill examines the good and bad of corporations . . . plus other articles, reviews & humor.



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Letters

The Limits of Heroism

Although I agree with the primary thrust of Jo Ann Skousen's reflection, "9/11, goats, and atonement" (November), I part company with her inclusion of police and firefighters as "heroes" of 9/11.

Cops and firefighters are paid to rescue people. They freely choose to accept Caesar's gold in exchange for performing duties like saving people. Even so, I exhort Skousen to carefully examine the 9/11 footage. Look at the number of cops and firefighters fleeing for their own safety.

We should not forget that the average cop and fireman are paid significantly more than the average person. And the ordinary person does not have the benefit of public employee unions constantly pushing to steal more and more from those that the cop and fireman are sworn to serve and protect.

I, for one, am sick and tired of public-sector hero worship. Enough already. If cops are such heroes, why do they seek immunity defenses in the thousands of civil rights actions filed against them each year?

My hunch is that the vast majority of *Liberty* readers understand that the spirit of 1776 is not compatible with public-sector hero worship.

Michael M. Burke
Plymouth, Mass.

Not to Be Forgiven

In the November *Liberty*, Sarah J. McCarthy wrote: "If Jesus had said it'd be easier for a gay guy to sashay through the eye of a needle than to get into heaven, we'd understand why social conservatives become unhinged . . . If he had said that, it'd be inscribed over courthouse doors and chiseled in concrete."

Jesus didn't use those words, but He did say: "Think not that I am come to destroy the law. . . . For verily I say unto you, Till heaven and earth pass, one jot or one tittle shall in no wise pass from the law, till all be fulfilled" (Matthew

5:17-18). The relevant law is Leviticus 20:13 where the homosexual act was classed as an "abomination" and the guilty parties were to "surely be put to death." In the New Testament, a capital offense ("a sin unto death," 1 John 5:16-17) was not to be forgiven in this life.

In *Lawrence v. Texas*, 539 U.S. (2003), the U.S. Supreme Court held the sodomy law of Texas (which criminalized sex between two people of the same sex) unconstitutional. They overruled their *Bowers v. Hardwick* decision (which had held Georgia's law criminalizing acts of sodomy constitutional) then used Justice Stevens' dissenting opinion in *Bowers* as authority. *Inter alia*, Stevens wrote: [T]he fact that the governing majority in a State has traditionally viewed a particular practice as immoral is not a sufficient reason for upholding a law prohibiting the practice" (478 U.S., at 216).

With Stevens around, who needs God or democracy?

James Harrold, Sr.
Springdale, Ark.

Life Inside

I was riveted by Ralph R. Reiland's article, "Perversion of Justice" (November). I am a former attorney, who, because of personal weaknesses exacerbated by an overindulgence in alcohol, spent 21 months in an Ohio minimum/medium security prison for theft of clients' money. I offer no excuses for my actions as there are none. But my experience in the criminal "justice" system has led me to agree totally with Reiland's conclusions.

Unlike DeBlasio, I was not raped in prison. I was older and had some protections (although I did not learn about them until I was released), and I learned early on not to borrow, lend, or snitch. But my time as a ward of the Ohio Department of Rehabilitation and Correction convinced me that the department's mission was neither rehabilitation nor correction.

I would be remiss to avoid mentioning the few positive influences I experi-

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enced. The psychiatrist I saw twice monthly for depression was a breath of fresh air and afforded me an opportunity to converse using words of more than two syllables. The prison chaplain was a truly fine man who worked much unpaid overtime to bring a spiritual life to those who sought a better life. The teachers and staff of the school really sought to lift a lot of young offenders up to a higher level of existence.

But when you get down and dirty about life inside, you immediately focus on the terrible food, abysmal medical care, and corrections officers who are frustrated police-officer wannabes, or welfare recipients given jobs to get them off welfare, or retired military looking for a second pension, or else one of the few, older, almost-retired professional corrections officers who resent all the others. I don't have access to actual figures, but I know I am close if I state that 98 percent of prison inmates will eventually be released back into the community. A three- or four-week course on how to be a valued member of society does nothing to change the attitude of a prison inmate who has been humiliated, molested, starved, and convinced that he or she is of no human value by the prison administration. The prison administration and staff have a vested interest in recidivism rather than in successful readjustment to society. Their jobs depend on it.

The public wants to know why drugs, booze, weapons, and prostitutes can get into prison. The official pronouncement is that mail, packages, and visitors bring them in. Some of that may be true. But all inmates know that the corrections officers are the greatest source of contraband and offer the smallest possibility of being caught.

Prisons are the universities of crime. Those who successfully make the transition from prison back into the community do it because they were not really bad people in the first place, or because in spite of the prison life they kept their sanity and humanity and vowed never to do anything to cause them to return.

Since my release from prison in 2001, I have worked as a wood patternmaker's assistant, a house painter, and a production line worker. None of these jobs are as

From the Editor . . .

It takes a certain amount of effort to be jolly as Christmas approaches, with government growing more powerful, taxes rising further out of control, war raging in the Middle East, and the world in general getting progressively crazier. Of course, that can be said almost every year, but somehow we manage. The explanation can be found in the fact that there is far more to life than politics and war.

But even the pleasures of our daily lives can be dulled by political mischief. Where I live, some 73,000 people who commute to work by ferry can look forward to having themselves and their cars routinely searched twice each workday, unless by some miracle, the Bush administration finds a way to temper the War on Terror with common sense. This War has made the concept of "pleasure travel" almost self-contradictory. If you don't believe me, read the story of Tim Slagle's airport adventure, elsewhere in this issue.

You may have noticed that the December *Liberty* had nary a word about the American government's invasion and occupation of Iraq. I wonder whether this was a collective attempt by us as *Liberty* to evade reality, or perhaps maintain our cheerful dispositions. Whatever the reason, we face reality this issue, with several of us turning our attention to the war, its escalating death toll, and its mounting costs. If you want to avoid news about body bags (oops! I mean "transfer tubes"), massive waste, and America's decline into empire, be careful which "Reflections" you read.

I've already used a word that is often missing from public communication this time of year: it seems odd to me how frequently the word "holidays" is used rather than the word "Christmas." I know, a lot of Americans are not professing Christians, but as an atheist, I don't understand why so many other non-Christians are upset by the celebration of Christmas. I don't hear many complaints about the word "Thursday," despite the fact that the last time I checked, a lot of us didn't believe in Thor. It seems to me that Christmas is a part of American culture, and that a great many things about it are good things indeed. Despite all the "Keep Christ in Christmas" campaigns, it has never appeared to me to be a particularly Christian holiday. It's more a time of family, friendship, generosity, rest, and fun.

For this issue, Jo Ann Skousen, who unlike me celebrates the birth of the Son of God, looked into the history of the holiday and discovered that most of the ways we celebrate it are younger than our very young country. I was delighted to learn that a lot of our celebration was the work of a friend of Washington Irving. You'll find Jo Ann's brief history on page 19.

Elsewhere in this issue, Larry Sechrest invites us to visit his hometown, Mark Skousen defends his faith, and Leland Yeager takes another look at monarchy — hey, didn't we fight a revolution to get rid of that? — and speculates that it might be friendlier to freedom than what we have now. *Liberty* is a political magazine, of course, and we'd be remiss if we didn't invest a little ink in matters political: I look at the California gubernatorial election just past and find very bad news for Libertarians, but not for libertarians; and Greg Newburn offers some *realpolitik* insight into the politics of liberty.

Our reviews are as diverse as our culture, looking at books on subjects ranging from corporations (good and evil), the decline of free speech, and the wars on Iraqis and drug users to the art of Frank Lloyd Wright, Marilyn Monroe, and Britney Spears — and two good new films that won't be promoted on Leno.

Lastly, I'd like to draw your attention to page 9, where we present a special offer of holiday gift subscriptions to this very magazine. You pay a compliment when you give a friend the gift of challenging reading, and now you can save some money in the process. Wait a minute! Did I say "holiday gift"? I mean "Christmas gift"!!

Enjoy the blessings of *Liberty*, and have a great Christmas!

R. W. Bradford

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lucrative as practicing law, but they are all honest, necessary jobs, and I am happy. I have applied to graduate school, and I know that I will be successful in my new endeavor and will never return to prison (unless the government finally reaches its goal of passing enough laws to make everyone guilty of a felony).

John G. Ludeman
Toledo, Ohio

Cox in the Doghouse

On behalf of all dachshunds, I protest Stephen Cox's degrading comments in the last issue of *Liberty* magazine. He compared "20 high officials of the University of California" to "restless dachshunds."

As a dachshund I am deeply offended. The person I share a home with (he'd like to use the term "owner" or "master") is a graduate of the University of California, Davis. He assures me that this comparison is a slur of the most outrageous magnitude.

Dachshunds have endured campaigns of vilification in the past in this country. In particular the World War I and World War II periods were extremely difficult. In addition the term "wiener dog" is outrageously offensive. Cox's comments go beyond even those dark times and vicious slurs.

This is not mitigated by the fact that my owner assures me that Cox has done excellent work on Isabel Paterson and has written for *Liberty* for many years. He also tells me that he is a grammar maven and very careful about what he writes. In fact this makes the unwarranted attack more offensive to me.

Finally, while it is true that I tirelessly bark, dig, eat, and sleep, I prefer to think of myself as energetic and motivated, not "restless."

Mixtli (an energetic and proud dachshund)
Gold Canyon, Ariz.

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

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The Twilight of the Marvels

I totally agree with Thomas Fuller's reflection on "The hermeneutics of the Hulk" (November).

Ideas and values are conveyed through radio, cinema, books, papers, and television programs. Scanning them is a good way to assess the level of sanity in a society.

I would like to underscore two examples I find particularly relevant.

When I saw the movie *Spiderman* last year, it left a bad taste in my mouth. At the end, the hero renounces his lifelong love and then goes I don't know where to save people he doesn't know, but cares about anyway. What painful nonsense. Christopher Reeves' Superman, at least, respected his own happiness. In 20 years, altruism has come to the point that a hero, to deserve respect, must save the world *and* sacrifice himself. Ayn Rand must be turning in her grave.

My second example is even more painful. Michael Moore's *Bowling for Columbine*, which looks more like messy propaganda than serious independent journalism, has been awarded three major prizes in France. And it is to be broadcast this week in prime time on French television. Gosh, what happened to the country of Voltaire?

Fuller is definitely right when he writes, "There will be no rebuilding the institutions of liberty, because the foundation has rotted out." Unfortunately, it seems like it is a worldwide trend.

Nicolas Roussel
St. Josse, France

Memes vs. Genes

The incoherence of Sarah McCarthy's plea for enlightened racism in "Diversifying for Freedom" (November) is evident from the first sentence, which calls for a constitutional amendment upholding the right "to attain diversity of thought." What it means for a person to achieve diverse thinking, and exactly how a government violates this right, are beyond any guess.

McCarthy upholds biological determinism, favorably quoting Freud's "Biology is destiny" and seeing people's ideas as "the product of their gender, race, and culture." If these, rather than the way people choose to think, are the deciding factors in people's thoughts, then we might as well give

continued on page 22

Reflections

Odious nostalgia — Among the many things for which I cannot forgive Bush, high on the list is that he makes me long for Clinton.
— Wendy McElroy

Get yer filthy, stinking, femi-commie hands off my lingerie Barbie® doll! —

The market has won another victory over political correctness. For years, radical feminists have been protesting the appearance of the Barbie® doll. In an effort to change America's perceptions of beauty, women's advocacy groups demanded that children play with dolls that look more like feminists. Turns out, nobody was interested in the wider-hipped, smaller-breasted Barbie® for which the feminists clamored.

Mattel recently released two new dolls, the My Scene Barbie®, who is dressed like Britney Spears complete with trashy make-up, and a line of Lingerie Barbies® clad in provocative underwear. Since their introduction last Christmas, they have been flying off the shelves, leaving PC Barbie® as alone on the shelf as Andrea Dworkin was on prom night. The market rules. Toys are fantasy objects, and despite the wishes of asexual, unattractive, leftist feminists, little girls still fantasize about being beautiful.

This marketing failure is reminiscent of an earlier attempt by Mattel: Becky®. She was a handicapped doll, sold complete with a wheelchair, that in a marvelous unintentional irony was manufactured too wide to fit through the Dreamhouse® door. Her recommended position in Barbie's® circle of friends was "The School Photographer" and she came complete with photographic equipment, so she could take pictures of all the other dolls having the fun she couldn't have. Turns out, even handicapped children refused to play with her, as even for them, it is impossible to imagine wheelchairs in the wondrous world of children's make-believe.
— Tim Slagle

Barbeque-chomping surrender monkey

— The U.K. *Mirror* reported on Nov 17, that "George Bush was last night branded chicken for scrapping his

speech to Parliament because he feared being heckled by anti-war MPs. The U.S. president planned to give a joint address to the Commons and Lords during his state visit to Britain" but backed out, perhaps remembering the heckling he received earlier this year in the Australian Parliament.

— Wendy McElroy

Clock-cleaning, GOP style — The good news for people who live in my neighborhood is that, after years of left-wing Democrat control of the Jefferson County Commission, conservative Republicans have completely taken it over. An end to profligate spending and rising taxes?

Well, consider what the Commission did on Nov. 10. It authorized the first phase of repairing the clock on the courthouse. The total cost, the local paper reported, will be about \$3.7 million.

Repairing an old clock on an old building is a nice idea. But \$3.7 million? That's \$139 for each resident of my small rural county, enough to buy each of them a very fine watch. If residents of Los Angeles County were to spend this much to repair their courthouse clock, the cost would be \$1.34 billion. And if residents of Jefferson County built a brand new courthouse, complete with clock, it could be done for a good deal less. (As a matter of fact, the County Commission plans to refurbish the existing courthouse at a cost of "more than \$12 million," or about \$320 for every resident.)

What's interesting about this is that as far as I can tell, no one objects to the extravagant expenditure. Not the Democrats. Not the Republicans. Not the local newspaper. No one. It's just business as usual.

A few obvious points. When it comes to being profligate with other people's money, conservative Republicans are no better than left-wing Democrats. The notion that small-town America has good fiscal sense is, well, nonsense. And the theory that government is a luxury good is looking better and better. Local residents — the politically influential ones, anyway — are so well-off that the idea of pouring \$3.7 million into a clock repair garners nary a word of protest.

Perhaps this helps explain why so few Americans have



objected to the \$87 billion that Bush has just gotten from Congress to spend occupying Iraq and Afghanistan. That's only about \$300 for every American — less than what refurbishing the courthouse will cost every resident of Jefferson County.

— R. W. Bradford

Government gastronomy — Guess which cafeteria the District of Columbia recently shut down for such sins against the health code as water dripping from the ceilings, cooks without hair nets, poorly cleaned surfaces, and mouse droppings everywhere? Why, the cafeteria at the U.S. Department of Agriculture, the agency charged with keeping the country's food supply safe.

— Alan W. Bock

Shiny objects, pretty colors — The news story out of the Nov. 3 debate among Democratic candidates for president was the remark by Howard Dean that Democrats should also try to appeal to the Southern man with a Confederate battle flag on his truck. John Edwards, Al Sharpton, and a black member of the Massachusetts audience piled on the Vermonter, each waving a credential: Edwards, because he's from the South and Sharpton and the audience guy, because they're black.

The fumbling Dean admitted of the flag, "It's a racist symbol but I also think the Democratic Party has to be a big tent." But if it is indisputably a racist symbol, why have it in your tent? In fact, it is sometimes a racist symbol and sometimes an historical and regional symbol. Like a lot of symbols, it means different things to different people. But Dean, the older white guy, did not have the guts to say to the black northerner, age 25, that the young man's feelings about the flag should not require condemnation of everyone who had such a flag.

I am not from the South and it is not my flag. What bothers me is that one group thinks it has the right to define a symbol for everyone, and demand that the people who display the symbol for innocent reasons give it up. Procter & Gamble went through something like that some years ago with their logo, which showed a crescent and stars. Some people declared it to be a symbol of witchcraft, which it was not. There was a whole to-do about it, and Procter & Gamble quit putting it on their products.

The flag story also shows the idiocy of our political discourse. An intelligent debate ought to be about such things as Medicare, Social Security, taxes, war, and civil liberties. If they wanted to talk about race it could be preferences, the

achievement gap in schools, or any number of things. Instead the putative leaders of the Democratic Party yammer on about the flag of a government that disappeared 138 years ago.

Not that the Republicans are any better. In 1988, the elder Bush campaigned on a promise to forbid anyone who owned a United States flag from setting it on fire. If the Republicans were running a primary contest this time, they would be sure to scream about preserving in the Pledge of Allegiance the words "under God."

This is how we select the most powerful man in the world.

— Bruce Ramsey

God bless the Democrats — The economy is up, unemployment is down, and the stock market is strong. Bush II gives all credit to his tax cuts. By arguing that tax cuts hurt the economy, the Democrats have helped make the case for stimulating the economy with tax cuts even stronger. They've indelibly underlined a great truth for the next generation: lower taxes = more prosperity. We cannot thank them enough.

— Tim Slagle

Information lockdown — It is becoming clear that the Bush administration is obsessed with secrecy and the purported privileges of the executive branch to an unhealthy degree.

The most recent bit of evidence is Bush II's response to a request for information from the National Commission on Terrorist Attacks Upon the United States, created last year by Congress and headed by former Republican New Jersey governor Thomas Kean. The commission is trying to determine what various branches of government might have known before the terrorist attacks, with an eye to making recommendations to improve the flow of information in ways that might prevent, deter, or reduce the possibility of future attacks.

The commission wants documents including the Presidential Daily Briefing, a summary prepared by the CIA each morning. The commission doesn't want to put them on the Internet, just look at them with fresh pairs of informed eyes (and perhaps the benefit of hindsight) to gain insight into what happened and what policymakers can learn from the experience. The White House refused to give the documents to House and Senate investigators doing similar inquiries last year.

Early in his administration, even before 9/11, Bush countermanded a law opening old presidential archives to scholars and researchers. Almost all of the report on David Kay's search for "weapons of mass destruction" in Iraq is still classified, although Iraqi adversaries and would-be adversaries surely know already anything that might be there. The very names of people held at Guantanamo and elsewhere in connection with the War on Terrorism are still secret, although the Supreme Court might eventually have something to say about that.

Some might argue, I suppose, that there are legitimate reasons for keeping some information developed at taxpayer expense secret: to prevent an enemy from knowing military plans in advance or to prevent the identities of spies or methods from becoming known prematurely. By those standards, however, perhaps a tenth — or less — of the information cur-



"It's a Wonderful Life" will not be seen tonight, because our Station Manager is feeling sort of cynical."



*"Give Me **Liberty**
or Give Me Death."
—Patrick Henry, 1776*

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rently classified would be kept secret.

Government obsession with secrecy didn't start with Bush, of course. But it has taken the assumption that only an elect few should know what's really going on to ridiculous lengths.

— Alan W. Bock

The silence of the conservatives — When George W. Bush decided to invade Iraq, I pointed out that the real problem the U.S. faced was not the cost or casualties of the war. "It is the cost and casualties of the peace," I wrote. "The invasion and conquest of Iraq may very well lead to a protracted occupation that will make the U.S. occupation of South Vietnam seem like a Sunday school picnic."

Well, Iraq still isn't Vietnam, but the costs and casualties are mounting. Nearly every day, we hear news of Americans dying and costs escalating relentlessly. The days are gone when Bush and his partisans were saying we would go in, liberate the people of Iraq, expedite their establishing a democratic government, and get out in a year or so.

Meanwhile, government spending is rising faster under Bush than at any time in history, even as he cuts taxes. Of course, the money he's spending has to come from somewhere. If it doesn't come directly from the taxpaying American people, it comes from the Federal Reserve System's magical electronic printing press — and each new dollar the Fed creates reduces the value of every dollar already owned by every American. Deficit spending is just as much of a tax as the income taxes Bush is cutting. It's a tax so indirect that most people don't feel it yet. And when they do, you can be sure that Bush will blame it not on his spending but on the people themselves or on some subset of the people, most likely working people who unpatriotically ask for raises to make up for the declining value of their wages.

Republicans were aware of this when the Democrats were in power, and were noisily critical of deficit spending. But when the spending is buying support for Republicans, they are strangely silent.

One other consequence of Bush's conquest of Iraq is that he may very well perform the impossible: enable the

Democrats to take back control of the government and return to their agenda of socialized medicine, greater regulation, and more and more powerful government. Conservatives should take note of this, for the great majority of conservatives who elected Bush favor smaller government.

One conservative who has noticed is columnist Fred Barnes, who is sick of conservative claims that Bush is not really a conservative. The fact is, Barnes says, Bush is a "big-government conservative."

I am afraid Barnes is right. Which raises the question: is America better off controlled by big-government conservatives than by big-government liberals like Howard Dean and Teddy Kennedy?

— R. W. Bradford

Dismembered, not remembered — The U.S. death toll in Iraq now exceeds that of the first three years in Vietnam. But, as the U.K. *Independent* notes, "Concern about fatalities among Western forces in Iraq tends to overlook another ghastly statistic: the spectacularly mounting toll of the severely wounded. . . . America's invisible army of maimed and crippled servicemen." Meanwhile, the Bush administration shows its concern, as MSNBC reports, "Soldiers with the National Guard are already under the gun in Iraq and Afghanistan. But now a new government report claims that while the troops are fighting far from home, red tape is preventing many of them from being paid."

Go north, young men. Come to Canada.

— Wendy McElroy

Rock the Casbah! — According to a recent article in the *Chicago Tribune* (Nov. 12, 2003), very little is read in Arabic outside of the Koran. In fact, five times as many Greek translations of books are published as Arabic translations.

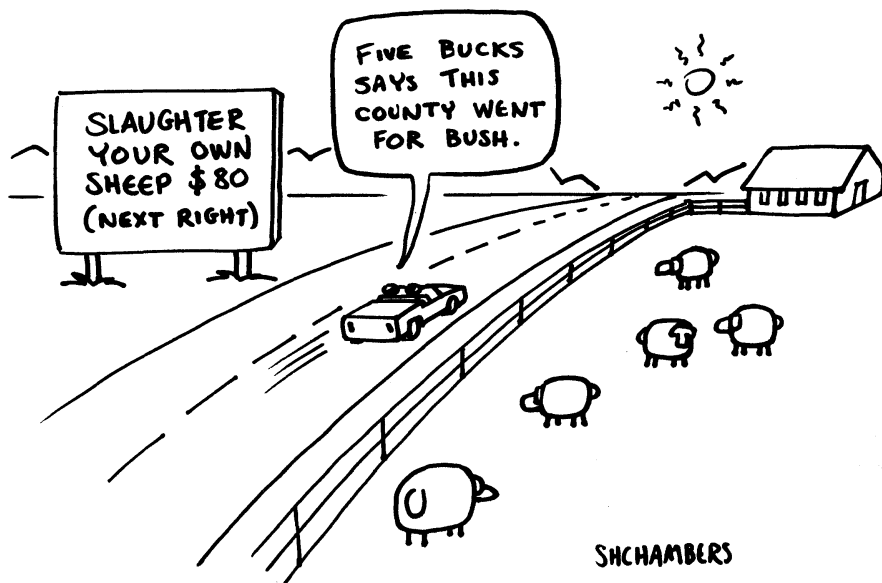
Meanwhile, Andras Simonyi, Hungary's ambassador to the United States, credited rock music with bringing down that nation's Communist regime. If we really want peace with terrorists, fundamentalist Islam must be banished into the same trash can of history in which revolutionary communism resides. I suggest we gather up all the old rock cassettes

and Walkmans we all have gathering dust in our basements, and scatterbomb them across any nation where fundamentalist Islam has taken a hold. Once those kids learn to love a Pete Townsend power chord, a David Lee Roth glass-shattering high note, or a thumping bass line behind a solid rap, they will no longer hate us. It would be impossible to convince those teenagers that a magical nation that creates such beautiful music is inherently evil. This is the only bloodless way I can see to free the world of Wahhabism.

— Tim Slagle

Terrorism's feedback loop

— There has been no terrorist attack on the United States in the two years since 9/11. This supports the Bush administration's claim that the government is winning the War on Terror even as 9/11 culprit Osama



bin Laden still laughs and threatens from afar. There may well have been some attacks by now if not for the government's stepped-up security at home and its vigorous anti-terrorism efforts abroad. We don't know.

But the same evidence also supports a very different conclusion: that the government overestimated the terrorist threat.

We may be winning the war against terrorism simply because there are fewer terrorists now who are credible threats to the U.S. than there were two years ago. This may be the result of a successful crackdown on global terrorism or of overestimating the threat itself or both. So we may have traded some civil liberties and international goodwill for more security than we need — and the next attack may lead us to overreact even further.

This conclusion involves a subtle type of formal reasoning called negative evidence: sometimes a search that finds nothing is evidence that there is nothing.

Suppose you shop in a store and then can't find your car keys. If you find the keys in your pocket then that positive evidence solves your search problem. But how much of the store must you search before you conclude the keys are not there? The negative evidence for this conclusion grows as the search widens and finds nothing.

The strength of the negative evidence also depends on the size and complexity of the search area. We have good negative evidence that there is no Loch Ness monster because no sonar sweep of the Scottish lake has found such a creature. We have less good negative evidence that there is no Bigfoot because we have not fully searched the larger and more complex area of pine forests in northern California. And we have no good negative evidence at all that we are alone in the cosmos because we have just started to search the heavens for signs of structured energy.

The gross overestimate of Saddam's strength itself suggests that we may have likewise overestimated the strength of global terrorism. This suggestion has even more force when it combines with the negative evidence of no attacks so far here or in Europe. And it is little comfort that analysts and politicians draw so many statistical conclusions from a minimal sample size of just one terrorist attack.

The government will no doubt claim that it was better to be safe than sorry in Iraq and at home — even if it overestimates the terrorist threat. The trouble is that all bureaucracies have a well-known incentive to over rely on being safe rather than sorry. No one wants to risk approving a new drug or airplane design that has even a slight chance of killing someone — even if the new drug can save many lives or the new design can greatly increase flight efficiency.

A related problem is that terrorists have an incentive to exaggerate their strength in order to terrorize their opponents and to attract recruits and donations. The result is an inadvertent global Nash equilibrium in which governments play it safe by overestimating the terrorist threat while terrorists oblige by overestimating their power.

Restricting civil liberties only makes it worse. It may help fight terrorists but it also encourages them to attack because it results in more terrorist bang for the buck.

Osama bin Laden's greatest achievement may prove to be that he got us to effectively amend the Constitution. Overestimating the threat from his ilk will only encourage others to seek their own amendments.

— Bart Kosko

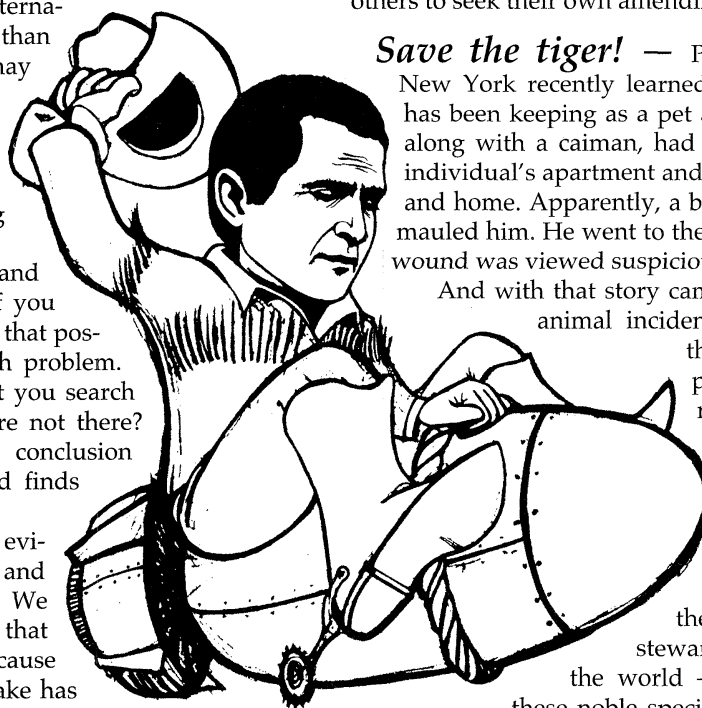
Save the tiger! — Public housing authorities in New York recently learned that one of their residents has been keeping as a pet a 400-pound tiger. The tiger, along with a caiman, had pretty much taken over the individual's apartment and was eating him out of house and home. Apparently, a bit irate and hungry, the tiger mauled him. He went to the emergency ward, where the wound was viewed suspiciously, and the story came out.

And with that story came a number of other "kept" animal incidents. Indeed, it now appears that the private pet sector is protecting and nurturing more tigers in America than exist in all the wilds of the world. At long last, average people are gaining the ecological consciousness they've long lacked. Americans are expending their own time and energy to steward the endangered species of the world — providing insurance that these noble species will survive regardless of

what disasters might befall them in their homelands. Keeping a tiger is not an inexpensive or easy activity. One might think that environmentalists and animal rights activists would be elated by this statistic.

But one would be wrong. Owning tigers, we're told, is akin to slavery. Animal rights activists view ownership of animals with dismay — the presumption of mankind as somehow superior to nature is blasphemy. And, of course, animals that have been sullied by the hand of man cannot be counted against the endangered status of these animals. Only "wild" animals and a handful of "certified" animals in zoos and other politically legitimized institutions count. Had this philosophy prevailed during Noah's time, then all life on the planet would have gone extinct — indeed, one can only suppose that there are no "natural" species left at all on this planet. Noah has contaminated them all.

This, of course, is nonsense. As the late ecological economist Kenneth Boulding noted at a U.N. conference in 1950, man is the dominant species on this planet. No species, he suggested, is likely to survive unless in some sense it becomes "domesticated." This does not, of course, mean that we should all start raising tigers in our back bedrooms. But it does suggest that this ecological adoption strategy be encouraged, not disparaged. The Greens must rethink their antipa-



Art: "The Consummate Cowboy," by Jason del Greenberg

thy to mankind, their view of nature as the world without man. Man is the most creative, the most thoughtful, and the most caring creature on this planet. Linking that creative, caring force to the preservation of species provides the best hope of ensuring biodiversity into the future.

Noah's ark was an ecological success story, not an ecological disaster. As war and climate change threaten the bugs and bunnies of the world (along with the human population), we should be ready to move species out of harm's way. Today's world is vastly wealthier than that of Noah's time. We can today afford to build vastly larger and more mobile arks, and those who care about biodiversity should be encouraged to do so. Migration has allowed many persecuted human populations to survive — why should that course be disparaged for other species? — Fred Smith

What we don't see can't upset us — The media continues its blackout on wounded American soldiers and on the ones who are not so "lucky" — the ones returning to their broken-hearted families in body bags. Oops . . . returning in "transfer tubes." That's how desperate the Bush administration is to hide the bodies of Americans who die making Iraq safe for Halliburton's profits; there are no more "body bags," only "transfer tubes." And, if you want to read how Americans like Charles H. Buehring finally came home you have to read independent or foreign new sources, like the *Toronto Star*. It reports on Buehring:

He arrived at the Air Force Base in Dover, Del., in the middle of the night, in an aluminum shipping case draped in an American flag. . . . America never saw Lt.-Col. Buehring's arrival, days after a rocket from a homemade launcher ended his life at age 40 in Baghdad's heavily fortified Rasheed Hotel last Monday. Americans have never seen any of the other 359 bodies returning from Iraq. Nor do they see the wounded cramming the Walter Reed Army Medical Centre in Washington or soldiers who say they are being treated inhumanely awaiting medical treatment at Fort Stewart, Ga. In order to continue to sell an increasingly unpopular Iraqi invasion to the American people, President George W. Bush's administration sweeps the messy parts of war — the grieving families, the flag-draped coffins, the soldiers who have lost limbs — into a far corner of the nation's attic. No television cameras are allowed at Dover. Bush does not attend the funerals of soldiers who gave their lives in his war on terrorism. Buehring of Winter Springs, Fla., described as "a great American" by his commanding officer, had two sons, 12 and 9, was active in the Boy Scouts and his church and had served his country for 18 years. No government official has said a word publicly about him.



"The picture is nice and clear, but the flesh tones are off."

Traditionally, American war dead have been honored with ceremony; their families have been "comforted" by officials, both military and political. Now the dead are hidden, like embarrassments, in order for the Bush administration to continue passing the "Dover test" — shorthand for the American public's tolerance for wartime fatalities. What the public doesn't see, doesn't exist . . . or, at least, it doesn't have emotional impact. The cold-hearted armchair-warriors who send young men and women to die in a godforsaken desert certainly don't suffer from emotional backlash because of their unique access to information about the wounded. As Bridget Gibson explains, "It is taking an act of Congress to stop the Pentagon from charging our wounded military \$8.10 a day for their meals while they are hospitalized. Will it take another to supply the toilet paper that must be bought during their incapacitation also?"

The only way to learn about the dead and wounded from mainstream sources is to read between the lines. For example, the Associated Press reports:

A new, \$30 million military mortuary was dedicated at Dover Air Force Base on Monday, a gleaming, brightly lit, state-of-the-art facility. . . . The new mortuary was built with efficiency in mind. Air flowing through its ventilation system is turned over 15 times an hour to ensure that odors and chemical fumes don't cause problems for workers. It has almost 200 linked computer stations, about 10 times the number of computers at the old facility. . . . The new mortuary has rack storage for 380 caskets and is equipped with 24 autopsy/embalming stations, compared to four permanent stations at the old facility.

It is worth noting the casualty figures released so far do not include American civilians — the "contractors" who now abound in Iraq. As *Mother Jones* reports, "No one is sure how many private workers have been killed, or, indeed, even how many are toiling in Iraq for the U.S. government. Estimates range from under 10,000 to more than 20,000 — which could make private contractors the largest U.S. coalition partner ahead of Britain's 11,000 troops."

And, in case people believe I am overblowing the angle of "profits for Halliburton" (and other war profiteers), consider that when the Senate added a provision to the \$87,000,000,000 spending bill for occupation of Iraq and Afghanistan to penalize war profiteers who defraud taxpayers, the Bush administration refused to accept the \$87 billion unless anti-fraud provisions were removed.

Like I said . . . making the world safe for Halliburton, et al. — Wendy McElroy

Only you (not the Forest Service) can prevent forest fires — A Colorado acquaintance

visited his parents near San Diego last summer and found that the yard around their home was overgrown with manzanita and other natural — and highly flammable — vegetation. He called a landscaping company and told them to clear everything within 30 yards of the house.

When the fires reached their neighborhood this fall, firefighters quickly recognized their home was the only firesafe home in the area and they used it as a command post. Despite the best efforts of firefighters, many of the neighboring homes went up in smoke.

Congress is reacting predictably to the hundreds of

homes burned in California forest fires: it is throwing more money on them. Or, to be precise, throwing money at the Forest Service. Will the Forest Service spend the money helping homeowners remove flammable vegetation from their property and otherwise make structures firesafe? Of course not. It is going to spend the money doing things on federal lands that are neither necessary nor sufficient to protect people's homes.

Forest Service documents show that only a few million acres need to be thinned to protect homes, and most of those acres are on private land. With the money it is getting from Congress, the Forest Service could do all of these acres in less than two years. But almost none of the money Congress is dedicating to fire will go to private lands.

In my more cynical moments, I suspect that the Forest Service wants homes to burn because every burnt house means another few million dollars in its annual budget. More likely, the Forest Service is just using the fire issue to get money from Congress to do things its employees think are necessary in the 192 million acres that it manages, whether they have to do with fire or not. — Randal O'Toole

Neo-conned? — The Rumsfeld memo, which he or somebody else leaked to *USA Today*, was perhaps unintentionally revealing. Billed as a private memo for top Defense honchos, it was almost pathetic in its quest for reassurance and something resembling constructive ideas. "It is pretty clear that the coalition can win in Afghanistan in one way or another, but it will be a long, hard slog." "Pretty clear"? "One way or another"? What kind of confidence is that?

"My impression is that we have not yet made truly bold moves [in the war on terrorism]." What was the attack on Iraq? Is Rumsfeld conceding that it had little or nothing to do with the struggle against terrorism and might even have made matters worse?

The most important thing this memo suggests is that the bad news out of Iraq — which the administration and Fox News keep insisting isn't the real story and that all our positive moves are being unfairly downplayed — is in fact the real story. Top officials have few illusions about the success of this war. But they continue to try to sell illusions to the rest of us.

I've entertained the possibility that this memo from Rumsfeld — who after all is an Old Republican who hasn't shared the ideological journey

from modest leftist to enthusiastic imperialist that the neocons have experienced — was a shot across the bow to the neoconservative policy theorists who beat the drums and cooked the intelligence to get the war on Iraq going. Could it really mean something like, "You got us into this mess; now you better come up with some ideas to get us out, or at least to smooth over the rough spots"? But I won't believe Rummy is really becoming disillusioned with the neocons and their grandiose schemes until the day he fires Paul Wolfowitz.

— Alan W. Bock

Freeze, Ice Cream Man! — For decades, Harold "Chuck" Greenberger, 81, has played "Turkey in the Straw" out of a little speaker on his ice cream truck in Mt. Lebanon, an upscale suburb near Pittsburgh. "The kids wait to hear the music," says Mr. Greenberger. "It's real important to them." Ice cream tunes announce the arrival of Nutty Buddies and Creamsicles just like calliopes used to herald the coming of the circus.

He's not playing music any more. One fine day he was greeted not by children, but by the police, who arrested him. They explained that playing "Turkey in the Straw" was against a Mt. Lebanon ordinance, a township law that prohibits using music or any other amplified sound for a commercial purpose.

The Greatest Poem

by Thomas S. Szasz

I spent the first eighteen and a half years of my life in Hungary, and the next sixty-five years in the United States. I am Hungarian. I am American. I am both. I am neither. Who we are depends on how we and others define our identity.

As a youth in Hungary, I wrote poetry and wanted to be a writer. Later, a fellow expatriate, the psychoanalyst Sandor Feldman, told me that one of the definitions of a Hungarian goes like this: A Hungarian is a citizen of a country of 8 million people and 9 million poets.

As an adult, I came to realize that only as bodies do we live in physical space. As persons, we live in linguistic space. This is why a country, a political entity, is a matter of geography, but a nation, a social entity, is a matter of language.

The immigrant who wants to live in a new language, not just speak it, must let a part of himself die. The self generated by and through the new language is a radically new self. Refusal to learn the majority language is existential self-preservation or self-mutilation, depending on the immigrant's point of view. I did not know this when I was eighteen, but I felt it. I was deeply attached to the Hungarian language, which I loved with the intensity and naivete typical of children educated in the best *Gimnaziums* in Budapest in the 1930s.

Luckily, necessity is the mother not only of invention but also of adjustment. So, like most immigrants, I learned English and came to love it more than I think I ever loved Hungarian. In short, my coming to America, when and how I came, was a piece of incredible good luck, a fact of which I was well aware intellectually. At the same time, it was also, linguistically, an exceptionally traumatic experience, which I felt deeply.

I feel particularly fortunate, then, not only for having been able to leave Hungary when I did, escaping the dark decades my homeland was facing, but also for having had the opportunity to be reborn, as it were, into the American-English language. "The United States themselves," wrote Walt Whitman, "are essentially the greatest poem." What other country's national poet would characterize his homeland in such terms?

(from Dr. Szasz's remarks upon being presented with the George Washington Award of the American Hungarian Foundation, Nov. 11, 2003.)

Word Watch

by Stephen Cox

Fred Astaire was charming and handsome (yes, handsome, despite the fact that he was, by nature, an ugly little squirrely-looking guy) in that movie where he sang about putting on his "top hat, white tie, and tails." When you think about it, that's a mighty peculiar outfit. But it was appropriate to the circumstances. He was — to continue in the immortal words of his composer, Irving Berlin — "stepping out, my dear, to breathe an atmosphere / That simply reeks with class." Even Fred Astaire wouldn't get away with wearing a top hat on the subway. There's nothing classy about the hat itself; the effect is all in the atmosphere.

Similarly, there are a lot of "top hat" words in the English language, words that people regard as much classier than any other words they could use, but the important issue is *where* (if anywhere) to use them. To some people, "I" is a classier way of saying "me"; "as" is a classier way of saying "like"; and even "use" ought always to dress up as "utilize." Then there's "facility" for "school," "hospital," "prison," or anything else that has four walls; "deplane" or "move toward the exits" for "get the hell out" . . . With some people, it's not just the top hat, or the white tie and tails; they want the monocle and the spats as well.

Some of these expressions are all right in their place, but when somebody says, "just between you and I . . .," that person is putting on a verbal top hat, without even a whiff of class. The idea, if you can call it that, is that "me," as in "just between you and me," is a low, mean, ugly little word, a word that should never be used in polite company. Eschew "me"; utilize "I." Yet "me" (ahem!) is the object of the preposition "between." So it's incorrect to substitute the word "I."

To paraphrase another hit song: "Me" is "me" and "I" is "I," and the wrong one you have chose.

The same goes for "like" as opposed to "as." In the 1950s, high-school teachers were scandalized by a cigarette commercial in which somebody burbled, "Winston tastes good, like a cigaret should!" They taught their students not to say "like." Just don't say it, no matter what the context. The alternative was "as," and that's what Americans have used ever since, when they've wanted to reek with class.

Well, sorry, you have to use "like" when you need a preposition. You can't just put on your top hat and say, "As Marmeduke, Penelope matriculated at Harvard." You have to say, "Like Marmeduke . . .," like it or not. "As" is a conjunction; it introduces a clause, not a noun, and "Marmeduke" is a noun. If you want to say, "As did Marmeduke, Penelope matriculated at Harvard," please go ahead. In that context, you *must* use "as," now that you have a clause ("Marmeduke did"). And I hope it will satisfy your social aspirations.

Now I come to the gunfight between "that" and "which," a controversy that, right now, is generating more inquiries to this department than any other verbal problem. (The question of why I write the column comes up more frequently, but that's a psychological problem.) The which-that dispute arises because there

is a top-hat superstition about "that." The superstition is that "that" is a substandard word like "like." Well, it isn't. There are some occasions on which you must use "which," but they aren't many. In other cases, you should use "that."

The Thames, which is not a large river, flows through London.

The Thames is the river that flows through London.

Do you see the distinction? The first sentence could exist quite happily without the "which" phrase. The "which" phrase is an add-on. You must use "which" in add-ons. The second sentence couldn't stand without the "that" phrase: the "that" phrase defines what the sentence is talking about. You should use "that" in defining phrases.

The first rule, the rule of "which," is absolute. The second rule, the rule of "that," is something only purists insist on. Other people don't care whether you say "the snake that I saw in the grass" or "the snake which I saw in the grass." It's not a big deal. But it's cleaner to give "which" and "that" separate functions.

A hundred years ago, somebody like Alice Meynell, perhaps Alice Meynell herself, complained about the pomposity of 18th-century writers, claiming that with them every other word was "which." Alice, thou shouldst be living at this day. This is the great age of "which." "Which" is becoming the universal connective. "The Pope was talking about birth control, which he has no qualifications as a physician." "I went to the baseball game, which I wonder shouldn't those poor players make more money?" Diagram that, would you. Why do people say such things? I'm not sure, but part of it may be that "which" has learned to breathe an atmosphere which simply reeks with class. Or so they think.

While I'm at it, I need to mention the top-hat words that are, even now, putting in their shirt studs and polishing their nails, preparing for the political orgy of 2004. From this point on, politicians no longer "speak"; they "speak out." They are incapable of saying, "I went to Dubuque last week, and I was happy to see that a lot of people turned out to hear my speech"; they feel it their duty to announce, as if they were transmitting the decisions of the College of Cardinals, "We [always the imperial "we"] believe that our campaign is proceeding very productively, and we were gratified to discover that many enthusiastic supporters were able to take time from employment and child-rearing responsibilities to spend an evening with us in Dubuque, Iowa, and we benefited very greatly from the discussions on that occasion." No, sorry, I got that wrong. Politicians don't "discuss" things; they "engage in dialogue." It is by "engaging in dialogue" that "concerned citizens" show their "due diligence" in "thinking through" the "great national issues."

But I, or rather we, must tell you, just between you and we, that engaging in dialogue with dedicated public servants about issues of great national import is an enterprise which, according to our best projections, stands to occupy a severely reduced proportion of our time commitment during the approaching political season.

In other words, I've already had it with Campaign 2004. It's way too classy for me.

"What's so awful about an ice cream man anyway?" Greenberger asked at his hearing. "We work harder than the average guy. It's a lot of hours and a lot of work."

He could have added that he's a planet saver too, in terms of pollution, and that he's keeping oil money out of the hands of the evildoers. Instead of 1,000 suburban moms driving their SUVs to the market, he delivers whole neighborhoods in just one efficient sweep.

It's Mr. Greenberger's 57th year in the business. He started peddling ice cream the same year that RCA started selling TV sets and Darryl Zanuck, head of 20th Century Fox, said, "Television won't be able to hold on to any market it captures after the first six months. People will soon get tired of staring at a plywood box every night."

While the cops are busy making sure that all stays quiet on Dreamsicle duty and the township commissioners nitpick their way to a final solution, who knows what more serious crimes might be being committed around the borough? Maybe it would be okay if the music played only when the truck is stopped. Says Greenberger: "Who ever heard of an ice cream truck that didn't play music?"

This whole thing is beginning to remind me of Neil Young's new rock novel *Greendale*, where grandpa, rockin' on his porch, complains about having to listen to the sounds of Young's ongoing guitar. "That guy's been playin' for a long time now," he gripes. "Is there anything he knows that he ain't said?"

— Ralph R. Reiland

Meanwhile, in Pittsburgh — In Pittsburgh there's another kind of skirmish going on against the good guys, with organized labor making a stand against volunteers who try to pick up litter in the parks. "If there is a group of volunteers wanting to pick up litter, that's not going to happen," says Guy Costa, the Director of Public Works for the city. "But if they're going to plant flowers, seedlings, they may be allowed to do it."

In the past, if a church group wanted to take a Saturday to pick up litter in the park, they'd propose the project to the city. The city then turned the request to do volunteer work over to the unions to decide if it was okay.

"Volunteers picked litter, cut wild vines, did trail maintenance, hauled out old tires and discarded appliances, plant and weed flower beds, and worked to control invasive plants," explains the morning newspaper. "Over the years, thousands of volunteers have contributed labor to the parks."

Well, no more. Now the city is looking at \$80 million in red ink and cutting its unionized workforce, the guys who cut the grass and paint the seesaws. And, as the thinking goes around here, if the union guys can't work in the parks then neither can anyone else, even if they'll do it for free. So the old tires will stay in the creek and the grass will be ass-high by April.

Explains Mike Gable, Assistant Director of Public Works, the man in charge of the park crews: "We may have to take the approach of just cutting the ball field and letting the grass on the perimeter go." So that's it. It's an automatic home run if the ball's lost in the high grass and no one's allowed in the park with a non-government lawn mower.

— Ralph R. Reiland

Monkeywrenching the technocrats —

During the Clinton administration, the Occupational Safety and Health Administration had proposed a rule that required businesses to reduce the risk to employees of back injuries from lifting boxes, wrist injuries from keyboarding, etc. Business resisted the rule, and when Bush was elected, Congress voted to repeal it.

Several of the bureaucrats who had designed the rule at OSHA were hired by the state of Washington. They proposed a state ergonomics rule as an administrative measure, without the consent of the Legislature. As the issue proceeded, there was probably a majority in the Legislature to repeal the rule, but Democratic leaders blocked it.

According to this rule, all but the smallest employers would have to judge the musculoskeletal risk of every job, and reduce that risk to a tolerable level as much as economically feasible. But how to determine the risk? What level of risk was tolerable? What amount of risk reduction was economically feasible? There were some colorful pamphlets, and a few examples, but nothing was really clear. Basically, business owners were required to do their best. The state would send an inspector to second-guess them. Either they would get an OK or get fined.

This was presented as friendly, pragmatic and *flexible*. Politicians promised lots and lots of flexibility.

Business hated it. Business puts up with all sorts of regulations in Washington, one of the most regulation-friendly states there is. But on this, nobody was ever sure how much effort was *enough*. Organized labor was for it. The Democratic governor, who had hired the director of OSHA, was for it.

OUR GUEST
TONIGHT IS
DAVID
HOROWITZ
WHO'S JUST
COME OUT
WITH HIS
NEW BOOK
"MOMMIE
WAS A
COMMIE".



Washington's homebuilders' association — a group of small businesses, which are always more radical than big businesses — organized a petition drive for a ballot initiative to repeal it. This time, big business joined in. Even Boeing made a quiet donation. Boeing had shaken the political climate a few months before by putting Washington on notice that it might assemble its next jetliner somewhere else. That had convinced a reluctant Legislature to trim four weeks from the state's generous unemployment benefits. The governor had signed that bill because he wanted to keep Boeing.

In other words, if there was a year to attack a government regulation on business, this was it.

Washington is a Democratic-leaning, non-right-to-work state with the highest minimum wage (\$7.01 in 2003) in the United States. It's difficult to sell people on repealing something that protects workers.

The homebuilders portrayed the ergonomics rules as a job killer, an effective argument with the unemployment rate at 7.5 percent.

Chambers of Commerce lined up. So did newspapers, including some of the liberal ones, probably because of the word from the printing and distribution side of the business.

The homebuilders had put up several hundred thousand dollars, collected the signatures, and gotten a repeal measure on the state ballot. They bought TV ads. They outspent labor.

They said again and again that Washington was the only state with a preventive ergonomics rule. One other state, California, mandated it as a remedy for repeated injuries in the same job at the same company. That was not as harsh — and who wants to be harsher on business than California?

A month after Arnold Schwarzenegger tossed out Gray Davis, the voters of Washington threw out the ergonomics rule. The vote was 53.5 percent for repeal. There's a lesson here for those who want to get rid of regulations.

— Bruce Ramsey

The semi-circle of hell — When I think about modern American politics, I remember a verse of an old gospel song:

Tempted and tried, we're often made to wonder
Why it should be thus all the day long,
While there are others living among us,
Never molested, though in the wrong.

It's the problem of evil: how can stuff like this go on, and the perps go unpunished?

But the Democratic presidential candidates have shed new light on the issue. They have shown that evildoers sometimes *are* "molested," that evil, in fact, is sometimes self-molesting.

The candidates — this multitude of silly-looking little

men, and a woman who's not important enough to mention, this phalanx of toy soldiers, this class of wayward children — have decided that each of them can gain the maximum amount of favorable publicity if all of them travel the country together, month after month, staging public debates with one another. The predictable result has been a mountain of unfavorable publicity.

When you debate somebody, the purpose of each of you is to defeat the other one. The Democratic candidates have now devoted millions of words to running one another down, exposing every possible weakness of every individual among them to the greatest possible public scorn. This can't be good for them, either severally or generally. The only things that unite them are 1) their slavering hatred of President Bush, which makes no impression on anybody except the extreme left wing, since everybody else realizes that it's the candidates' professional duty to oppose President Bush in any way they can, and 2) their unnatural desire to raise taxes, which is a very unpopular desire to announce if you're running for public office.

Such are the bad political effects of the Democrats' great self-publicity scheme. Now consider the personal effects. How would you like to spend an evening listening to the scintillating wit of John Kerry? Or the cunning rhetorical thrusts of Richard Gephardt? Or the inspiring oratory of Al Sharpton? How would you like to enjoy all that and, as a bonus, get to hear Kerry, Gephardt, Sharpton, and more, many more, great speakers expending their talents on denouncing *you* — twisting your voting record, exposing your hypocrisies and outright lies, questioning your sanity, branding you as a racist, sexist, homophobic swine? Well, how would you like it?

Not even so pathetic a creature as a Democratic presidential candidate could enjoy a thing like that. And as painful as such an experience would be for anyone, it must be a thousand times more painful for a professional politician. Politicians always imagine that they, and they alone, are qualified to talk. Now, however, they also have to hear. Wendell Phillips said that "the puritan's idea of hell is a place where everybody has to mind his own business." A politician's idea of hell must be a place where he has to listen to other politicians. If that's true, then the Democratic debaters are in hell; and like hell itself, the Democrats' debates will apparently go on forever.

Good.

— Stephen Cox

The thin green line — A prominent feature of those who hate the market is their ability to see criminality everywhere. Recall Mises' comment: "The trial has been held. The businessman has been convicted. The crime will be announced at a suitable occasion."

The great protector of the people, *The New York Times*, noted in a Sept. 25 editorial: "Low-income homeowners can be easy targets for unscrupulous lenders" with, of course, the greatest burden falling on the "elderly, African-Americans, and immigrants."

That editorial went on to discuss excessive fees, higher interest rates, balloon payments, and the practice of bundling these loans and selling them to investors. Of course, the *Times* noted that there is a value in willingness to lend to lower-income people in distress, but the fine hand of govern-

Liberty



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ment is needed to “extract the bad apples” — don’t you love the *Times*’ sophistication? State and federal consumer protection agencies must step in to protect consumers from such practices.

Ironically, only a few years ago, the *Times* and other statist champions were railing against those same financial institutions for “redlining,” the practice of ruling out loans to people because they live in a low-income neighborhood.

So, the rules are clear. You shouldn’t lend to people who might default but you must lend to anyone who might not default. And, if default occurs, then it was your fault!

— Fred Smith

It’s the big tent, stupid — Howard Dean took flak for saying on Nov. 3 that he wanted to be “the candidate for guys with Confederate flags in their pickup trucks.” When the inevitable whining and hand-wringing issued from other Democratic candidates, Dean stood his ground, at least for a while, explaining he meant only that his party “can’t beat George Bush unless we appeal to a broad cross-section of Democrats.”

He’s right. What is the point of running for office? To win elections and influence public policy. How do you win elections? By getting as many votes as possible. How do you get votes? By being the candidate of everyone you possibly can — including guys with Confederate flags in their pickup trucks. And neo-Nazis and teachers and accountants and mass murderers and nuns.

That doesn’t mean you should appeal specifically to all those groups, of course, but neither Dean nor any other Democratic candidate has suggested as much. Saying you *don’t* want to be the candidate of a certain group is tantamount to saying you don’t really want to win the election and, in the finale, that you want to let the guys with Confederate flags in their trucks put *their* candidate in power.

If people want to imply, for political gain, that Dean is some kind of closet cultural conservative — even though he advocates socialized health care and repealing recent tax cuts, signed gay civil unions into Vermont law, and has unflinchingly and strongly opposed the war in Iraq from the outset — so be it. He is leading an assault on the complacent, hypocritical mass of Democratic political personalities who love to talk about “tolerance” and “inclusion” but balk at the first suggestion of a party with broad appeal. For all that I have fundamental philosophical differences with him, and many political ones as well — I’m a libertarian, after all — he is a different kind of politician. I respect him.

There’s another year to go under the regime of Bush II. The “War on Terror” will continue, more American soldiers will die, and more of the world will grow to resent America’s brazen imperialism. I have never in my life cast a ballot for anyone but a Libertarian. But now I imagine this: Dean wins the nomination, and subsequently debates Bush on national television. Bush is on one side, uttering subliterate sentences about swarthy evildoers in his defense of life, liberty, and the pursuit of Halliburton contracts. Dean, the only strongly anti-war candidate who has a chance, is on the other side, intelligently and persistently crucifying the flustered incumbent rhetorically. That image warms my heart enough for me to consider punching the chad next to a non-Libertarian name.

— Patrick Quealy

Bush to Dems: tttthpht! — Further enhancing its reputation for obsessively holding information close to its vest, the White House recently issued a new decree stating it will not accept requests for information from Democratic lawmakers anymore.

Apparently vexed by a series of requests from Democrats on the House and Senate Appropriations committees about just how much the White House spent on that famous “Mission Accomplished” banner that flew when the president flew onto the aircraft carrier *USS Abraham Lincoln*, the director of the White House Office of Administration sent over an email announcing that from now on it will only answer requests for information from the committee chairman or from the entire committee.

In a related story, Laura Bush told reporters that Bush does not respond to questions at the dinner table unless they are presented by his entire family or its chairman.

— Alan W. Bock

Caucasian commotion — A recent article in the *Washington Times* reports the effort of a 15-year-old girl to create a Caucasian club at her high school. Darnell Turner, an opponent of the club, warned that “the club could morph into a white-supremacy group,” and suggested that the club’s name should be changed to the European-American Club so that the focus would be on heritage, not race. Mr. Turner, it was noted, was the vice president of the East County National Association for the Advancement of Colored People!

Oh well, never mind!

— Fred Smith

A hard habit to kick? — The government’s total foreign aid budget is about \$13 billion — at least it was until the government decided U.S. taxpayers need to invest another \$87 billion in Iraq and Afghanistan. Twenty billion dollars of that \$87 billion is foreign aid, so it more than doubles total foreign aid expenditures. Despite popular opposition, the \$13 billion in regular foreign aid has never gone away or seriously declined. Do you suppose the \$20 billion for Iraq will become an annual habit also? — Alan W. Bock

The naked truth about the PATRIOT Act

— The indictment of three current and former Clark County and Las Vegas officials in connection with a probe of alleged kickbacks from a strip-club owner would be a fairly routine story — corruption naturally follows when government seeks to heavily regulate any lucrative activity — but for one detail.

The *Las Vegas Review-Journal* reported that the FBI used the USA PATRIOT Act to seize the financial records of night-club owner Michael Galardi and others.

Wait a minute. Didn’t the administration say, shortly after Sept. 11, 2001, that this act was needed to give the government more tools to go after terrorists or plots that threatened the lives of innocent Americans? Why invoke it in a case of municipal corruption?

Well, it seems that Sec. 314 of the act allows federal investigators to obtain information from any financial institution regarding the accounts of people “engaged in or reasonably suspected, based on credible evidence, of engaging in terror-

ist acts or money laundering activities." Not money laundering in connection with terrorism but any money laundering.

Nevada's Democratic U.S. Senator Harry Reid is outraged. "The law was intended for activities related to terrorism and not to naked women," he told the *Review-Journal*. Democratic Rep. Shelley Berkley said, "It was never my intention that the Patriot Act be used for garden-variety crimes and investigations."

Maybe the legislators didn't intend it that way. But the Bush administration drafted the law, and that's what the legislators voted for. Those who insist that the lawmakers who passed it were well aware of what they were voting for, however, are not quite correct. The bill was passed in haste. The final draft in its complete form — it had been cobbled together from Clinton-era proposals Republicans had rejected as dangerously enhancing federal power — was not available to most lawmakers at the time they voted on it. That may reflect poorly on our elected representatives, but that's what happened.

All this strengthens the case for letting the PATRIOT Act expire in 2005, as scheduled. For starters, it is dubious whether federal authorities needed to be involved in a local corruption case at all. And law enforcement already has plenty of tools to go after corruption. — Alan W. Bock

Wonkocracy ascendant — I am in a position to interview political candidates — lots of them — at the local level. I have noticed a certain type: a regulator in one government running for a legislative position in another government. It might be a land-use planner who works for City A running for council in hometown City B, or County C.

As you would expect, such candidates are believers in an activist, shaping, managing government. That is only to say that they believe in themselves. Furthermore, they know government to a level of detail that the real-estate agent or the owner of a hardware store cannot imagine. They expound confidently on comprehensive plans, critical-areas ordinances, and environmental impact statements. They may

not know how to meet a payroll, but they know how to make an ordinance.

Their weakness is that they tend to be "wonks," lacking in broad appeal. In the absence of that problem, there would be even more of them.

Once elected, they are at home. It may be only a part-time post, but it is close enough to their full-time job that they fit right in. They are "effective." And collectively, they begin to constitute an interlocking directorate. — Bruce Ramsey

Selling the stuff that sells itself — Count on the federal government to come up with a \$32 million advertising campaign to sell us on using the colorful (sort of) new \$20 bills. Paper money in general is of dubious inherent value, and perhaps in a sane society it would take a PR campaign to get Americans to use it. But we tumbled to paper money a long time ago.

Only the government could imagine it would take an ad campaign to sell money. — Alan W. Bock

Free the telemarketers! — Millions of Americans are irritated by telemarketing calls during dinner. Our ever-vigilant regulators and Congress have rushed to address these irritations with "Don't Call" regulations and legislation. Especially disappointing was the decision by the FTC, headed by the purported free-marketeer Tim Muris, to have his agency create a federal do-not-call registry. But populists are good at gauging popular opinion and, at last check, well over 50 million Americans had rushed to sign up.

Fortunately, vox populi vox Dei has not yet fully undermined our constitutional protections. When a Colorado court questioned the legal authority of the FTC action, Congress moved quickly (and almost unanimously — a sure sign that the action is questionable) to empower the FTC to create this registry. But then another court challenged the constitutionality of the measure and, although this action was stayed and the FTC is proceeding with signing up Americans (a government list of people who don't want to be on lists!), it is plain that the constitutional issues will now have to be addressed.

To the proponents of direct democracy, any check on the right of government to do "good" is outrageous. We remain in many ways mired in the Progressive Era. "Can 50 million Americans be wrong?" questions Democratic Senator Schumer, while GOP Senate Majority Leader Bill Frist rails against the "arrogance" of the judges. One of Billy Tauzin's (R-La.) chief staffers suggested that if the problem is merely constitutional, we'll be able to fix it quickly!

"Merely" constitutional? I am reminded of Jay Leno's remark: "We want to give Iraq a constitution? Well, let's give them ours, we haven't been using it lately!" The Constitution is designed to reign in the excesses of direct democracy, to discipline the passions of the masses. Changes in the restrictions we've placed upon ourselves require that these rules be amended — a process that ensures more deliberation and thought.

Of course, telemarketing calls are irritating

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Our Pagan Holy Day

by Jo Ann Skousen

Christmas as we know it was invented less than two centuries ago.

December is a month of contrasts as we celebrate “peace on earth, good will toward men” by fighting over parking spots at the mall, spending ourselves into debt, getting soused at office parties, and lying to children about an eccentric old man who peeks into bedrooms and then breaks into houses. In a spirit of tolerance and harmony, many now observe “Hanumas,” a bland sort of blending of Hanukkah with Christmas that strips both holidays of their miracles and focuses on the inoffensively innocuous: gift-giving, food, and of course, Santa Claus. What does any of this have to do with the “true meaning” of either Hanukkah or Christmas? Or the recently invented Kwanzaa (conveniently scheduled to take advantage of post-Christmas sales)? As I set out to lament the overshadowing of Christmas by the “right jolly old elf,” I discovered that the real history of Christmas has little to do with a miraculous birth in a stable.

During the Golden Age of classical Greece, a polytheistic philosophy reigned, with a complex family of gods and goddesses controlling the lives and actions of mortal men. Most of these gods were adaptations of earlier city-deities that had existed before their annexation to Greece; Europa, for example, gives birth to Minos, king of Crete, while Hera’s cults can be traced to Argos and Mycenae. One of the reasons for Zeus’ prolific liaisons with mortal women was that these separate cities could thereby trace their diety’s lineage back



to Zeus, uniting Greece through a common religion.

Later, when the Romans conquered Greece, they superimposed their own religion onto the religion of the vanquished, so that Greek and Roman gods became virtually interchangeable. Later still, when Christianity became the official religion of Rome, Constantine made it more palatable to the peasants by superimposing Christian saints onto the existing pagan deities and adapting Christian beliefs to pagan customs. Most notably, the winter solstice celebration of the rebirth of the Sun became Christ’s Mass, or the birth of the Son. This method of gradual assumption of new names for old beliefs is much less traumatic and indeed might hardly have been noticed by the average peasant. Constantine could rename the winter celebration and create new symbols to associate it with the virgin birth of Christ, but in most cases the citizenry simply continued their former frolics “under new management.”

Within a hundred years of this edict, most of the pagan cults had died out and Christianity was ensconced as the official religion of the ever-expanding Roman Empire. Prince Vladimir would use this same technique in 987 when he facilitated Russia’s transition to

Christianity by superimposing the Christian saints onto the feast days of the former pagan deities and folk heroes; the feast day of John the Baptist, for example, would be cele-

"Wassailing" was like an early version of trick or treat, with drunken singers banging on doors, demanding food, drink, or money in exchange for going away.

brated in the same season and manner as the former river deity. From the Middle Ages to the Reformation, Christmas week became an elaborate religious celebration, characterized by long church services and sermons offset by music, plays, and masques. This was a stark and solemn contrast to the vulgar, pagan festivities of the original winter solstice, which included drinking, gambling, and sex. Yet the side-by-side celebration of the most profound with the most profane continued through the centuries, culminating in our own culture's mixing of the most sacred of holidays, Christmas, with the most hedonistic of holidays, New Year's Eve. The British were not praying as Washington crossed the Delaware, they were drinking. Even St. Nicholas, the Greek Orthodox priest on whom Santa Claus is patterned, shares a schizophrenic name with "Old Nick," one of the common slang names for Satan!

By the early 17th century, the pagan celebrations of drunkenness and debauchery had re-emerged to the point that the holiday was losing its connection with the Biblical story it was supposed to evoke. As a result, in 1657, not long after Puritan Oliver Cromwell took control of England, he outlawed Christmas. Puritans in Massachusetts followed suit by banning Christmas observances in 1659. As with prohibition of alcohol, however, so with prohibition of celebration: the behaviors that government banned simply went underground and became more extreme, with even more emphasis on the pagan rather than the spiritual. "Wassailing" became popular among the lower classes, but it had none of the charm of Victorian Christmas cards depicting happy groups

of carolers singing under streetlamps. It was more like an early version of trick or treat, with drunken singers banging on doors, demanding food, drink, or money in exchange for going away. On slave plantations in the South, Christmas week was a time of bittersweet revelry. Harvest was in, and slaves were given time off to rest and play. They were issued a new set of clothes, as well as food and often alcohol. Singing, dancing, and storytelling lasted all week, and the tradition continues in the Bahamas and other Caribbean islands today, with "Junkanoo," an island-wide street party that lasts from Christmas night to New Year's Eve. But the 19th-century celebration was tinged with worry, since the first of the year was the time for selling and leasing slaves to other plantations, and the week often ended with painful, lifelong separations — hardly a symbol of "peace on earth."

Despite the public debauchery, many attempted to "keep Christmas" as a religious observance. Churches in central Europe continued to celebrate St. Nicholas Day and Christmas Mass with sermons and music. Charles Dickens is credited with codifying the modern English version of the ideal Christmas, with its lighted trees, Yule logs, carols, family parties, roasted goose, and general goodwill. He espoused the ideals of Christianity without endorsing an actual religion. His series of annual Christmas books began

Charles Dickens is credited with codifying the modern English version of the ideal Christmas, with its lighted trees, Yule logs, carols, family parties, roasted goose, and general goodwill.

with *Sketches by Boz* in 1837 and culminated in his masterpiece, *A Christmas Carol*, in 1843. The story has become such a part of our lexicon that we often forget that Ebenezer Scrooge was more the rule than the exception by 19th-century standards, when most employers refused to contribute to the revelry by giving workers the day off. The softening of Ebenezer Scrooge's heart softened the hearts of readers everywhere, setting the standard for a joyful and charitable, though virtually Christ-less, Christmas that has lasted to this day.

But it was actually Washington Irving who created the modern Christmas in America, more than 20 years earlier, in a conceit made to appear to have been imported from Britain. In his *Sketchbook of Geoffrey Crayon, Gent.* (1819–20), Irving purported to have visited England, where he "observed firsthand" happy family-oriented holiday customs that included parlor games, music, traditional foods, gifts, and festive decorations. With chapters titled "Christmas," "Christmas Eve," "Christmas Morning" and "The Christmas Dinner," Irving created a blueprint for the "perfect Christmas" that harried mothers have tried to copy ever since. However, these were purely the creations of his own imagination. As early as 1809, Irving had begun to res-



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Learning from the California Election

by R. W. Bradford

Libertarians finally got the opportunity they'd awaited for decades: they faced the voters on an equal footing with all other candidates.

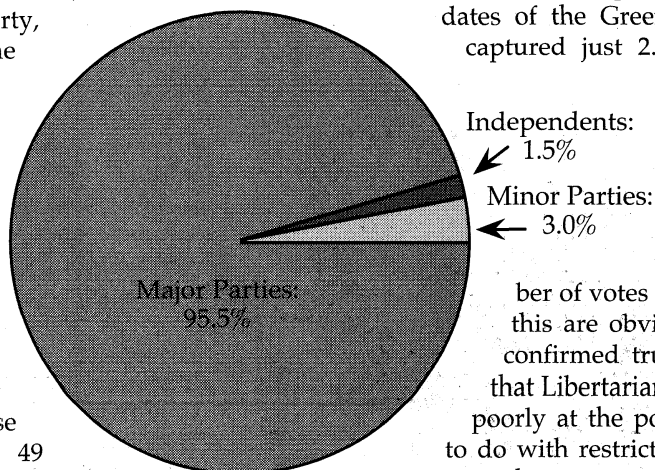
Partisans of the Libertarian Party frequently explain their poor showing as the result of restrictions that politicians of major parties have placed on Libertarians getting their names on the ballot. It's a plausible explanation: in virtually all states, the candidates of major parties are put on the ballot with hardly any effort or expense, but candidates of other parties face barriers and undergo expenses that keep many of them off, not to mention deplete the resources of those who somehow do get on.

One of the curious things about the recent California recall election is that all candidates, whether from a major party, minor party, or no party at all, faced exactly the same cost to put their names before the voters, and it was a very small cost indeed: a fee of \$3,500.

It was a Libertarian dream. Finally, Libertarian Party candidates would not suffer from discriminatory ballot access restrictions. Finally, Libertarians would have the opportunity they'd awaited for decades: they would face the voters on an equal footing with all other candidates.

And how did they do? Able to choose among 135 candidates, including 49 Democrats, 42 Republicans, and 38 Independents, Californians cast a total of 5,883 votes for the three candidates of the Libertarian Party. That's just 0.07% of the vote.

Californians cast 95.5% of their votes for candidates of major parties. Independents got 1.5%, and candidates of five minor parties took a total of 3.0%, with over 95% of the minor party votes going to candidates of the Green Party. LP candidates captured just 2.3% of the total minor party vote.



To sum up: when the LP finally got an opportunity to compete on a level playing field, it captured an insignificant number of votes cast. The implications of this are obvious to all but the most confirmed true believers: the reason that Libertarian Party candidates do so poorly at the polls has little or nothing to do with restrictions they face on ballot access. The vote total suggests, to the contrary, that the LP has actually benefited from those restrictions: by spending millions of dollars and doing thousands of hours of hard volunteer labor, the LP has

managed to put its candidates on the ballot where other minor parties and independent candidacies have failed,

The reason that Libertarian Party candidates do so poorly at the polls has little or nothing to do with restrictions they face on ballot access.

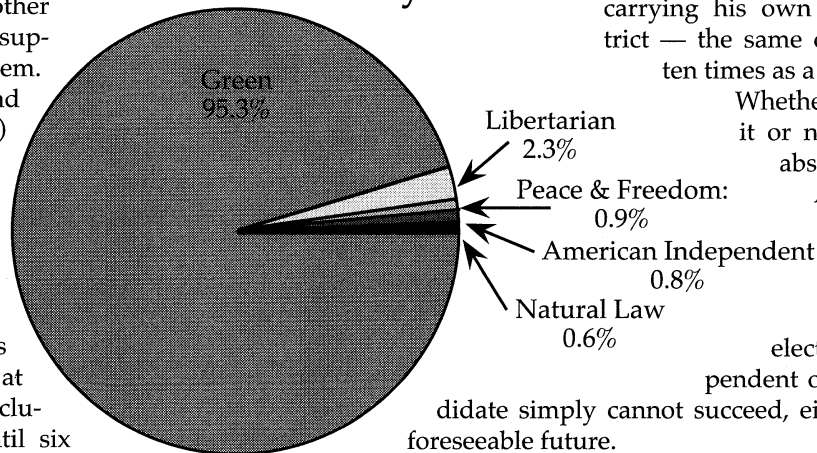
making it a vessel for voters who simply do not want to vote for a major party candidate.

It is impossible to see the California vote as anything other than a powerful statement of support for the two-party system. Like it or not, Californians (and presumably other Americans) are quite satisfied with the choices that the two parties offer. How else can you explain the fact that 95.5% of them voted for Republicans or Democrats?

Curiously, few libertarians or LP partisans have arrived at these ridiculously obvious conclusions. I purposely waited until six weeks after the election to publish anything on the issue, in the vain hope that I would see the same observation elsewhere, but I have not. This suggests, sadly, that many partisans of the LP are simply unwilling to draw the inescapable conclusions from indisputable facts.

The reason must be that they fear a slippage of their own morale. They are afraid of discouraging themselves. But I for one am not discouraged. While the California experience suggests that libertarians will never do well running for partisan office as candidates of the Libertarian Party, it offers no evidence whatever that libertarians cannot win elections. After all, Ron Paul has been elected to several terms in Congress from Texas, and Leon Drolet has been elected to several terms in the Michigan state legislature, as was Greg Kaza a few years back. These people ran as Republicans.

The Minor Party Vote



Even LP partisans have hard and direct evidence that being libertarian does not prevent one from winning elections: in growing numbers, LP activists are running for local non-partisan offices, and many have won their elections. That's the fact, although there is some trouble with their theory that winning local non-partisan races will make them well-known and well-respected political leaders who can parlay that reputation into election as Libertarians to higher-level partisan offices. In this, they are mistaken, as the California election returns demonstrated. Even John Anderson, who had won ten elections to Congress as a Republican and was considered a very credible independent candidate for the presidency in 1980, failed that year even to come close to carrying his own congressional district — the same one he had carried ten times as a Republican.

Whether Libertarians like it or not, the evidence is absolutely conclusive: Americans are very happy with the two-party system, and contesting partisan elections as an independent or minor party candidate simply cannot succeed, either now or in the foreseeable future.

Of course, there are other reasons to organize and operate a minor party — for example, as a protest group (like the Prohibitionists), a front for an agency of a foreign power (like the Communists), or a scam to collect federal

Contesting partisan elections as an independent or minor party candidate simply cannot succeed, either now or in the foreseeable future.

matching funds (like the National Alliance Party). But if winning elections or gaining electoral influence is one's goal, contesting partisan elections from a minor party platform is a waste of money, effort, and idealism. □

Letters, from page 6

up the debate in advance; her thesis is the product of her genes, mine is the product of mine, and never the twain shall meet. She favorably quotes Mill's praise of originality; but how can there be any originality if all thought is merely the result of "biology"? Does McCarthy understand the difference between new ideas and genetic mutations?

Diversity of knowledge, of point of view, of experience, is a good thing when reasonable people cooperate toward any goal. But McCarthy conflates these with genetic diversity. This conflation, in practice, produces not diversity but conformity: the idea that one must practice solidarity with one's sexual or racial group. True diversity comes from the recognition that people are individuals who can follow their own paths, not specimens of breeding

groups who are destined to obey their genes.

Gary McGath
Hooksett, N.H.

Socialists Can Too Be Funny

For a stand-up comedian, Tim Slagle doesn't seem to have much of an understanding of humor, if his November polemic on Al Franken's latest book is any indication ("Al

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Time to Get Real

by Greg Newburn

Government spending is through the roof. Federal police powers are expanding to nightmarish levels. Libertarians can't get elected to anything and are openly mocked by mainstream politicians and the press.

The 2004 presidential election is a year away, and dissension swells among the libertarian ranks as to which candidate, if any, should receive libertarian support. The upstart organization "Libertarians for Dean" has received some major press coverage, and some libertarians still actively support President Bush. No matter which candidate comes out ahead, nearly all libertarians are wondering how the political bearers of our philosophy will fare in the upcoming election cycle.

How will the Libertarian Party fare? If history is any guide, the answer is an unequivocal "not well." Anyone familiar with the party is familiar with its failure to elect any Libertarians to major office. The party's failures are so extensive that some libertarians, frustrated with the inability to affect real change through the political process, have proposed moving tens of thousands of activists to a single state in an attempt to be taken seriously. If this is what our approach to politics is getting us, perhaps it's time to rethink our approach.

The libertarian movement today is a joke. I know what you're thinking. I know about the "3000-year intellectual history of classical liberalism." I know about the English Levellers, and how Pope Innocent IV furthered the notion of universal rights. I've heard the Cato Institute's Tom Palmer speak a few times, too. I think it's great that Lao-Tzu was the intellectual godfather of spontaneous order. But none of that helps us change the fact that government spending is through the roof, that federal police powers are expanding to nightmarish levels, and that we libertarians can't get elected

to anything and are openly mocked by mainstream politicians and the press.

When you get right down to it, libertarianism is a political punch line. If Hans Herman Hoppe isn't being mocked by political scientists for arguing that democracy is "the God that failed," (or calling Gary Becker an "intellectual criminal," or saying that Chicago School economists are "worse than Communists," or . . .), then "Bureaucrash" is being mocked by college kids across the country for coming up with yet another lame "counter-protest" in the futile effort to take liberty "to the streets."

I'm sure you've all been there. You're sitting around with a group of well-informed, politically-minded people at school or the office. Politics comes up in conversation, and people start arguing. Then you unmask yourself as a libertarian. Almost invariably, the conservatives and liberals coalesce into a united (and vicious) front.

Perhaps you attempt to clarify, distancing yourself from the Libertarian Party and its internal scandals and tin-eared "Guns for Tots" actions. "I'm a 'small l' libertarian," you explain. This move does nothing to temper their venom. If anything, it reminds them precisely how loony some of your fellow travelers are.

One of the conservatives in the room will charge that

libertarians are idiots because drug legalization leads to crack babies. Then a communitarian-type will tell us that privatizing Social Security will force old people (sorry, senior citizens) to 1) sleep in the streets, 2) consume dog food for sustenance, and finally 3) die. Some Democrat or Green will call you a shill for corporate tyranny while a Republican denounces you as a hippie. In response, you might meekly offer, "But libertarians are for political *and* economic freedom," as your conservative buddy goes to picket an abortion clinic and your leftist friend to smash a Starbucks window.

An editorial in Gainesville, Fla.'s *Satellite* magazine recently noted that most people think libertarians are lunatics. Maybe we are. Many have asked why, given our "rich intellectual tradition," we are so politically marginalized. A more important question is how we can become more mainstream. I think the answer can be found by applying the common-law tradition of "the reasonable person" to our philosophy as applied in contemporary politics.

Under common law, the question of whether a defendant should be held liable for, say, a tort, was decided by asking whether a reasonable person, acting under the same circumstances, would have acted the same or differently. If the reasonable person would have done the same, the defendant was generally not held liable. If the reasonable person would have acted differently, then the defendant was held liable.

As Leon Louw argued in his "Libertarianism and the Lessons of Common Law" (*Legal Notes* 10, 1990), the reasonable person test can be used to solve many problems that the "non-aggression axiom," or other dogmatic ideological premises, leave wide open. For instance, in the case of rape, Louw notes that the context of how a woman says "No," to sex (i.e., screaming and kicking, or seductively whispered) could determine whether an actionable rape has occurred. The reasonable person test helps answer the question. The "non-aggression axiom" does not.

Louw illustrates how the theoretical libertarian can adapt to the reasonable standards offered by common law. More importantly, he demonstrates *why* he should do so: because otherwise he is left toothless. Taking that principle a step further, libertarians interested in political success must learn to be reasonable in their policy prescriptions, lest we be cast to Politopia, and into perpetual political obscurity.

I can almost see some of the more dogmatic types out there firing up their word processors to reply to what I've just written. I can see them now, gearing up to defend the non-aggression axiom from the infidel attacks. Hey, go for it. But I'm not terribly interested in the philosophical defense of

anyone's particular conception of liberty.

And it's doubtful that anyone besides those who just picked up Tom DiLorenzo's *The Real Lincoln* is interested either. Notice, I am not attacking any specific premises of liberty as philosophical concepts. Instead, I aim to show that,

It will not do merely to say that "Taxation is theft."

even if philosophically sound, they have no place in contemporary politics. In short, I'd like to see libertarians win some elections. If that means the folks at LewRockwell.com or the Libertarian Party call me a sellout, so be it.

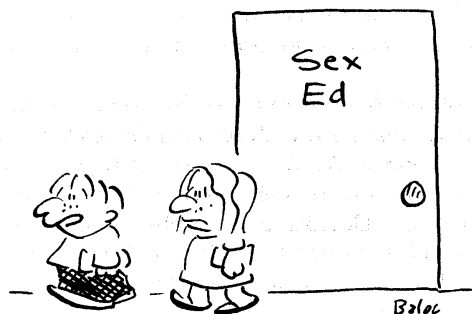
It is well-accepted that politics is "the art of compromise." In my younger years of advocating liberty I found that statement repugnant, and even now it does not sit well with me. But reality is a harsh master, and unless we libertarians want to preach to the choir for the rest of our lives, it is a lesson we must quickly learn. What exactly does this mean for libertarianism? Does it mean that we must accept the principles of the "welfare/warfare" state? Does it mean that we must advocate the "forced redistribution of wealth"? Must we abandon *laissez faire*? Not at all.

Aaron Director of the University of Chicago Law School once wrote that "Laissez faire has never been more than a slogan in defense of the proposition that every extension of state activity should be examined under a presumption of error." This line of reasoning allows libertarians an opportunity to abandon dogmatism in favor of a reasonable philosophy. Further, following it would allow that reasonable philosophy a chance to move up from the children's table at the American political feast.

What does this mean in practice? How can libertarians have real impact?

First, libertarians should abandon completely the fruitless efforts of the Libertarian Party. In October 2000, I attended a speech given by the Libertarian Party vice-presidential candidate Art Olivier. His was a standard stump speech, not at all tailored to the overwhelmingly college-aged (and very interested) audience. During the question and answer period, our "number two guy" could barely field the most elementary questions concerning the application of our philosophy to contemporary public policy issues. Olivier got thrashed by undergraduates, and I left embarrassed. Before that speech, though I was already disenchanted with the party, I had some hope left. Not anymore. And though I do not consider myself to be part of that mysteriously influential libertarian "in-crowd," I know very few libertarians who take the Party seriously.

And why would we? In the 32-year history of the Libertarian Party, it has captured a handful of local offices, and a few state legislative seats, but not a single Congressional seat. And though it has run a candidate in every presidential election since 1972, the Party has failed to garner more than 1% of the popular vote. In California's recent gubernatorial election, more voters supported Gary Coleman than any Libertarian Party candidate.



"The whole thing sounds pretty science-fictiony to me."

Sure, there are multiple reasons that might explain this phenomenon. Perhaps libertarian voters were too busy studying Arrow's Theorem to get out and vote. Or maybe some potential voters just finished reading *The Structure of Liberty*, or something else by Randy Barnett, and thought that any cooperation with the state would be tantamount to "tacit consent" to be governed. And then, perhaps they wondered, Lysander Spooner notwithstanding, on what grounds could they call for the dissolution of the state. Fearing that fate, perhaps they stayed home from the polls. That's one theory. Another is that the Party's platform is so radical and out of touch with the mainstream electorate that even those who are willing to "waste votes" seek to waste them somewhere else.

Whatever the reason for its failure, the Libertarian Party is an example of bureaucracy run amok. When they met "in David Nolan's living room" in 1971, the party's founders were no doubt well-intentioned. But now the party has become more interested in ensuring its own survival than implementing libertarian policies.

But in the final analysis, it doesn't really matter *why* the Libertarian Party doesn't work. It only matters that it doesn't. In any event, it is clear that the party is a failure destined to continue failing. So the real question is: without a separate political organization to push our agenda, how can we libertarians advance liberty in contemporary America?

Much has been written recently about whether libertarians should support Democrats, Republicans, or neither in 2004. I believe the answer is that we should support both. This is not (necessarily) to say that libertarians should support "divided government," with a "Republican president and Democratic Congress," or any other such combination — though such division might be a valuable tool for freedom. Instead, it means that libertarians should disassociate with the Libertarian Party, and assimilate into whichever party one feels most comfortable joining.

In practice, this would mean that liberty-minded candidates from heavily Republican congressional districts would run as Republicans, and in Democratic districts as Democrats. This is not to say that the *same* candidate should switch parties in some Machiavellian scheme to hoodwink

Whatever the reason for its failure, the Libertarian Party has become an example of bureaucratic pathology run amok.

the electorate. Instead, it means that libertarians should focus on pushing the issues which are most relevant to their districts and the philosophy of their district's voters, while still remaining relatively consistent with libertarian values.

In any election — and especially in local and congressional elections — candidates tend to focus on two or three issues that make up the bulk of their messages. Political success lies in focusing on those two or three issues that will yield the most votes within the structure of the two-party system, and pretty much ignoring other issues. For instance, a candidate in the "Bible Belt" could focus on taxes, gun

rights, and repealing the welfare state. He or she need not focus on abortion rights and drug legalization. The opposite holds true for candidates in, say, Vermont. However the key principle — the principle on which this approach rests — is that these candidates become reasonable libertarians.

Libertarian candidates must become more sophisticated. As a major party contender, a libertarian candidate would

Libertarians interested in political success must learn to be reasonable in their policy prescriptions, lest we be cast into perpetual political obscurity.

likely be invited to debate other candidates, and be taken seriously by voters. As such, he or she must be prepared to outline reforms and advocate policies that can be taken seriously.

For instance, a libertarian candidate might argue that today's leaders should focus on repairing the tax structure, or on making the tax system simpler and fairer. Perhaps the candidate could outline a specific plan to reduce the burden of complying with a tremendously complicated tax code. It will not do merely to say that "Taxation is theft." Doing so might leave the candidate feeling morally superior — but it is politically unreasonable, and will immediately get a candidate laughed right out of contention.

However, once a candidate has earned the trust and respect of some of the major party loyalists, he or she can introduce plans that are consistent with reasonable libertarianism and the majority values of a given district. Under that scenario, the libertarian candidate is much more likely to be elected in today's political environment.

At the national level, reasonable libertarianism through the two major parties would offer the biggest boost to libertarian politics since 1789. The upcoming presidential election offers the best evidence. Nine Democrats are currently seeking their party's nomination for the 2004 presidential election. They have engaged in multiple debates, all of which have been nationally televised. That means that each candidate, including the marginally relevant Al Sharpton and Dennis Kucinich, receives a national platform from which he or she can introduce the viewers to their political ideas. If there were any Republican opposition to the president (and if we used my approach there most assuredly would be), voters would get to see a clear, intra-party distinction between the candidates, and for the first time be offered a real choice that they can actually exercise without "throwing away" their vote.

Much of the rhetoric espoused by politicians in both parties is largely consistent with reasonable libertarianism. As a candidate, George W. Bush consistently referenced such libertarian themes as school choice and Social Security privatization. Many Democrats echo libertarianism when they call for an end to corporate welfare and extended rights for homosexuals. A reasonable libertarian — who avoids arguing, for instance, that national defense should be privatized — but instead focuses on the major issues of local and

national importance, would fit into the political mainstream, and would have an excellent chance of winning major political office.

As evidence of the efficacy of this approach, I offer the career of Congressman Ron Paul of Texas. Paul is thoroughly and consistently libertarian in his political philosophy. He has referenced Austrian economics on the floor of the U.S. House of Representatives, and often writes for libertarian periodicals. Yet despite thinking well outside of mainstream political philosophy, he has repeatedly been elected to the U.S. Congress as a Republican. Given his success, and the utter failure of similarly situated Libertarian Party candi-

dates to replicate it, it stands to reason that candidates should eschew the LP in favor of one of the two major parties.

Reasonable libertarianism through the major parties is the only effective way to introduce the core of libertarianism, that extensions of state activity should be viewed skeptically, to the masses. If we libertarians are interested in real political success, rather than, as William F. Buckley famously argued, "busy little seminars on whether to demunicipalize the garbage collectors," we will recognize the reality of contemporary politics. Then, we can embrace the major parties and shift politics — for the first time — from the inside out. □

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Franken Is a Big, Boring Hypocrite"). The review, if it could be called that, could be summarized thus: "Al Franken is a socialist and, therefore, not funny." I see no need to debate the merits of this argument. What I do take issue with is the sentiment conveyed by the piece, namely the tacit encouragement to side with the Republican Party and its talking heads on all matters of public policy. (One could hardly draw a different conclusion from Slagle's praise of Rush Limbaugh and defense of Dick Cheney.) We Libertarians are privileged to have truly independent commentators like Neal Boortz to ridicule Democratic policies and politicians; as the Republican Party continues its metamorphosis into the party of fiscal irresponsibility, reckless imperialism, and mandatory "Christian" morality, should we not turn to authors like Al Franken — however partisan they may be — to remind us why we oppose the two ruling parties in the first place?

And, incidentally, the book was hilarious.

Timothy Walker
Orlando, Fla.

Jazz in the Key of Dumb

When I read the headline on the cover of the December *Liberty*, "Blues in the Key of zzz," I was all set to agree with Richard Kostelanetz. The PBS blues series was, indeed, pretentious and boring.

But in the very first paragraph, Kostelanetz had to say that he liked

blues better than "jazz, say, which always struck me as deleteriously formless." Deleteriously formless? Is he actually unable to find any form in jazz? Does he really mean its lack of form is somehow deleterious?

Then, he mentions that he wrote a book, *On Innovative Musicians* (1989), which includes a chapter on B.B. King, besides chapters of appreciation for John Cage, Milton Babbitt, and Elliott Carter.

Richard! Anyone who can find some kind of form in Cage, Babbitt, and Carter can find form in jazz, if he cares to look.

Blues is a simple form — three chords in 12 bars — but the basic forms in jazz are not that much more complex. One third of the forms in jazz are based on a major or minor form of blues, and about one-third of jazz forms are based on the 32-bar AABA song form of the greatest musical creators of the 20th century, songsmiths like Cole Porter, George Gershwin, Harold Arlen, Richard Rodgers, Duke Ellington, Irving Berlin, et. al. One third is original, but not formless.

I've spoken and written about this endlessly, even at *Liberty* Editors' conferences, and an Eris Society meeting. Ask anyone who attended those talks whether or not I made some kind of sense in my description of inherent forms in jazz music.

Jazz musicians from around the world can walk into any room together and play these forms, even if they don't speak the same verbal language. There are hundreds of schools of jazz in universities and high schools these days. They teach the "form" you are so willfully ignorant to understand. It's hard work, I know, but not as hard as the anarchic 12-tone system of Babbitt

which you seem to understand and worship. If you hate jazz on a visceral level, why not just say "I don't like jazz"?

Gary Alexander
Reston, Va.

Fast and Loose With the Evidence

David Ramsay Steele's inability to address medical and ballistics evidence relevant to any rational consideration of the Kennedy assassination vitiates the bulk of his essay, ("Wasn't It a Little Crowded On That Grassy Knoll?" November). Steele's sanguine confidence that the "physical arguments" that point to a conspiracy in the case can and will be answered by "technical experts" is misplaced; he is unfamiliar with the work of several specialists who have re-examined the evidence over the past ten years.

One example of the important analysis that Steele passes over is a discovery made by Dr. David Mantik. Mantik performed a reconstruction of the path that the famous "magic bullet" would have taken had it traversed the body of President Kennedy en route to its final resting place at the National Archives. When he placed precise measurements of President Kennedy's spine, the thickness of his body, and the location of the back wound onto a cross-section of the body, and connected the bullet entry and exit sites by a straight line, he immediately saw that the bullet would have had to go straight through Kennedy's spine, causing major damage which would have been evident on the Kennedy chest X-ray. No such trauma is seen. Mantik's conclusion: "the object which entered the back could not have exited at the front of the throat." With this simple, elegant exercise, the death

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I Drop My Pants to Airport Security

by Tim Slagle

Real terrorists are probably a lot more difficult to perturb than I am, which is probably why you never see them kicking their trousers at airport security officers.

I've been swearing I was going to do it for a while. Until this morning, I thought I was just kidding. You know, an idle threat, just to get a reaction from all the people around me. Well, today I hit the breaking point.

I blame Louis. Louis is my Chinese brother, and he loves his scotch. Somebody dropped off a really nice bottle, and when there is a nice bottle at Louis' place, everybody drops in to take a sip. Needless to say, a party erupted. With a couple dozen people lining up it doesn't take long to empty the reserve, and at that point nobody cares about quality anymore, so we broke into the well brands. That is the point when connoisseurs become outright luses.

Any thought of sleeping before my flight was outright fancy, so after the party broke up Louis and I took to some serious all-night drinking. My 5:45 a.m. cab was waiting for me when we pulled up to the hotel, and I only had a minute or two to throw everything in a suitcase before I left. I staggered back out to my waiting cab. I always try to keep anything metal in the checked baggage when I fly. I've long forsaken any attempt at fashion on travel days; an elastic waistband is easier than a belt with a metal buckle, boat shoes are better than those with laces and eyelets. I even try to wear pants with a nylon zipper. I always get rid of all my change en route as well. If you're the cab driver who takes me to the airport, beyond my generous gratuity, you will usually get all the change in my pocket. I begrudge the inconvenience, but tell myself that it is all the fault of the terrorists. You don't blame the lion who eats your mother, because it is a lion's nature to eat mothers; I can't blame a

government for becoming oppressive, because that is the nature of government. I always blame the people who opened the lion's cage.

I've long suspected that certain people are flagged in airports, and when they walk through the metal detector, an unseen security agent behind a video screen somewhere else in the airport hits a button to make the alarm sound, so that the targeted passenger can be searched a little more thoroughly. Perhaps this is paranoia. But I know in those days between Waco and Oklahoma City, back when militias were the libertarian fad of the day, I got pretty mouthy in public. I don't know if I really am on a profile list, but if I'm not, those lists are pretty short. Anyway, I always go out of my way to be sure that anything metal goes into one of those gray bins in front of the x-ray machine. I want to see myself get beeped and pulled aside with absolutely no metal on me. I've often figured that someday I was going to strip down to my boxer shorts before I walked through.

I got to the airport, checked my bags, and spent an inordinate amount of time filling those plastic containers. Because I had no time to change clothes at the hotel, I was still wearing my stage clothes, in an extended walk of shame. I've had trouble with buckles, so off came the belt, and it went into the bin with my watch, shoes, and sunglasses, which I would

need if I were going to get any sleep on the flight. My jacket went into another bin. The third bin took my computer bag, and the fourth bin my computer. I waved on a couple of people less concerned about making the detector beep and patted myself down to ensure there was no metal. I've accidentally set off the detector with just a gum wrapper in the past. However, I watched other people go right through unimpeded, without de-metallicizing themselves, and assumed the metal detector was turned way down that day.

But it was not. I walked through, and I couldn't believe it when the alarm went off. I thought I finally had definitive proof I had been flagged. Outside of the zipper on my trousers there wasn't a speck of metal on me. I stormed over to the closer inspection area, and was told to put my hands up. Sure, they actually tell you to put your arms out to your sides, but the effect is the same. I put them behind my head, like I was about to be arrested. For some reason, the wand kept beeping every time he passed it over my pants pocket. I reached in and pulled out the wad of travel money that was stashed in there. "Is this doing it?" I asked. I had often heard that the metallic strip encased in the ends of newer bills was intended to set off the metal detectors, so smugglers could no longer take money aboard planes into offshore accounts. I handed the TSA agent my travel roll, which was a really stupid idea, because I'm pretty sure that when he handed it back it was about \$40 lighter. Should have counted it first.

Again the wand went off over my leg. "There's something in your pocket still," he said angrily. I felt the outside of my pants. Nothing. I reached deep down into the pocket, empty. "Please remove everything from your pocket!" he

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yelled. I couldn't take it a moment longer. In a quick motion, I unbuttoned my trousers, dropped them to the floor, and kicked them over to him. "Is this how far it's going to get before you're all satisfied?!" The entire airport went silent for just a second, then applause burst out from the people wait-

ing in line. "Please don't do that, sir," the agent begged, suddenly uncomfortable to see another man taking off his clothes for him. I barely heard him, as I was now leaned over, pulling off my socks, and headed for my shirt.

"Please put your clothes back on."

"You want to search me, bring that wand over now!"

"I'm not coming near you until you put your pants back on." I could tell I was violating his machismo.

"Go ahead, search those pants. You're so sure there's something metal in them, prove it!"

"I'm not touching them." He kicked them back to me the way you'd kick a big jellyfish back into the ocean. "And if

I couldn't take it a moment longer. In a quick motion, I unbuttoned my trousers and dropped them to the floor.

you don't put them back on right this minute, we're going to hold you for the rest of the day."

Okay, he got me. Not once during my moment of rage did I even consider that option. It was his trump card. I've had to sober up in an interrogation room before, and it's a means of torture I don't ever want to repeat. I defeatedly began pulling up on the waistline, and about halfway up slipped my hand back into the pocket for one last check. Imagine my surprise to find a dime. Apparently, the pocket had somehow twisted around, creating a false bottom, hiding this slip of metal in an unintentional secret compartment, and by taking off the pants, I was finally able to reach into the full depth of the pocket. I was a little ashamed to learn that I had not done the thorough sweep for metal I thought I had done, but also irked that such a harmless item was being scrutinized. I couldn't imagine how it might be sharpened, or stamped, or in any other way fashioned into a weapon that a middle-aged, overweight, out-of-shape man could use to overpower a hundred angry passengers anxious to return home to their loved ones.

Perhaps the recent stories of boxcutters still getting aboard planes have caused the TSA to turn the detectors on high to prevent future embarrassment. I held the dime up. "Is this what you're looking for?"

"That's metal, genius."

"Yeah, but which of us has to work for the TSA?" I couldn't resist. □

Letters, from page 26

knell sounded for the long-moribund "single bullet theory," and with it, the lone assassin theory. Separate shots hit Kennedy and Gov. Connally; two gunmen fired from behind on November 22, 1963.

As to the guilt or innocence of Oswald, it is germane to note the nature of the bullet fragmentation that is seen in the Kennedy skull X-rays. Thirty to

forty tiny, dust-like particle fragments are observed. This kind of break-up is not characteristic of the fragmenting of military, jacketed ammunition of the type that would have been fired from Oswald's Mannlicher-Carcano. Military rounds fragment (if at all) into much larger chunks.

The ballistics evidence which implicates Oswald consists of the "magic bullet," (Warren Commission Exhibit 399) and two fragments that were found in

the presidential limousine late in the evening of the shooting. There is no doubt that this ammunition was fired (at some time) from Oswald's rifle. There is also no doubt that CE399 played no active role in the shooting. Critics of the lone-assassin theory have often stressed the relative lack of deformation of that bullet, but the more important point is the fact that the bul-

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A Strange Little Town in Texas

by Larry J. Sechrest

Welcome to Alpine, where cowboys are poets, burglars don't have a chance, and football is rivaled only by beer, sex and church. And, by the way, if you move there, drop your auto club membership.

Texas has millions of gun owners, thousands of fundamentalist churches, hundreds of wacko socialists, and one goofy president who is far more dangerous than he looks. It has forests, lakes, beaches, mountains, and regions in which the flat, arid land seems to go on forever. It has 257 counties, including Calhoun, Crockett, Deaf Smith, Jeff Davis, Liberty, and Loving County, home to 91 souls. It has big cities like Houston and Dallas, and small cities like Best, Big Lake, Dime Box, Old Dime Box, Paris, Palestine, and Iraan. Best is one of the worst little "a traffic light and a post office"

blips on the highway you'll ever see. Old Dime Box is newer than Dime Box; Big Lake has a stock pond with pretensions of grandeur; no one who lives in Paris, Texas speaks French; and there are no Muslims in either Palestine or Iraan. Iraan is not far from where I live, and you'll be tempted to pronounce its name just like that of a well-known and volatile nation in the Middle East. Resist the temptation. Ever since the days of the Ayatollah Khomeini, the good people of Iraan have insisted that the proper pronunciation is "Ira-Ann." It's the West Texas version of political correctness.

Many Texans think the state should secede from the Union and return to its glory days as an independent republic. A few years ago there was an armed standoff between independentistas and the state. They were put on trial in the Brewster County Courthouse about a mile from where I live. Some of my West Texas neighbors have doubts about their

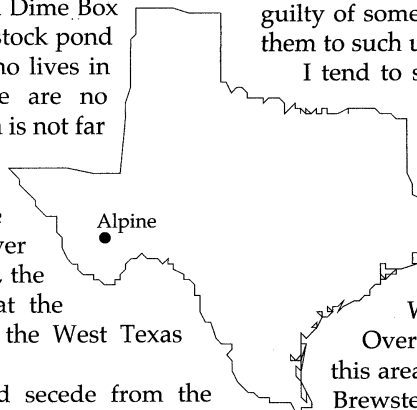
fellow citizens who live in other parts of the same state. Their thinking seems to be that, since the Blessed live in West Texas, then those other Texans must be foolish at best. As for people who live in states like New York or California, they cannot be merely effete and dissipated; they must be guilty of some abomination. Why else would God condemn them to such unholy regions? When it comes to South Texas,

I tend to share the skepticism of native West Texans (I was born in Michigan, but I've lived in Texas for more than 40 years). The extreme southern area of the state is more nearly part of Mexico than part of Texas. I say let Mexico have it back.

Most of the sovereign nation known as West Texas looks like a scene from a John Wayne movie, which should not be surprising.

Over the years many movies have been filmed in this area. Tucked away in the far southern portion lies Brewster County, the largest county in Texas, encompassing 6,200 square miles, an area larger than that of the entire state of Connecticut. And yet there are only 8,900 people in the county, with two-thirds of them in one town: Alpine. It is there that I have lived since 1990.

Obviously, overcrowding is not a problem. Economic



stagnation, ignorance, and drug abuse may be problems, but no one here complains about a lack of space. Moreover, the town is not misnamed. It sits some 4,500 feet above sea level in a bowl with mountains rising above. Alpine does not look like the stereotypical Texas town. Big Bend National Park borders the Rio Grande 100 miles south of Alpine and

I was attracted to Alpine for "survivalist" reasons. In the 1970s and into the '80s, my wife and I had a pantry full of foods with a shelf life of 10–20 years. She learned about wild plants that were edible, and I reloaded my own ammunition and customized my own guns.

attracts tourists from all over. The proximity and popularity of the park have led to the whole area being referred to by local residents as "the Big Bend."

Originally, I was attracted to Alpine for "survivalist" reasons. In the 1970s and into the '80s my wife Donna and I were interested in a lot of the topics one could find in, say, *The Whole Earth Catalog*, *Mother Earth News*, books by Bradford Angier, or the writings of pistol expert Jeff Cooper. In our pantry we had foods with a shelf life of 10–20 years. Donna learned about wild plants that were edible. I reloaded my own ammunition and customized my own guns. We discussed designs for a rammed-earth house. We lived in the Dallas-Fort Worth area. It wasn't intolerable, but we hoped to find a better place and Alpine looked very promising. Donna's father was a petroleum geologist who was familiar with the town and had spoken of retiring there.

In 1981 I read *Survival Havens in America: Small Cities, Towns & Rural Communities*, a book that seemed to support her father's positive evaluation. It described Alpine in glowing terms: devoid of nuclear target sites, a mild climate both summer and winter, abundant water supplies, rarely experiencing tornadoes and never hurricanes, air so clean that it offered relief for people with respiratory problems, a very low crime rate, a radio station that played classical music as well as the obligatory country-western, two libraries, a university whose students eschewed radical or disruptive behavior, postcard-like vistas to please the eye, a strong economy based on ranching, the university, and tourism, and people who "are among the friendliest in Texas, which is saying something." The only drawback mentioned was that housing was rather scarce and thus more expensive than is usual in rural areas. I was on the verge of completing my Ph.D. at the University of Texas at Arlington. I sent a letter to Sul Ross expressing my interest in a faculty position. They made me an offer, I accepted, and we moved.

In the 13 years since, I have learned a lot more about this town and its people. The good news is that much of what Alpine was praised for is in fact true. The bad news is that there are problems here that no one was willing to warn me about. Or perhaps they were *unable* to warn me because they could not identify them as problems. Which is one of the problems. You'll see what I mean.

First of all, let me verify what is true and good about Alpine. The climate is quite pleasant. The nights are almost always cool in Alpine, and the afternoons tend to be warm. In summer the daily low temperature is about 60° and the high 90°–95°. In winter the range is usually from about 25° to a high of perhaps 60°. During either season, if the sky is heavily overcast the high will be at least 10° lower. It is not unusual to see people wearing jackets in the morning and shorts in the afternoon. But abundant sunshine is the norm year round. There are very few days in which an avid golfer would not find appropriate weather for at least nine holes. And this is far from impossible: there are two decent, though not spectacular, golf courses, one in Alpine and one 26 miles away in the even smaller town of Marfa.

Natural disasters are rare. Hurricanes can't reach this far inland, and although tornadoes do periodically form over the outlying ranchlands, none has been seen in town in the 13 years I've been here. There are hailstorms a couple of times each year, but they do little damage. In recent years, the only damage of note was from an earthquake of magnitude 5.7 that hit the town in April 1995, and even that was relatively minor. For instance, in my house the only impact the earthquake had was to dislodge one of the ceiling fans from its mounting. That seems to have been the only recorded earthquake in more than 100 years of town history.

Alpine also prides itself on having one of the lowest crime rates in the southwestern United States. For example, there have been only three murders in the last 13 years. And in each of those cases, the crime was a manifestation of a personal vendetta of some kind. Strangers don't kill strangers in Alpine, if that's comforting. By the way, Alpine's murder rate in recent years is almost identical to that of Iceland during its medieval anarchistic period, a fact I enjoy citing for the benefit of my painfully convention-bound students.

Most of the time, the police here have little real work to do other than breaking up bar fights and intervening in domestic quarrels. There is the occasional act of vandalism, but burglaries and robberies occur so seldom that many townspeople literally don't bother to lock their vehicles or their homes. The local law enforcement personnel — city police and county sheriff — are so laid back that they seldom stop adult drivers for minor traffic violations. For example, I never use my seat belt, but I've never been ticketed. I just wave at them, and they wave back. I was stopped for speeding once, but let off with a warning. Maybe it helps that both the chief of police and his deputy are former students of mine and that the last two sheriffs used to work here at the university. Of course, they do ride hard on the teenagers, as I guess police do everywhere.

I must not overlook the primary source of entertainment for the area's law enforcement personnel: drug busts. There are DEA and Border Patrol offices right in town, and their assigned people seem "blessed" with an endless stream of Mexican drug smugglers along the highways. This credits the arresting officers with lots of "interdictions," exposes them to relatively little risk of bodily harm, and never fails to get their photos in the local newspaper. Of course, it also raises the prices of the drugs, thus inducing ever more individuals to try their hand at making a quick profit. On the other hand, the far more dangerous and invasive procedure

of ferreting out illicit drugs by breaking into homes in the middle of the night is rarely undertaken in these parts.

Most of the residents are gun owners. To burglarize a home here is mighty close to committing suicide. On the two or three occasions when an inmate has escaped from the local jail, one almost — almost — has felt sorry for the poor devil. An escapee faces a trek of at least 26 miles to get to the next town, there is nothing but open grazing land otherwise, the police put roadblocks on the highways and helicopters in the air, and hiding in this town must be akin to being a rabbit that is tossed into a pen full of bad-tempered dogs.

The first time I drove down Highway 67 into the town, I was taken aback by the number of oncoming drivers who waved at me. I was sure that none of them knew me, and I certainly did not recognize any of them, so I was baffled. Soon afterward I asked the dean who interviewed me about the waving. She told me it was a common practice which had surprised her at first too. Truck drivers and bus drivers who traverse the area seem particularly fond of the custom. I am sure there is some good sociological explanation for it, but whatever the cause, you will find that those driving pickup trucks are more likely to wave than those driving passenger cars. A further, and very valuable, manifestation of the benevolence to be found here appears whenever someone has car trouble on the highways leading to and from town. If you pull onto the shoulder, stop the car, and raise the hood, I guarantee you that within ten minutes at least one other driver will stop and ask if you need help. I have seen as many as three vehicles stop to assist one motorist. And, no, it's not just young, pretty women who garner such attention. Furthermore, if those who offer assistance are unable to solve whatever mechanical problem your car has, they will willingly drive you almost any distance to find someone who can. And they will refuse monetary compensation for their efforts.

There still is a bit of the Old West out here, both the spirit and the trappings thereof. Self-reliance is highly prized and more or less expected, but everyone gets in a jam on occasion, so the people are usually quick to help. That may seem paradoxical, but it is typical of frontiers of all kinds. In March of 1993 a large brushfire started some miles to the east of town, the result, I recall, of sparks from a passing train.

The first time I drove down Highway 67 into the town, I was taken aback by the number of oncoming drivers who waved at me.

Hundreds of people immediately volunteered to help fight the blaze, which burned for a number of days and blackened thousands of acres. Women at the site provided food and drink, while men worked in shifts combating the fire. (Get some antacid for the radical feminists!)

Furthermore, if you want to see what *real* cowboys look like, come here for a visit. I'm not talking about John Travolta prancing around in Western-style boots and hat. I'm talking about working cowboys, men who ride horses and move cattle on a daily basis. Of course, these days they

all also drive pickup trucks — big pickup trucks with engines that sound like fishing boats. And behind nearly every pickup is a horse trailer. Even on the university's parking lot, at least half of all the vehicles are pickup trucks. It is not too uncommon to see people on horseback within the city limits. The town is surrounded by large ranches, and a good saddle is a highly prized possession. As befits a univer-

After dinner, folks sit on their porches and water their lawns. An occasional jogger goes by, huffing and puffing. It's like you're living in a Frank Capra movie.

sity town in ranching country, each year Alpine hosts the Cowboy Poetry Gathering. Cowboys come from all over the nation, in authentic garb, with chuck wagons, mules and all, to read their poetry, tell stories, play western music, and cook trail food for several days. The outfits are fun to see, the food is good, the stories can be entertaining, but the poetry is mostly stuff about being close to God while making a meager but honest living. Around here that passes for high culture.

Alpine seems to be in little danger of nuclear attack. The closest military targets of any consequence are in El Paso and San Antonio, cities 240 miles to the west and 400 miles to the east, respectively. Furthermore, the prevailing southwesterly winds would be likely to drive nuclear fallout away from Alpine. Such considerations may be less critical than they were 20 years ago, but people like me still think this a definite plus for the town. Come what may — war, revolution, bio-terrorism — Alpine is so far off the beaten path that it is likely to be a pretty safe place to be.

And there's clean air, great scenery, proximity to Big Bend National Park, the presence of some educated and accomplished senior citizens, and the general peacefulness of both the university and the town. There is a slowly growing problem of minor air pollution stemming from manufacturing facilities across the border in northern Mexico, but the air is still so clear and clean that astronomy buffs relish the crystalline night skies and the University of Texas' McDonald Observatory operates 40 miles north of Alpine. Hunters and photographers find antelope, whitetail deer, mule deer, javelinas, and an occasional mountain lion or black bear. Big Bend National Park lies a couple hours away, with great camping, backpacking, and river rafting. The scenery in the park is renowned nationally, but the sights around Alpine, Fort Davis, Marfa, and other area towns are also memorable.

Not surprisingly, Alpine has attracted a significant number of retired persons from all over the nation. These residents tend to be well-educated with above-average incomes. I personally know of a chemist, a mathematician, an astronomer, a theologian, an engineer, and career military and naval personnel who have settled here. For a while popular writer Robert James Waller (*Bridges of Madison County*) lived here.

About twilight every evening the streets are nearly deserted — almost everyone is home for dinner — and a gentle breeze will be building after the warmth of the after-

noon. After dinner, folks sit on their porches and water their lawns. An occasional jogger goes by, huffing and puffing. It's like you're living in a Frank Capra movie. For those who are more familiar with TV than movies or art, Alpine is a distillation of two old shows, *The Andy Griffith Show* and *Northern Exposure*, but without the Southern drawls and meddlesome neighbors of the former or the omnipresent snow of the latter.

And that tranquility will not be disturbed by activist students from Sul Ross engaging in noisy demonstrations. You will see no student protests in opposition to the "War on Terrorism," the WTO, "corporate greed," the laboratory use of animals — or any other issue for that matter. About the only boisterous public events are those commemorating the Fourth of July and Cinco de Mayo. Two decades ago, *Survival Havens* noted that the students were more interested in rodeo events than political activism. That is still the case. This brings me to the biggest single problem on the Sul Ross campus and in the area generally. It is the dark, ugly secret virtually no one will talk about except me. And doing so has made me something of a pariah. A handful of people in town will, privately, acknowledge that it exists, but rarely will anyone speak out in any public forum.

The secret problem is that the students at Sul Ross, and more generally the long-term residents of the entire area, are appallingly ignorant, irrational, anti-intellectual, and, well . . . just plain *stupid*. The reason these kids are not politically active is that the concepts involved in such controversies are too complex for them to grasp. They understand the artificial insemination of a goat, but they do not understand why the Ninth Amendment is part of the Constitution. Those who move here after reaching retirement age, as well as some of my fellow Sul Ross faculty members, are usually exceptions to this generalization. On the other hand, 80% or so of the college's students come from high schools within 100 miles of Alpine, and 95% from high schools within 200 miles.

Such distances may sound substantial to readers from other states, but the square mileage represented by a circle with a radius of 100 miles constitutes a very small percentage of the state of Texas. Within this relatively small area the people are inbred to a disturbingly high degree. Most who

The Blessed live in West Texas, and those other Texans must be foolish at best. As for people who live in states like New York or California, they cannot be merely effete and dissipated; they must be guilty of some abomination.

grow up in the Big Bend region never leave it, not even to attend college. They are born here, marry someone who was also born here, work here, and die here. I have encountered few "natives" who are sufficiently driven by ambition to seek education or employment elsewhere. Even some of those who do go away return later. For example, 19 of the current faculty members at Sul Ross grew up here, went

away to gain an advanced degree (Sul Ross offers no Ph.D. programs), and then returned. Many universities are very reluctant to employ "home-grown" faculty, but this one seems actively to encourage it. I suspect that I know why.

My reference to inbreeding should not be taken to mean that there is only one ethnic group here. There are in fact two large groups, in about equal proportions: Caucasian (or Anglo, as they say here) and Mexican. Together they represent 95% or more of the total population, there being minute

Most of the residents are gun owners. To burglarize a home here is mighty close to committing suicide.

percentages of blacks and Asians. Caucasians and Mexicans have coexisted here for a century or more, most of the time peacefully. Indeed, interracial marriages between the two are now both common and seemingly uncontroversial. Normally, one would expect the confluence of different genetic strains and different cultures to invigorate, to stimulate progress. But not here. Here, to put it crudely but accurately, one has poor white trash and poor Mexican trash socializing with, even marrying, each other. Here the lowest common denominators get together to procreate.

To what result? The sad fact is that most of those who graduate with bachelor's degrees from Sul Ross should still be in high school, because they are still operating at about a tenth-grade level. Those with master's degrees have what, properly understood, are the skills of no more than college freshmen. Moreover, our own university president admits that only about one-sixth of each year's incoming freshmen ever actually manage to graduate. This should not be surprising, since their math and verbal skills are exceeded by any fully conscious eighth-grader.

In the fall of 2002, 42 percent of our freshmen had to take remedial classes in reading, writing, or math just to meet the state's ridiculously low standard of "competence." Think about that. The taxpayers of Texas have already paid for these kids to learn English and math in middle school, then again in high school, much of which is a review of what they were supposed to have absorbed in previous years. Many of Sul Ross's students then have to be taught essentially the same subjects a third time before they are allowed to take "college" classes. And many still fail those classes one or more times. The chairman of the math department once told me that at least half of all students here get an "F" in College Algebra the first time they take it. The commissars of political correctness have decreed that America no longer has any retarded students, just students who are in "special education" classes. Baloney! Many of the kids in the Big Bend area are only a notch above retardation. Some are below that.

One of the two key college entrance exams used in this country is the ACT. The national average on the ACT is about 21. Here at Sul Ross, the average ACT score fluctuates around 17. Most of them are in the bottom third of the distribution. High school graduates here function several years below their grade level, and Sul Ross conspires to perpetuate

the fraud. A master's degree from Sul Ross today is about the intellectual equivalent of a diploma from a reputable high school 30 years ago.

This is a familiar story in academia today. Many of my friends and colleagues around the nation have told me of their own frustrations. Affirmative action, education-as-entertainment, grade inflation, and a broad cultural decay have joined forces in bringing about an undeniable decline in the typical college student's abilities. Even so, I insist that the students here are among the worst to be found anywhere. I am prepared to defend to the death the proposition that Sul Ross, and this area of Texas more generally, is the proud home of some of the dumbest clods on the planet.

You may thirst for non-statistical details — and I could inundate you with examples — but let me give just a few. How about college juniors who are sincerely baffled by a certain biology professor's assertion that 0.75, 75%, and three-fourths are all equivalent expressions? Or a senior, in his last semester before graduation, who is unable, even with calculator in hand, to solve the problem, $0.55X = 2,233$, what is X ? Then there was the student who, having graduated, wanted to express her appreciation to a favorite professor. She typed "thank you for all your patients." "Spell check" can't save the truly illiterate ones. One of the worst examples of these students' brain-dead status occurred in one of my own classes. Once I handed out an exam and then suddenly realized that the multiple-choice section contained a crucial typographical error. Since the fault was mine, I brought the typo to the students' attention, and then just told them what the correct answer was, saying it twice to be sure they heard me. Two of the students *still* got the question wrong!

How can such airheads ever manage to graduate? Mostly they do it via the malfeasance of professors and administrators. One Marxist psychology professor here allows his students to grade themselves on one part of the course. Several of the radical feminists in the English department have the students grade one another's essays. A common practice in a lot of classes is to give the students a list of, say, 50 multiple choice or true-false questions, let them go home and look up the answers, and then give a "test" that consists entirely of 20 questions chosen verbatim from the list. This latter practice produces three things: 1) a very high percentage of passing grades, 2) students utterly incapable of writing a coherent sentence about anything, and 3) people with college degrees who actually know only a tiny fraction of what the published curriculum claims that they have been taught.

In this Big Bend region, none of what I've just said is considered to be a problem. It's just business as usual, and business is "fine." The university's website proudly quotes Dan Rather, CBS TV's principal newshack, saying that Sul Ross is "possibly the most underrated little university west of the Mississippi." It would be more accurate to describe it as one of the best *high schools* in West Texas. Also on the website one will discover that *Hispanic Outlook Magazine* has repeatedly recommended Sul Ross as a good choice for Hispanic students. Well, I suppose it is if one wants Hispanics permanently to remain part of what Charles Murray calls the "cognitive underclass."

At every graduation ceremony, University President Vic Morgan refers happily to the recipients of bachelor's and

master's degrees as "educated persons" and "scholars." The proud parents of the graduates weep silently and applaud loudly. But anyone who knows the facts should be outraged by such a spectacle. Don't get me wrong; to an extent I sympathize with the families of those graduating. Many no doubt really believe their kids have accomplished something notable. After all, some of the students here are the first in their family to attend college at all. Neither the kids nor their parents have any inkling of the fact that these new graduates cannot, by any stretch of the imagination, be called educated. With a very few exceptions, they have received a modicum of *vocational training*, that is all. Actually, regardless of their field of study, the primary thing that most learn is how to use a personal computer. Logic? Analysis? Hypothesis testing? The nuances of great literature? The dilemmas of ethics? Forget it. At best, these kids are just entry-level computer operators.

But in the name of "education," the taxpayers of Texas are forking over some \$20 million or more every year, and to what end? So that these kids can take their college degrees and work as assistant manager at the local True Value Hardware store?

There's an even worse aspect to this whole ugly process. The largest number of graduates is always the education majors. Sul Ross began as a teachers' college, and it often boasts of what a large percentage of the region's public school teachers and administrators it produces. In other words, one generation of illiterates comes out of the public schools, attends Sul Ross but learns nothing except the current educationalist jargon, and then proceeds to teach the next generation of illiterates, all the while praising themselves for successes they never achieve.

And just in case you assumed that these mental deficiencies I speak of only appear in some rarefied academic environment, guess again. I have had retailers in town tell me they have a hard time finding employees who can make change when customers pay in cash. One recent Friday at my physician's office, I asked the receptionist for an appointment "one week from today." Her bubbly response was, "That's not available, but we could see you next Friday." I hired a local firm to install new gutters on my house. When the job was finished, I discovered that there was a gap of an inch or two between the inner edge of the gutters and the edge of the roof. When asked why it had been done that way, the supervisor of the crew looked puzzled and asked me in return, "Did you want them to catch the rain from the

Come what may — war, revolution, bioterrorism — Alpine is so far off the beaten path that it is likely to be a pretty safe place to be.

roof?" I guess he thought I wanted them purely for decorative purposes. There's a reason why the labor here is cheap, and now you know what that reason is.

I referred earlier to the spirit of the Old West being alive and (pretty) well here. Frontiers tend to encourage tolerance of those who are different, and that too is something you'll see in the Big Bend area. There are five easily identifiable

groups that one can observe in the town. There are the Anglos whom I think of as "deeply-rooted." Their families have lived here since before there was dirt, they positively love being here, and they usually find employment in ranching, law enforcement, and the public schools. In parallel fashion, there are the long-time Mexican residents who gravitate toward the same types of jobs. The only difference is that many of the Mexicans live on the south side of the railroad tracks, while most Anglos live on the north side.

Then there is the university community, by which I mean the faculty and their families. The members of the faculty, at least those who stay any length of time, often get involved in local politics, frequently live in the same neighborhood, and almost invariably send their own children to some college other than Sul Ross. The most amazing thing about most of them is their complete *lack* of intellectual activity. For instance, I am one of the very few professors on campus who regularly publishes work in scholarly journals. Most do no research or writing at all. And, on a personal level, most are deadly boring to talk to.

People who retire here stay pretty much to themselves. For some perverse reason, the university treats them with mild hostility, and they really don't have much in common with anyone else here. As a group, they are certainly the most intelligent and knowledgeable people in town.

The fifth and final category is composed of a scattering of over-the-hill hippies whose only remaining talent appears to be repeating the slogans of the Green Party. They are easily recognized by their tattoos, their body piercings, and an aura of vacant friendliness.

Okay, if matters intellectual are beyond the capacities of the natives and don't even interest very many of the university's professors, what on earth does stir the hearts of Alpine's citizens? The answer for the great majority is *sports*. The only things that rival sports in overall importance are beer, sex, and church, in that order. Football is king, both in person and insofar as TV viewing is concerned. However, when it comes to attending events, anything will suffice: baseball, basketball, volleyball, golf, rodeo. Yes, rodeo is a

The secret problem is that the students at Sul Ross, and more generally the long-term residents of the entire area, are appallingly ignorant, irrational, anti-intellectual, and, well . . . just plain stupid.

major sport here. And since there are middle school, high school, and college teams and, in most categories, both girls' and boys' competitions, the permutations are almost endless. For nine months out of the year, there are multiple games being played every week. And even in summer there is Little League baseball.

The university faculty members seem as obsessed by sports as the other residents. It is about all they talk about, or seem capable of talking about. In all my years here I cannot recall a single in-depth conversation, other than ones I have

initiated, that was concerned with historical, philosophical, scientific, or political issues. Superficial, brief comments about "headline" news, sure. The Simpson trial, the Oklahoma City bombing, the World Trade Center attack. But the professors here are far more intent upon the prospects for the Alpine High School football team than the prospects for U.S. withdrawal from Iraq.

Even so, Alpine is more cosmopolitan than most outsiders would ever suspect. There are, for example, a number of artists and craftspeople in the area: painters, potters, sculptors, jewelry makers, and so forth. Twice each year a segment of the local merchants stays open late into the night,

The professors here are far more intent upon the prospects for the Alpine High School football team than the prospects for U.S. withdrawal from Iraq.

offering refreshments to their customers, all for the purpose of exhibiting and selling the products of this local talent. There is an active community theater group in addition to the plays offered several times annually by the university's theater department. For years, the latter presented Shakespearean works "under the stars" every summer in an outdoor amphitheater. Having attended a number of these, I can attest to the fact that the quality was surprisingly high. On occasion, Alpine has even been visited by national Shakespearean touring groups.

Alpine is not a mecca for libertarians, but it does have potential. Most of the local residents are strongly religious and patriotic, like many rural Americans. The War on Iraq was very popular here, and the War on Drugs runs a close second. Moreover, despite the First Amendment, the local schools do not hesitate to use religious partisans and religious sentiments to try to squelch any unwanted student behavior. Republicans are in the minority, but the Democrats here sound and vote more like Bush's "compassionate conservatives" than Ted Kennedy liberals. But the pervasive tolerance I've already referred to also extends to the altar and the ballot box. Other than personal vendettas, I have seen very few clashes that involved persons' religious or political views in any way. There are even some gay and lesbian couples. They no doubt find few who share their sexual orientation, but I have never heard of any attacks upon them. Not even verbal abuse.

So am I happy that I chose Alpine as my home? Considering the grave scarcity of intellect in the area that I recounted earlier, among other problems, why haven't I moved on? First of all, the university has rewarded me rather well. I advanced to full professor, with tenure, very quickly. And I am paid rather well, despite my open criticism of some of the university's policies and my inciting other faculty members to do likewise.

Ironically, the general absence of intellectual activity on

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Truth and Fiction About the Mormons

by Mark Skousen

Mountain Meadows was a tragedy, but this violent episode was far from characteristic of The Church of Jesus Christ of Latter-day Saints.

In the December *Liberty*, William Grigg reviewed several recent books on the Mountain Meadows Massacre, the slaughter by a group of Indians and Mormons of a wagon train of immigrants bound for California in 1857. The massacre was investigated for many years and 18 years later a Mormon elder, John D. Lee, was tried, convicted, and executed for his role in the massacre.

Too often critics show their ignorance with misspellings and factual errors. For example, *U.S. News & World Report* recently published a special report on "Mysteries of Faith." The article on the Mormons was entitled, "In John Smith's Steps: The Church of Latter-day Saints grows by leaps and bounds." The copy editor managed to misname the founder of the Mormon faith, Joseph Smith, and the church's official title, The Church of Jesus Christ of Latter-day Saints. It is refreshing to see Grigg not making that kind of mistake. But he nevertheless presents a distorted view of Mormons and their church, as reflected in his concluding words, "it would be wise to assume that sanctified violence is encoded in the religion's doctrinal DNA."

I am an active Mormon and have been all my life. I served a two-year mission for the church in Latin America, where I lived and worked among the poor. I graduated from Brigham Young University and married my wife in the temple. I have served many positions in the church, including gospel doctrine teacher and high counselor, and have studied carefully the works of hundreds of Mormon leaders and scholars as well as anti-Mormon literature.

My parents were Mormon and the first Skousen to come to America (from Denmark) had two wives. James Niels Skousen was married to Cecil when they converted to the Mormon faith and crossed the plains to Utah in the 1860s.

Cecil's friend Annie was crippled and unmarried; Cecil insisted that James take Annie as a second wife. Reluctantly, he agreed. In 1884, while helping to colonize Arizona, James Niels Skousen was convicted of bigamy and sentenced to six months in the Yuma Territorial Prison. Throughout his life, he was known as the "Gentle Patriarch" who never hurt anyone.

Having traveled the world and encountered people of many races, religions, and cultures, I try to be an open-minded and tolerant Mormon. I seek truth wherever I may find it (for example, I am a fan of John Wesley, the founder of Methodism, and the eminent British historian Paul Johnson, who is a Catholic), and avoid criticizing other's religions. Contrary to Grigg's description of the average Mormon, I do not give "unflinching, unqualified obedience" to church leaders. I have always been taught to determine for myself, through personal prayer and conviction, the right way to live and believe. Every man must "work out his own salvation," as St. Paul says. So far their counsel has been prudent, although I'm far from perfect in following their direction.

I have not shied away from reading the "unexpurgated" history of the church, and unlike the individuals Grigg cites who left the church because of it, I have remained faithful to my roots. I am the first to express sorrow and dismay for the mistakes of the past. But I remain proud of my Mormon heritage, warts and all.

Joseph Smith was a great religious leader, but like all mortals, he made his share of mistakes. He was a "money digger" in his youth and got caught up in a banking scandal in Kirtland, Ohio, in 1837. Yet his "restored gospel," new revelations, and the publication of a "gold bible" (The Book of Mormon) created a sensation and a "marvelous work and a wonder" that has filled the earth. For a man who had little formal education, he succeeded like no other. Brother Joseph, as he was fondly called, is also the author of a famous libertarian motto. When asked by a reporter to explain the remarkable success of Nauvoo, the City Beautiful, he replied, "We teach them correct principles and they govern themselves."

Brigham Young has been called the American Moses. Like Moses, he made his share of errors. He instituted quasi-socialist systems in Utah, called "United Orders." The Mountain Meadows Massacre was a tragedy that could have been avoided if local leaders had been less vengeful. (Grigg failed to mention that, in a spirit of reconciliation, descendants of both the victims and participants in the massacre dedicated a memorial to the victims in September 1990.) Polygamy created numerous problems for the church. But all these difficulties and mistakes pale by comparison to the great contributions and outstanding leadership Brigham Young and other church presidents have provided over the years, making it one of the fastest growing religions in the world. As Jesus said, "By their fruits ye shall know them," and I believe most of the Mormon fruit has been good.

Grigg apparently feels differently. On every count, he seems hellbent on putting the church in a bad light. He can say nothing good about Joseph Smith, Brigham Young, or today's leader Gordon B. Hinckley. His approach is reminiscent of the Marxist approach to capitalism. You are not likely to find many statements about the positive contributions of the free market in a Marxist tract. Marxists write endlessly about exploitation, alienation, inequality, and crisis under

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capitalism, and little about a rising standard of living, how the poor benefit, and the harmony of interests under the invisible hand of liberty.

Similarly, Grigg seems only to tear down rather than build up, and to feel no obligation to reveal all the good things the Mormon church does: the privately funded welfare and counseling programs, the weekly home evening program to strengthen families, the emphasis on higher education and the arts, the campaigns against smoking and alcoholism, the new Perpetual Education Fund that provides low-interest loans to help poor members around the world to attend college, the worldwide humanitarian aid to victims of

floods, fires, and hurricanes, and the women's Relief Society programs to assist needy members and families of all faiths.

In fact, after reading his article, I didn't recognize the church he was writing about. His main thesis, "Mormon history is replete with violence, with the Saints (as they refer to

For Grigg to draw upon only a few highly publicized murders in Utah over a period of 150 years is a twisted distortion of reality.

themselves) just as often victimizers as victims," is simply false. In all my years attending church meetings, Brigham Young University, and church activities, I have never witnessed any evidence of violence, either culturally or doctrinally, except perhaps on the basketball court. The doctrine of "blood atonement" is foreign to me and, as far as I know, has never been taught in my lifetime. For Grigg to draw upon only a few highly publicized murders in Utah — the Mountain Meadows Massacre, Mark Hoffman, and the Laffertys — over a period of 150 years is a twisted distortion of reality. If it were true, Utah should be leading the nation in violent crime. It isn't.

The reality is much different. Long ago, Mormons entered the mainstream of society, abandoning polygamy over 100 years ago and discrimination against blacks holding the priesthood a quarter century ago. Mormons are known as law-abiding, hard-working, straight-laced citizens, and are often recruited in business and government as dependable employees who live by a strict health and moral code. They are a charitable, prayerful people. Mormon youth memorize the Articles of Faith, the last of which states, "We believe in being honest, true, chaste, benevolent, virtuous, and in doing good to all men; indeed, we may say that we follow the admonition of Paul — We believe all things, we hope all things, we have endured many things, and we hope to be able to endure all things. If there is anything virtuous, lovely, or of good report or praiseworthy, we seek after these things."

Grigg makes one egregious error of omission. He minimizes the high crimes — murders, rapes, and destruction of property — committed against the Mormons in the Midwest in the 1830s, culminating in the martyrdom of Joseph Smith and his brother Hyrum in 1844 in Carthage, Ill. The persecution of the Mormons in the constitutionally established "land of the free" is a stain on U.S. history and is tragically neglected in American history books. Grigg's citing the Mormon persecutions as a "myth" is incredibly naive and insulting, not unlike the neo-Nazis denying the Holocaust.

In the New Testament, after Philip was called by the Lord Jesus Christ to be his disciple, Philip searched out his friend Nathaniel and invited him to learn more about this new faith. Nathaniel, knowing the controversial reputation of Nazareth, asked, "Can there any good thing come out of Nazareth?" Philip replied, "Come and see."

For those of you who are wondering, "Can anything good come from Mormonism?" all I can say is, Come and see. □

Monarchy: Friend of Liberty

by Leland Yeager

Democracy and liberty coexist in tension. Maybe it's time to cut the ties that bind.

Clear thought and discussion suffer when all sorts of good things, like liberty, equality, fraternity, rights, majority rule, and general welfare — some in tension with others — are marketed together under the portmanteau label “democracy.”

Democracy's core meaning is a particular method of choosing, replacing, and influencing government officials (Schumpeter 1950/1962). It is not a doctrine of what government should and should not do. Nor is it the same thing as personal freedom or a free society or an egalitarian social ethos. True enough, some classical liberals, like Thomas Paine (1791–1792/1989) and Ludwig von Mises (1919/1983), did scorn hereditary monarchy and did express touching faith that representative democracy would choose excellent leaders and adopt policies truly serving the common interest. Experience has taught us better, as the American Founders already knew when constructing a government of separated and limited powers and of only filtered democracy.

As an exercise, and without claiming that my arguments are decisive, I'll contend that constitutional monarchy can better preserve people's freedom and opportunities than democracy as it has turned out in practice.* My case holds only for countries where maintaining or restoring (or con-

ceivably installing) monarchy is a live option.† We Americans have sounder hope of reviving respect for the philosophy of our Founders. Our traditions could serve some of the functions of monarchy in other countries.

An unelected absolute ruler could conceivably be a thoroughgoing classical liberal. Although a wise, benevolent, and liberal-minded dictatorship would not be a contradiction in terms, no way is actually available to assure such a regime and its continuity, including frictionless succession.

Some element of democracy is therefore necessary; totally replacing it would be dangerous. Democracy allows people some influence on who their rulers are and what policies they pursue. Elections, if not subverted, can oust bad rulers peacefully. Citizens who care about such things can enjoy a sense of participation in public affairs.

forms of government, ethnicity and ethnic homogeneity or diversity, education, religion, and so on. Plausible historical data points are too few. Someone cleverer than I might devise some sort of econometric test after all. Meanwhile, we must weigh the pros and cons of monarchy and democracy against one another qualitatively as best we can.

†Monarchist organizations exist in surprisingly many countries; a few of their websites appear in the References. Even Argentina has a small monarchist movement, described in the September 1994 issue of *Monarchy* at the site of the International Monarchist League.

*I do not know how to test my case econometrically. The control variables to be included in equations regressing a measure of liberty or stability or prosperity or whatever on presence or absence of monarchy of some type or other are too ineffable and too many. We would have to devise variables for such conditions as history and traditions, geography, climate, natural resources, type of economic system, past

Anyone who believes in limiting government power for the sake of personal freedom should value also having some nondemocratic element of government besides courts respectful of their own narrow authority. While some monarchists are reactionaries or mystics, others (like Erik von Kuehnelt-Leddihn and Sean Gabb, cited below) do come across as a genuine classical liberals.

Shortcomings of Democracy

Democracy has glaring defects.* As various paradoxes of voting illustrate, there is no such thing as any coherent "will of the people." Government itself is more likely to supply the content of any supposed general will (Constant 1814–15/1988, p. 179). Winston Churchill reputedly said: "The best argument against democracy is a five-minute conversation with the average voter." The ordinary voter knows that his vote will not be decisive and has little reason to waste time and effort becoming well informed anyway.

This "rational ignorance," so called in the public-choice literature, leaves corresponding influence to other-than-ordinary voters (Campbell 1999). Politics becomes a squabble among rival special interests. Coalitions form to gain special privileges. Legislators engage in logrolling and enact omnibus spending bills. Politics itself becomes the chief weapon in a Hobbesian war of all against all (Gray 1993, 211–212). The diffusion of costs while benefits are concentrated reinforces apathy among ordinary voters.

Politicians themselves count among the special-interest groups. People who drift into politics tend to have relatively slighter qualifications for other work. They are entrepreneurs pursuing the advantages of office. These are not material advantages alone, for some politicians seek power to do good as they understand it. Gratifying their need to act and to feel important, legislators multiply laws to deal with discovered or contrived problems — and fears. Being able to raise vast sums by taxes and borrowing enhances their sense of power, and moral responsibility wanes (as Benjamin Constant, 194–196, 271–272, already recognized almost two centuries ago).

Democratic politicians have notoriously short time horizons. (Hoppe [2001] blames not just politicians in particular but democracy in general for high time preference — indif-

future liabilities over future revenues on account of Medicare and Social Security. Yet politicians continue offering new plums. Conflict of interest like this far overshadows the petty kinds that nevertheless arouse more outrage.

Responsibility is diffused in democracy not only over time but also among participants.

Voters can think that they are only exercising their right to mark their ballots, politicians that they are only responding to the wishes of their constituents. The individual legislator bears only a small share of responsibility fragmented among his colleagues and other government officials.

Democracy and liberty coexist in tension. Nowadays the United States government restricts political speech. The pro-

Democracy is not a doctrine of what government should and should not do. Nor is it the same thing as personal freedom or a free society or an egalitarian social ethos.

fessed purpose of campaign-finance reform is to limit the power of interest groups and of money in politics, but increased influence of the mass media and increased security of incumbent politicians are likelier results. A broader kind of tension is that popular majorities can lend an air of legitimacy to highly illiberal measures. "By the sheer weight of numbers and by its ubiquity the rule of 99 per cent is more 'hermetic' and more oppressive than the rule of 1 per cent" (Kuehnelt-Leddihn 1952, 88). When majority rule is thought good in its own right and the fiction prevails that "we" ordinary citizens are the government, an elected legislature and executive can get away with impositions that monarchs of the past would scarcely have ventured. Louis XIV of France, autocrat though he was, would hardly have dared prohibit alcoholic beverages, conscript soldiers, or levy an income tax (Kuehnelt-Leddihn, 280–281) — or, we might add, wage war on drugs. Not only constitutional limitations on a king's powers but also his *not* having an electoral mandate is a restraint.

At its worst, the democratic dogma can abet totalitarianism. History records totalitarian democracies or democratically supported dictatorships. Countries oppressed by communist regimes included words like "democratic" or "popular" in their official names. Totalitarian parties have portrayed their leaders as personifying the common man and the whole nation. German National Socialism, as Kuehnelt-Leddihn reminds us, was neither a conservative nor a reactionary movement but a synthesis of revolutionary ideas tracing to before 1789 (131, 246–247, 268). He suggests that antimonarchical sentiments in the background of the French Revolution, the Spanish republic of 1931, and Germany's Weimar Republic paved the way for Robespierre and Napoleon, for Negrin and Franco, and for Hitler (90). Winston Churchill reportedly judged that had the Kaiser

My case for monarchy is a utilitarian one, not appealing to divine right or any such fiction.

ference to the long run — which contributes to crime, wasted lives, and a general decline of morality and culture.) Why worry if popular policies will cause crises only when one is no longer running for reelection? Evidence of fiscal irresponsibility in the United States includes chronic budget deficits, the explicit national debt, and the still huger excesses of

*Barry (2003) partially summarizes them. Hayek (1979) describes the defects at length and proposes an elaborate reform of the system of representation, not discussing monarchy. James Buchanan and the Public Choice school analyze democracy in many writings.

†I hope that readers will allow me the stylistic convenience of using "king" to designate a reigning queen also, as the word "koning" does in the Dutch constitution, and also of using "he" or "him" or "his" to cover "she" or "her" as context requires.

remained German head of state, Hitler could not have gained power, or at least not have kept it (International Monarchist League). "[M]onarchists, conservatives, clerics and other 'reactionaries' were always in bad grace with the Nazis" (Kuehnelt-Leddihn, 248).

Separation of Powers

A nonelected part of government contributes to the separation of powers. By retaining certain constitutional powers or denying them to others, it can be a safeguard against abuses.* This is perhaps the main modern justification of hereditary monarchy: to put some restraint on politicians rather than let them pursue their own special interests complacent in the thought that their winning elections demonstrates popular approval. When former president Theodore Roosevelt visited Emperor Franz Joseph in 1910 and asked him what he thought the role of monarchy was in the 20th century, the emperor reportedly replied: "To protect my peoples from their governments" (quoted in both Thesen and Purcell 2003). Similarly, Lord Bernard Weatherill, former speaker of the House of Commons, said that the British monarchy exists not to exercise power but to keep other people from having the power; it is a great protection for our democracy (interview with Brian Lamb on C-Span, Nov. 26, 1999).

The history of England shows progressive limitation of royal power in favor of Parliament; but, in my view, a welcome trend went too far. Almost all power, limited only by traditions fortunately continuing as an unwritten constitution, came to be concentrated not only in Parliament but even in the leader of the parliamentary majority. Democratization went rather too far, in my opinion, in the Continental monarchies also.

Continuity

A monarch, not dependent on being elected and reelected, embodies continuity, as does the dynasty and the biological process.

Constitutional monarchy offers us . . . that neutral power so indispensable for all regular liberty. In a free country the king is a being apart, superior to differences of opinion, having no other interest than the maintenance of order and liberty. He can never return to the common condition, and is consequently inaccessible to all the passions that such a condition generates, and to all those that the perspective of finding oneself once again within it, necessarily creates in those agents who are invested with temporary power.

It is a master stroke to create a neutral power that can terminate some political danger by constitutional means (Constant, 186–187). In a settled monarchy — but no regime whatever can be guaranteed perpetual existence — the king need not worry about clinging to power. In a republic, "The very head of the state, having no title to his office save that which lies in the popular will, is forced to haggle and bargain like the lowliest office-seeker" (Mencken 1926, 181).

Dynastic continuity parallels the rule of law. The king symbolizes a state of affairs in which profound political change, though eventually possible, cannot occur without

*"[T]he first and indispensable condition for the exercise of responsibility is to separate executive power from supreme power. Constitutional monarchy attains this great aim. But this advantage would be lost if the two powers were confused" (Constant, 191).

ample time for considering it. The king stands in contrast with legislators and bureaucrats, who are inclined to think, by the very nature of their jobs, that diligent performance means multiplying laws and regulations. Continuity in the constitutional and legal regime provides a stable framework favorable to personal and business planning and investment and to innovation in science, technology, enterprise, and culture. Continuity is neither rigidity nor conservatism.

The heir to the throne typically has many years of preparation and is not dazzled by personal advancement when he finally inherits the office. Before and while holding office he accumulates a fund of experience both different from and greater than what politicians, who come and go, can ordinarily acquire. Even when the king comes to the throne as a youth or, at the other extreme, as an old man with only a few active years remaining, he has the counsel of experienced family members and advisors. If the king is very young (Louis XV, Alfonso XIII) or insane (the elderly George III, Otto of Bavaria), a close relative serves as regent.† The regent will have had some of the opportunities to perform ceremonial functions and to accumulate experience that an heir or reigning monarch has.

Objections and Rebuttals

Some arguments occasionally employed for monarchy are questionable. If the monarch or his heir may marry only a member of a princely family (as Kuehnelt-Leddihn seems to recommend), chances are that he or she will marry a foreigner, providing international connections and a cosmopolitan way of thinking. Another dubious argument (also used by Kuehnelt-Leddihn) is that the monarch will have the blessing of and perhaps be the head of the state religion. Some arguments are downright absurd, for example: "Monarchy fosters art and culture. Austria was culturally much richer around 1780 than today! Just think of Mozart!" (Thesen).

But neither all arguments for nor all objections to monarchy are fallacious. The same is true of democracy. In the choice of political institutions, as in many decisions of life, all

For a democratic politician, understanding economics is a handicap. He either must take unpopular (because misunderstood) stands on issues or else speak and act dishonestly.

one can do is weigh the pros and cons of the options and choose what seems best or least bad on balance.

Some objections to monarchy apply to democracy also or otherwise invite comments that, while not actual refutations, do strengthen the case in its favor. Monarchy is charged with being government-from-above (Kuehnelt-Leddihn, 276). But

†Otto von Habsburg blames the risk that an incompetent might occupy the throne on an inflexible legitimism — preoccupation with a particular dynasty — that displaced safeguards found in most classical monarchies. He recommends that the king be assisted by a body representing the highest judicial authority, a body that could if necessary replace the heir presumptive by the next in line of succession (1958/1970, 262, 264, 266–267).

all governments, even popularly elected ones, except perhaps small direct democracies like ancient Athens, are ruled by a minority. (Robert Michels and others recognized an "iron law of oligarchy"; Jenkin 1968, 282.) Although democracy allows the people some influence over the government, they do not and cannot actually run it. Constitutional monarchy com-

The king stands in contrast with legislators and bureaucrats, who are inclined to think that diligent performance means multiplying laws and regulations.

bines some strengths of democracy and authoritarian monarchy while partially neutralizing the defects of those polar options.

Another objection condemns monarchy as a divisive symbol of inequality; it bars "an ideal society in which everyone will be equal in status, and in which everyone will have the right, if not the ability, to rise to the highest position" (Gabb 2002, who replies that attempts to create such a society have usually ended in attacks on the wealthy and even the well-off). Michael Prowse (2001), calling for periodic referendums on whether to keep the British monarchy, invokes what he considers the core idea of democracy: all persons equally deserve respect and consideration, and no one deserves to dominate others. The royal family and the aristocracy, with their titles, demeanor, and self-perpetuation, violate this democratic spirit. In a republican Britain, every child might aspire to every public position, even head of state.

So arguing, Prowse stretches the meaning of democracy from a particular method of choosing and influencing rulers to include an egalitarian social ethos. But monarchy need not obstruct easy relations among persons of different occupations and backgrounds; a suspicious egalitarianism is likelier to do that. In no society can all persons have the same status. A more realistic goal is that everyone have a chance to achieve distinction in some narrow niche important to him. Even in a republic, most people cannot realistically aspire to the highest position. No one need feel humbled or ashamed at not ascending to an office that simply was not available. A hereditary monarch can be like "the Alps" (Thesen), something just "there." Perhaps it is the king's good luck, perhaps his bad luck, to have inherited the privileges but also the limitations of his office; but any question of unfairness pales in comparison with advantages for the country.

Prowse complains of divisiveness. But what about an election? It produces losers as well as winners, disappointed voters as well as happy ones. A king, however, cannot symbolize defeat to supporters of other candidates, for there were none. "A monarch mounting the throne of his ancestors follows a path on which he has not embarked of his own will." Unlike a usurper, he need not justify his elevation (Constant, 88). He has no further political opportunities or ambitions except to do his job well and maintain the good name of his dynasty. Standing neutral above party politics, he has a better chance than an elected leader of becoming the personified symbol of his country, a focus of patriotism and even of affection.

The monarch and his family can assume ceremonial functions that elected rulers would otherwise perform as time permitted. Separating ceremonial functions from campaigning and policymaking siphons off glamor or adulation that would otherwise accrue to politicians and especially to demagogues. The occasional Hitler does arouse popular enthusiasm, and his opponents must prudently keep a low profile. A monarch, whose power is preservative rather than active (Constant, 191–192), is safer for people's freedom.

Prowse is irritated rather than impressed by the pomp and opulence surrounding the Queen. Clinging to outmoded forms and ascribing importance to unimportant things reeks of "collective bad faith" and "corrosive hypocrisy." Yet a monarchy need not rest on pretense. On the contrary, my case for monarchy is a utilitarian one, not appealing to divine right or any such fiction. Not all ritual is to be scorned. Even republics have Fourth of July parades and their counterparts. Ceremonial trappings that may have become functionless or comical can evolve or be reformed. Not all monarchies, as Prowse recognizes, share with the British the particular trappings that irritate him.

A case, admittedly inconclusive, can be made for titles of nobility (especially for close royal relatives) and for an upper house of parliament of limited powers whose members, or some of them, hold their seats by inheritance or royal appointment (e.g., Constant, 198–200). "The glory of a legitimate monarch is enhanced by the glory of those around him. . . . He has no competition to fear. . . . But where the monarch sees supporters, the usurper sees enemies" (Constant, 91; on the precarious position of a nonhereditary autocrat, compare Tullock 1987). As long as the nobles are not exempt from the laws, they can serve as a kind of framework of the monarchy. They can be a further element of diversity in the social structure. They can provide an alternative to sheer wealth or notoriety as a source of distinction and so dilute the fawning over celebrities characteristic of modern democracies. Ordinary persons need no more feel humiliated by not being born into the nobility than by not being born heir to the throne. On balance, though, I am ambivalent about a nobility.

A King's Powers

Michael Prowse's complaint about the pretended importance of unimportant things suggests a further reason why the monarch's role should go beyond the purely symbolic and ceremonial. The king should not be required (as the Queen of England is required at the opening of Parliament)

Not only constitutional limitations on a king's powers but also his not having an electoral mandate is a restraint.

merely to read words written by the cabinet. At least he should have the three rights that Walter Bagehot identified in the British monarchy: "the right to be consulted, the right to encourage, the right to warn. And a king of great sense and sagacity would want no others. He would find that his having no others would enable him to use these with singular effect" (Bagehot 1867/1872/1966, 111).

When Bagehot wrote, the Prime Minister was bound to keep the Queen well informed about the passing politics of the nation. "She has by rigid usage a right to complain if she does not know of every great act of her Ministry, not only before it is done, but while there is yet time to consider it — while it is still possible that it may not be done."

A sagacious king could warn his prime minister possibly with great effect. "He might not always turn his course, but he would always trouble his mind." During a long reign he would acquire experience that few of his ministers could match. He could remind the prime minister of bad results some years earlier of a policy like one currently proposed.

The king would indeed have the advantage which a permanent under-secretary has over his superior the Parliamentary secretary — that of having shared in the proceedings of the previous Parliamentary secretaries. . . . A pompous man easily sweeps away the suggestions of those beneath him. But though a minister may so deal with his subordinate, he cannot so deal with his king. (Bagehot, 111–112)

A prime minister would be disciplined, in short, by having to explain the objective (not merely the political) merits of his policies to a neutral authority.

The three rights that Bagehot listed should be interpreted broadly, in my view, or extended. Constant (301) recommends the right to grant pardons as a final protection of the innocent. The king should also have power: to make some appointments, especially of his own staff, not subject to veto by politicians; to consult with politicians of all parties to resolve an impasse over who might obtain the support or acquiescence of a parliamentary majority; and to dismiss and temporarily replace the cabinet or prime minister in extreme cases. (I assume a parliamentary system, which usually does accompany modern monarchy; but the executive could be elected separately from the legislators and even be subject to recall by special election.) Even dissolving parliament and calling new elections in an exceptional case is no insult to the rights of the people. "On the contrary, when elections are free, it is an appeal made to their rights in favor of their interests" (Constant, 197). The king should try to rally national support in a constitutional crisis (as when King Juan Carlos intervened to foil an attempted military coup in 1981).

Kings and Politicians

What if the hereditary monarch is a child or is incompetent? Then, as already mentioned, a regency is available. What if the royal family, like some of the Windsors, flaunts unedifying personal behavior? Both dangers are just as real in a modern republic. Politicians have a systematic tendency to be incompetent or worse.* For a democratic politician, understanding economics is a handicap.† He either must take unpopular (because misunderstood) stands on issues or else speak and act dishonestly. The economically ignorant politician has the advantage of being able to take vote-catching

*Consider the one Republican and nine Democrats currently (October 2003) competing for the U.S. presidency. The day after the televised debate among the Democrats in Detroit, Roger Hitchcock, substitute host on a radio talk show, asked: "Would you like to have dinner with any of those people? Would you hire any of them to manage your convenience store?"

†"The first lesson of economics is scarcity: There is never enough of anything to satisfy all those who want it. The first lesson of politics is to disregard the first lesson of economics" (Sowell 1994).

stands with a more nearly clear conscience. Particularly in these days of television and of fascination with celebrities, the personal characteristics necessary to win elections are quite different from those of a public-spirited statesman. History does record great statesmen in less democratized parliamentary regimes of the past. Nowadays a Gresham's Law oper-

Constitutional monarchy cannot solve all problems of government; nothing can. But it can help.

ates: "the inferior human currency drives the better one out of circulation" (Kuehnelt-Leddihn, 115, 120). Ideal democratic government simply is not an available option. Our best hope is to limit the activities of government, a purpose to which monarchy can contribute.

Although some contemporary politicians are honorable and economically literate, even simple honesty can worsen one's electoral chances. H. L. Mencken wrote acidly and with characteristic exaggeration:

No educated man, stating plainly the elementary notions that every educated man holds about the matters that principally concern government, could be elected to office in a democratic state, save perhaps by a miracle. . . . [I]t has become a psychic impossibility for a gentleman to hold office under the Federal Union, save by a combination of miracles that must tax the resourcefulness even of God. . . . [T]he man of native integrity is either barred from the public service altogether, or subjected to almost irresistible temptations after he gets in. (Mencken 1926, 103, 106, 110)

Under monarchy, the courtier need not "abase himself before swine," "pretend that he is a worse man than he really is." His sovereign has a certain respect for honor. "The courtier's sovereign . . . is apt to be a man of honour himself" (Mencken, 118, mentioning that the King of Prussia refused the German imperial crown offered him in 1849 by a mere popular parliament rather than by his fellow sovereign princes).

Mencken conceded that democracy has its charms: "The fraud of democracy . . . is more amusing than any other — more amusing even, and by miles, than the fraud of religion. . . . [The farce] greatly delights me. I enjoy democracy immensely. It is incomparably idiotic, and hence incomparably amusing" (209, 211).

Conclusion

One argument against institutions with a venerable history is a mindless slogan betraying temporal provincialism,

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as if newer necessarily meant better: "Don't turn back the clock." Sounder advice is not to overthrow what exists because of abstract notions of what might seem logically or ideologically neater. In the vernacular, "If it ain't broke, don't fix it." It is progress to learn from experience, including experience with inadequately filtered democracy. Where a monarchical element in government works well enough, the burden of proof lies against the republicans (cf. Gabb). Kuehnelt-Leddihn, writing in 1952 (104), noted that "the royal, non-democratic alloy" has supported the relative success of several representative governments in Europe. Only a few nontotalitarian republics there and overseas have exhibited a record of stability, notably Switzerland, Finland, and the United States.*

Constitutional monarchy cannot solve all problems of government; nothing can. But it can help. Besides lesser arguments, two main ones recommend it. First, its very existence is a reminder that democracy is not the sort of thing of which more is necessarily better; it can help promote balanced thinking. Second, by contributing continuity, diluting democracy while supporting a healthy element of it, and furthering the separation of government powers, monarchy can help protect personal liberty. □

*Compare Lewis and Woolsey (2003): "[O]f the nations that have been democracies for a very long time and show every sign that they will remain so, a substantial majority are constitutional monarchies (the U.S. and Switzerland being the principal exceptions)."

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A Strange Little Town in Texas, from page 34

campus has actually worked in my favor in one very significant way. My students may drive me to distraction and my fellow professors are mostly a waste of space, but my research and writing are entirely of my own choosing. Many of my friends on the faculties of other, more prestigious schools have told me that they are pressured to publish only in certain journals and sometimes even to investigate only certain topics. Most find such constraints irritating if not stifling. I face no such constraints. I have had essays published on such heterodox subjects as the Objectivism of Ayn Rand, praxeology as applied to legal theory, anarcho-capitalism, the Austrian theory of business cycles, and the role of privateering in naval warfare. The only reaction I get here on campus is praise, most likely because no one has any idea what

I'm writing about.

And there's something else: the seductiveness of these wide, open spaces. Some people would find nothing appealing about the mountains and the vast stretches of rolling ranch land that lie between. The land is dotted with grasses, cactuses, and bonsai-like trees and in itself is none too impressive. But to travel through the area is to experience something rather special. I have seen mountain lions, a golden eagle, and a herd of pronghorn antelope. At certain points along highway, the road literally shrinks to nothing as it dives into the horizon, impossibly far in the distance. The mountains will always await you, still farther away.

I may yet leave this place. If I do, I may not miss the people much, but I certainly will miss this place. □

Reviews

The Company: A Short History of a Revolutionary Idea, by John Micklethwait and Adrian Wooldridge. Modern Library, 2003, 227 pages.

No Logo: No Space, No Choice, No Jobs, by Naomi Klein. Picador USA, 2002, 502 pages.

Poke 'Em in the Eye?

Christopher Chantrill

If you surf to the website of *Adbusters*, a magazine devoted to the "unbranding" of America, you can download the "Brands and Bands," a U.S. flag in which the stars have been replaced by the logos of 30 multinational corporations. The corporations have taken over America. Get it?

Of course, the *Adbusters* are right. Corporations — limited-liability companies — are immensely powerful, and they certainly outshine the 50 states that adorn the Stars and Stripes. But the question is: what are we going to do about it? Two recent studies of the modern corporation approach, in different ways, this question.

In their entertaining *The Company: A Short History of a Revolutionary Idea* John Micklethwait and Adrian Wooldridge, two journalists from the *London Economist*, remind us that the corporation has not always bestridden the world like a colossus. In the early 19th century, the limited-liability company was considered obsolete. "'They are behind the times,' thundered one governor of Pennsylvania." Yet by

1862, when the British Parliament passed the landmark Joint Stock Companies Act that allowed limited-liability companies to be formed without special license from Parliament, limited liability was all the rage from Berlin to Washington, D.C. In 1893, Gilbert and Sullivan produced their *Utopia Limited* in which a promoter travels to the South Seas and turns the inhabitants and the government into limited-liability companies. The Companies Act is celebrated in song:

All hail, astonishing Fact
All hail, Invention new
The Joint Stock Companies Act
The Act of Sixty-Two.

The Company begins with a quick prehistory of the corporation, introducing the crude trading arrangements of the ancient Sumerians, the *societates* of Rome, the trading partnerships of Venice, and the immediate ancestors of the modern corporation, the "chartered companies" of the 16th and 17th centuries.

The meat of the book is contained in "A Long and Painful Birth," a chapter that describes the century of political and corporate maneuverings that

culminated in the Act of Sixty-Two and the global emancipation of the limited-liability company. The chartered company of 1750 "represented a combined effort by governments and merchants to grab the riches of the new worlds opened up by" the age of exploration. As government-licensed monopolies, they were political creations and were owned by the great and the good. But their owners held shares that could be bought and sold on the open market, and they were protected by limited liability. "Colonization was so risky that the only way to raise large sums of money from investors was to protect them." Then in the early 18th century the governments of France and England thought that they would restructure their war debts using the chartered concept. The result was the first great modern bubble: the John Law fiasco in Paris and the South Sea Bubble in London. In England, the South Sea Bubble sired the South Sea Bubble Act, a punitive law that required each limited-liability company to secure a charter from Parliament. It took a century before legislators would again look at the bright side of limited-liability companies. When Parliament found itself approving dozens of corporate charters a year during the railway mania, it was time for a change.

After its painful birth, the corporation quickly became Peck's Bad Boy. Neighbors never tire of gossiping about the latest corporate escapade, and *The Company* does not shrink from passing on all the shocking details. But it also tells of the achievements, "producing society-changing products, like the Model T or Microsoft Word" and also changing the pace of daily life and "the way that people behave."

To some people, the gentle seduction of society-changing products felt more like a forcible rape that put an end to the romance of ancient idyllic relations and made cold cash the sole nexus for social interaction. Instead of

a world of corporations, they wanted a world community. Thus was born the great secular religion of socialism, a movement to purge the world of the evil corporation. Part political movement and part religious crusade, its message proved irresistible to millions, and for a century it grew like wildfire. Then it collapsed in a ruin of mass graves and unspeakable oppression.

Comes now revivalist Naomi Klein to awaken a new generation to the enthusiasm of left-wing activism. Dutiful daughter of the welfare state and of hippie parents who went to Canada in the 1960s to dodge the draft and provide for their children the "benefits of Canada's humane social services, public health-care system and solid subsidies to the arts," she attempts to create in *No Logo*® (yes, a registered trademark) a manifesto for a new generation of "activists." She is shocked by the megabrands, the brand bombers, and the category killers of the modern consumer society. For in the blaring public space of the brands there is No Space for artists and creativity, in the ravenous appetite of the Wal-Marts and Starbucks there is No Choice for consumers, in the new world of temporary jobs and contract workers there are No Jobs for workers. Fortunately a new movement of left-wing activism has arisen to oppose and harass the new predators, and to raise high the chalice of No Logo.

Historian John Lukacs has suggested that you can tell a lot about a writer by the moment he has chosen as year zero, the moment at which history

The corporation has not always bestridden the world like a colossus. In the early 19th century, the limited-liability company was considered obsolete.

begins. For Micklethwait and Wooldridge, year zero is not 1850, 1800, or 1750, the years chosen by most historians of modern commerce, but 3000 B.C. They develop a narrative to paint in the empty centuries of industrial prehistory and set the scene for

what might be called the Axial Age of the corporation, from about 1750 to 1850.

But for Naomi Klein, year zero seems to be 1980. Before then, North America was a paradise of good jobs for good wages, responsible corporations, strong unions, and comprehensive public services. But since 1980, things have gone straight downhill. Huge budget deficits, ruthless privatization, and school budget cuts have shredded the public services that once protected us, and the megabrands and big box stores have gutted once-flourishing Main Street stores and businesses, particularly independent bookstores and coffeehouses. Never mind that a generation ago, the Left was railing at the man in the gray flannel suit and the stultifying conformity of his big company loyalty, and that two generations ago the Left was railing at the hypocrisy and vacuity of Main Street boosterism. All is forgiven: just keep out the megabrands and the category killers.

Klein's lament reminds us that the last two decades of the 20th century have not been happy times for the Left. The great compromise that the Left had imposed upon the middle class and had thought would last forever unexpectedly fell apart. Suddenly progressive tax rates were slashed, public services were privatized, and once-great industries downsized and moved offshore. In the aftermath, if you want to shop you go to Wal-Mart; if you want a cup of coffee you go to Starbucks. It is all too bad and a profound disappointment to the messianic hopes of the 1960s.

As Micklethwait and Wooldridge make clear in *The Company*, the process started well before the evil 1980s. Branding started in the late 19th century when the new railroads made it possible to attempt nationwide distribution of goods. And Sears, the prototype of Wal-Mart, went into business in the 1880s to undercut the mom-and-pop general stores of 19th century rural America. But to push Klein's year zero back a century would dilute the scandal of 1990s globalization, and make it into just another episode of routine, capitalistic, creative destruction.

Still, Naomi Klein has a point. The

seismic shift in the workplace has broken up the old working culture of good jobs for good wages that the Left supported for a century. In the aftermath of that earthquake, liberal arts graduates find themselves working as coffee counter-jerks, and Filipino teen-

Klein's lament reminds us that the last two decades of the 20th century have not been happy times for the Left.

age girls leave the stoop labor of the farm only to end up in urban sweatshops assembling garments like New York City immigrants a century ago. Something must be done. But what?

To fight the evil corporations, Klein recommends a "raiding" strategy of guerrilla war: adusting, culture jamming, brand bombing, and blooding the odd corporation to provoke a media feeding frenzy. Significantly, this strategy for opposing the corporations is not the Marxian persisting strategy of invasion and conquest but a raiding strategy of hit and run. It is a sign of the strength of capitalism that it seems now, like China, too big to invade.

Klein's favorite target for anti-corporate activism is the evil Nike, worldwide purveyor of athletic equipment. Nike epitomizes everything that lefties hate about the new economy. First of all, Nike's swoosh is the quintessential "überbrand," and lefties hate all brands (except their own hammer and sickle, raised fist, and the socialist rose). Nike also markets its products in the inner cities, and that is bad because the single mothers of inner city kids can't afford Nikes. And Nike has pioneered the idea of outsourcing manufacturing. It designs, brands, and markets athletic equipment, but often doesn't manufacture it. This annoys lefties because they want to be able to force corporations to create "good jobs for good wages" for their workers, and it isn't fair if the workers that assemble Nike's athletic shoes in Third World sweatshops aren't actually Nike employees.

No Logo avoids the epic sweep of *The Company*. It carefully avoids plac-

ing the modern economy within a broad social and historical context. Its purpose is not history but to instruct the reader in the catechism of left-wing protest. Klein leads her readers on a tightly controlled tour of Corporate Exploitation Theme Park. She stops the bus at the Cavite Export Processing Zone in the Philippines, and we all recoil at the squalid sweatshops and applaud the plucky union leaders and the frightened teenaged girls they are trying to organize. She stops the bus in the inner city and we shake our heads over a young black kid whining at his mother to buy some Nikes and cheer the adbuster high above our heads who is altering the message on a billboard. She stops the bus at a corner Starbucks, and we frown when she tells us that Starbucks snatched the lease away from a long-established mom-and-pop coffee house. She stops

the bus at a Reclaim the Streets event and we chuckle at the colorful rebels partying the night away. But readers are never allowed to admire the view

We never learn from Klein that what the workers really want in a Nike factory in Vietnam is for Nike to expand the plant so that they can get jobs for their relatives.

from an overlook or to wander around unsupervised. So we never learn from tour guide Klein, as we do from Johan Norberg in London's *Spectator*, that what the workers really want in a Nike factory in Vietnam is for Nike to

expand the plant so that they can get jobs for their relatives. What they really appreciate is not the wages, but the escape from working outdoors on the farm. Is that why New York City's streets seemed to be paved with gold a century ago? Because it offered indoor work?

The birth and rise of the corporation remains an epic and frightening experience. It is as if a great bear suddenly appeared in town. What should we do? Should we kill it? Should we cage it? Or should we keep a wary eye upon it and see what happens? A century ago, the Left said: kill it! Half a century ago, it said: cage it! Now Naomi Klein says: poke it in the eye!

How about we step back and marvel at it, warts and all, as Micklethwait and Wooldridge do, while keeping a two-by-four handy, just in case we need to get its attention? □

You Can't Say That!: The Growing Threat to Civil Liberties From Antidiscrimination Laws, by David E. Bernstein. Cato Institute, 2003, 166 pages + notes and index.

"Walk**g Distance to Syn**gogue"

Bruce Ramsey

Freedom of speech is the freedom to discriminate in the use of words. Antidiscrimination laws restrict the freedom to discriminate in the handling of contracts. Narrowly construed, the two kinds of law can coexist. But it is not a comfortable fit. In principle they are opposites, and each itches to expand into the territory around it. The result is warfare, which is the subject of *You Can't Say That!* The book's subtitle, "The Growing Threat to Civil Liberties from Antidiscrimination Laws," suggests a call to arms.

The author, David Bernstein, is a professor of law at George Mason

University. He has already made his mark with *Only One Place of Redress*, an unusual book on how blacks made use of the property-rights jurisprudence of the early 20th century. Here he takes on a current issue, arguing forcefully that constitutional liberties are in danger.

His chapters cover antidiscrimination law and freedom of expression at work, artistic freedom, political speech, compelled speech, and speech on college campuses. He also covers the effects of antidiscrimination law on private organizations, religious schools, religious landlords, the right to privacy, and the right to be left alone.

All of these rights are under attack by egalitarians who have, he says, an "agenda of elevating antidiscrimina-

tion concerns above all others."

Federal housing law says, for example, that you may not discriminate in the sale of a house. The first example in Bernstein's book had to do with his friend Sheldon Richman, whose brother got into trouble for placing an ad in a Jewish newspaper in Philadelphia for a house within "walking distance to the synagogue." Local housing officials said the ad was discriminatory because it was an appeal to Jews, and most Jews are white. Officials also could have nailed Richman for appealing to people who walk, which might suggest to the officious mind a discriminatory intent against the disabled.

By this rule, I can write almost anything short of libel, slander, or a threat

on the president of the United States in this review, but if *Liberty* printed my ad for a house, I had better not say, "walk-in closet."

A few years ago, the newspaper industry in Oregon put out a booklet with lists of forbidden phrases (in red) and risky phrases (in yellow). Among the legally risky phrases were "walk-in closet," "quiet tenants," and "bachelor pad." I wrote a newspaper column making fun of the booklet, and a few others attacked it, and I am told the bureaucrats backed off. Faced with opposition, they sometimes do. It was alarming, though, how complaisant most newspapers were.

Bernstein sketches the history of antidiscrimination law. It started out as a specific measure to help blacks. Over the years, other groups pulled this blanket over them, claiming the same status. Slowly the specific measure developed into a high moral principle that it was wrong to "discriminate" against anyone anywhere (except maybe smokers). The enforcers of this doctrine, writes Bernstein, "increasingly viewed civil liberties as, at best, competing rights to be balanced against efforts to wipe out bigotry."

Citizens brought lawsuits to defend themselves, but through the Reagan and first Bush years, they consistently lost them. At about the time of Clinton's election, that began to change; some of the Reagan and Bush appointees began limiting the doctrine. It is now a battle joined, but far from

Richman got into trouble for placing an ad in a Jewish newspaper in Philadelphia for a house within "walking distance to the synagogue."

won, either in the courts of justice or of public opinion.

Bernstein uses consequentialist arguments rather than appeals to first principles. Speech and press should be free, he says, because "allowing politicians to decide the scope of freedom of speech is simply more dangerous than any damage the speech itself may cause." Political power will be held by

the dominant force, and it is culturally dangerous to allow the dominant force to squelch critics.

Most interesting is his chapter, which appeared in the December 2000 issue of *Liberty*, on the American Civil Liberties Union. The ACLU professes a belief in antidiscrimination law and civil liberties — a contradiction that calls out for resolution. Bernstein says the outcome could be very influential, because without the ACLU the Left,

one whole end of the political spectrum, would be taken over by the PC police.

Bernstein does not call for repeal of all antidiscrimination laws as interferences in the freedom of association. Richard Epstein has argued that, and Bernstein notes Epstein's argument without agreeing or disagreeing with it. But he very deftly takes the reader within one step of it. □

The Human Stain, directed by Robert Benton. Miramax Films, 2003, 106 minutes.

Love, Sex, and Sanctimony

Sarah J. McCarthy

Some critics of *The Human Stain*, a new film based on the novel by Philip Roth, claim that Nicole Kidman is miscast in the role of a trash-talking cleaning woman tattooed with a coiled snake. *Rolling Stone's* film critic says Kidman is too much the babe to pass as the janitor with the inexpressive bone face, and the *New York Times* reviewer says Kidman "struggles to stifle her natural radiance." I suspect that many of those critics are the same young, male ones who were dismayed about Kidman's drab and plain appearance, complete with the uglifying addition of a manufactured nose, as Virginia Woolf in last year's *The Hours*.

To blunt the beauty of a shimmering love goddess like Kidman, with her cascade of strawberry curls and luminous gowns, is an unsettling transformation. But, say what you want, male critics, Kidman's acting in *The Human Stain* is so superb I could actually imagine her cleaning my bathroom.

The Human Stain is about big issues like political correctness and its power to kill, human mortality, the stunning

shock and regenerating powers of a late-life love, and the pain of racism. Most significantly, it is especially about freedom and the power of the individual to claim it for himself — even when confronted by the nearly overwhelming oppressive forces of those engaged in what Nathaniel Hawthorne identified long ago as "the persecuting spirit."

Few novels have imprinted me as much as Roth's, and fewer yet have I underlined from start to finish as one might underline a textbook or a Bible. I wondered how a movie version of the novel could recreate the book without the precise words of Roth sweeping us up and along with the magnificence of his language. The producer apparently thought likewise, for it was not long into the film when the narrator began to read Roth's words, which in this case are worth a thousand pictures:

Ninety-eight in New England was a summer of exquisite warmth and sunshine, and in America the summer of an enormous piety binge, a purity binge, when terrorism — which had replaced communism as the prevailing threat to the country's security — was succeeded by cock-sucking, and a virile, youthful mid-

dle-aged president and a brash, smitten twenty-one-year-old employee carrying on in the Oval Office like two teenage kids in a parking lot revived America's oldest communal passion, historically perhaps its most treacherous and subversive pleasure: the ecstasy of sanctimony. In the Congress, in the press, and on the networks, the righteous grandstanding creeps, crazy to blame, deplore, and punish, were everywhere out moralizing to beat the band: all of them in a calculated frenzy with what Hawthorne . . . identified in the incipient country of long ago as "the persecuting spirit"; all of them eager to enact the astringent rituals of purification that would excise the erection from the executive branch, thereby making things cozy and safe enough for Senator Lieberman's ten-year-old daughter to watch TV with her embarrassed daddy again. No, if you haven't lived through 1998, you don't know what sanctimony is.

Anthony Hopkins is cast as Coleman Silk, a popular, aging 71-year-old classics professor, who, one autumn day, runs himself into the persecuting spirit. Without the slightest malice, Silk expresses dismay at the continuing absence of two enrolled students from his class, asking his class, "Does anyone know these people? Do they exist, or are they spooks?"

Later that day, Silk is called by the dean of faculty to address a charge of racism. "Were you aware," he is asked, "that these two people were African-Americans?"

"I've never seen them, so how would I know?" responds Silk, his voice rising, begging and demanding that his faculty inquisitioners consider

Say what you want, male critics, Kidman's acting in The Human Stain is so superb I could actually imagine her cleaning my bathroom.

the context. He abruptly resigns in impulsive fury. When he rampages around the house and tells his wife, Iris, she is stunned and dies in his arms from the outrage of what happened. "They murdered her, the wrong person, for one word, the word 'spook,'" rails Silk. "The stupidity of these peo-

ple was too much even for a juggernaut like Iris!"

Those who think that such tyranny exists only in fiction should recall the inquisition of Supreme Court nominee Clarence Thomas, tortured for the crime of uttering the words "Long Dong Silver," or read the story movie reviewer Andrew Sarris shares in a recent *New York Observer*. Sarris said once in class that he felt "very nervous having a 'spook' in the White House," making a colloquial reference to the senior President Bush having been Director of the CIA. "Seemingly, out of nowhere," writes Sarris, "an African-American student appeared at my elbow and quietly handed me a note which read, as best as I can remember, 'The student council does not appreciate the racially derogatory term, spook.'"

It is not long after Coleman Silk resigns from the college when he is once again confronted with the persecuting spirit in the form of a red-inked anonymous note:

Everyone knows you're sexually exploiting an abused, illiterate woman half your age.

Silk is having an affair with Faunia Farley, a 34-year-old, scraggly-haired, chain-smoking cleaning woman whom he first sees mopping the post office floor. Faunia uses the "F" word and a coiled snake tattoo for protection, because they are about all she has. Don't tread on me, and don't fall in love, Coleman, she says. Faunia Farley comes to Silk with a lot of baggage, including a shell-shocked, Vietnam-damaged abusive stalker of a husband. When warned that the guy is crazy, Silk replies, "So what, so am I."

Silk considers Farley a woman wise beyond her years, her wisdom resulting from what Roth terms "savage surprises, enraged without the rage." She is sexually available and she is tough, but as Silk explains to his friend Zuckerman, "something in Faunia is permanently 14 and as far as you can get from shrewd."

His friend Zuckerman and his lawyer warn him to stay away from her because she's not in his league. Has he had her checked? Does he wear a condom? With her he'll never have a scandal-free life; there are already ugly rumors. Silk tries to explain that he's dealing with bigger issues — like his

own mortality, the wish never to die that sometimes becomes almost too great to bear. Like an "Achilles on Viagra" or an old salmon swimming upstream to mate, Silk explains that he can't begin to explain what this affair has done for him.

"When this stuff comes back so late in life, out of nowhere, completely unexpected, even unwanted, comes back at you and there's nothing to

Like an "Achilles on Viagra" or an old salmon swimming upstream to mate, Silk explains that he can't begin to explain what this affair has done for him.

dilute it, and when she's thirty-four, and ignitable. An ignitable woman. She's turned sex into a vice again," he explains. "She's not my first love, she's not my great love, but she sure in hell is my last love. Doesn't that count for something?"

A television plays in the background with the droning voices of Bill Clinton and Ken Starr. Insane times make for good literature, and some of the best has been written in response to the onslaughts of racial and sexual destruction indulged in by people from various sections of the political spectrum. Attacks by right-wingers and left-wingers, feminists and civil-rights activists, and conservative Christians inspired Nathaniel Hawthorne's *The Scarlet Letter*, Arthur Miller's *The Crucible*, Michael Crichton's *Disclosure*, and Joan Didion's *Political Fictions*.

In *Political Fictions*, a nonfiction narrative of the Clinton scandals, Didion, referring to the Clinton-Lewinsky episode as "political pornography" and the "religionization of politics," describes the unfolding of the scandal:

Mona Charen complained on *Late Edition with Wolf Blitzer* that "this casts shame on the entire country because he behaved that way and all of the nation seems to be complicit now because they aren't rising up in righteous indignation."

George Will on *This Week* patiently explained, "Because Ken Starr must —

the president has forced his hand — detail graphically the sexual activity that demonstrates his perjury. Once the dress comes in, and some of the details come in from the Ken Starr report, people — there's going to be a critical mass, the yuck factor — where people say, 'I don't want him in my living room anymore.'"

And William Bennett, moral paragon and virtue czar before his outing as a high-stakes gambler, identified the regular American's tolerance of the continuation of the Clinton presidency as "The Death of Outrage," resulting from "an attempt by the president's men to portray their opposition as bigoted and intolerant fanatics who have no respect for privacy."

"At the same time," continued Bennett, "they offer a temptation to their supporters; the temptation to see themselves as realists, worldly-wise, sophisticated; in a word, European. Now, Europeans may have something to teach us about, say, wine or haute couture. But on the matter of morality in politics, America has much to teach Europe."

Didion concludes that "[t]he person most people seemed not to want in their living rooms any more was 'Ken,' but this itself was construed as evidence of satanic spin on the part of the White House."

Fox News promised more details about activities "that most Americans would consider quite unusual." These details, *Newsweek* predicted, would make Americans want to "throw up." Writes Didion: "The nature of the testimony, the unusual activity and the throw-up details that everyone seemed to know about because they had been mostly leaked by someone in Ken Starr's office turned out to be about masturbation."

The principals in this case weighed in, Bill Clinton calling the intrusions into his personal privacy "the politics of personal destruction," and Monica Lewinsky saying that Ken Starr's

round moon face is the embodiment of "Big Brother."

"I myself dreamed of a mammoth banner," Roth wrote, "draped dadaisti-

cally like a Christo wrapping from one end of the White House to the other and bearing the legend A HUMAN BEING LIVES HERE." □

The Barbarian Invasions, directed by Denys Arcand. Miramax Films, 2003, 112 minutes.

The Market for Compassion

Jo Ann Skousen

Robert Hayden's poem "Those Winter Sundays" describes a father who would rise on Sundays "in the blueblack cold" to bank the fires "with cracked hands that ached" from week-day labor while the family remains burrowed beneath blankets. Remembering with remorse this selfless and unthanked act, the narrator reports, . . . slowly I would rise and dress, fearing the chronic angers of that house,

Speaking indifferently to him,
who had driven out the cold
and polished my good shoes as well.
What did I know, what did I know
of love's austere and lonely offices?

What does anyone know of "love's austere and lonely offices"? This is one of the themes of the Canadian film *The Barbarian Invasions*, where loving actions speak more loudly than bitter words. The story opens as Sebastien (Stephane Rousseau) flies reluctantly from London to his father's (Remy Girard) deathbed in Canada, still "fearing the chronic angers of the house" that caused a 15-year estrangement between them. "Speaking indifferently to him" at first, Sebastien gradually grows to accept his father's life, as he helps ease the way for his father's death.

But it is the backdrop of the Canadian economic system that makes this film both funny and appalling at once. *The Barbarian Invasions* indicts socialized medicine, unions, drug

laws, police departments, and public education, while subtly demonstrating the protection that can come from the private sector: Sebastien is a successful commodities hedger who protects oil producers from fluctuations in the market by taking on the risk himself — and making a tidy profit in the process. With that profit, and a determined persistence, he calmly bribes the hospital manager, union workers, security guards, nurses, a heroin junkie, and even friends, to make Remy's final days as comfortable as possible.

Anyone who favors universal health care should watch the first half hour of this film. The camera follows a nun through the crowded corridors of the hospital, panning past gruesome patients bedded in dim, paint-peeled hallways, as she delivers the Eucharist to Catholic patients. More than once she arrives at the wrong bed, the patients misidentified on their charts. (This is, in fact, a recurrent problem for the doctors and nurses in this film.) "At least I'm not in the hallway," Remy comments wryly as Sebastien surveys with disgust the tiny, cluttered, crowded room in which his father will die.

Sebastien bribes a hospital manager to let him use an empty floor (yes, while patients populate hallways, an entire floor lies empty due to "cost containment") and bribes a union boss to paint and prepare a lovely, inviting room. He pays to have Remy transported to the United States for tests (under socialized medicine, Remy

Liberty

makes a great holiday gift!
See page 9 for special gift rates.



would be dead before doctors could even know what's wrong). He hires a junkie to provide heroin for pain control, and even pays for friends and former students to visit his father.

Unfortunately, most viewers of this film will probably identify the problem of allocating scarce resources without recognizing the obvious solution. Indeed, the first comment made in the discussion group held after the viewing I attended was from a woman who complained, "Why should one person be able to help his father, just because he's rich?" The consensus of this intellectual, and mostly well-off, audience of New Yorkers seemed to be that money itself is ugly and vulgar, instead of a proper medium of exchange, reward, and motivation. "Take the rich guy's money away from him!" they demand. Then we can all be equal. Then we can all wait in paint-peeled corridors to die, writhing in

pain, the doctors writing the wrong name as they cross us off their lists.

In French with English subtitles, *The Barbarian Invasions* is director Denys Arcand's sequel to his Oscar-

Anyone who favors universal health care should watch the first half hour of this film.

nominated 1986 film, *The Decline of the American Empire*. The four men and women of the original story are reunited at a point when the barbarians of old age and illness begin to invade the body, but it is not necessary to have seen the original in order to enjoy the sequel. Somewhat sentimental and predictable in its conclusion, *The Barbarian Invasions* is nevertheless, like life, a sad journey full of laughter, well worth the taking. □

Booknotes

A vintage joke book — I recently uncovered a book written in support of Franklin Roosevelt's first campaign for reelection. It's called, unsurprisingly, *I'm for Roosevelt* (Reynal & Hitchcock, 1936). The author opens by demurely stating his reasons for becoming interested enough in politics to write such a book. He says that he has a large family and is concerned with politics because he is concerned with the future well-being of his children. He wishes to be clear on one point: "I have no political ambitions for myself or for my children."

People to whom I have read that sentence express surprise when they learn the author's name. In fact, they start rolling on the floor, the moment they hear it.

The book was written by Joseph P. Kennedy. — Stephen Cox

Admitting to empire — Americans generally dislike having the term "empire" applied to their country or to their government's foreign policy, and conservative and neoconservative magazines and Internet sites are often

filled with hairsplitting denials that the United States acts in any way similarly to Rome, Britain, or France in their "glory" days.

But let's be honest.

Any country that believes it has the legitimate prerogative to effect "regime change" by force in a country halfway around the world — even if that country had oodles of those elusive "weapons of mass destruction" — is an imperial power. How did a republic conceived in freedom and so steeped in anti-militarism that it resisted a standing army for almost a century come to this?

Andrew Bacevich, who came to the academy (he teaches political science at Boston University) after a career in the military, offers the best explanation I have found. His *American Empire: The Realities and Consequences of U.S. Diplomacy* (Harvard University Press, 2002, 320 pages) argues that the United States is not a traditional empire bent on acquiring and ruling overseas colonies and exploiting their natural resources. But many of its leaders and theorists have pursued an

essentially imperial policy since well before the Cold War.

As Bacevich explains, the idealism, as opposed to pure self-interest, that helps fuel American imperialism is both alluring and dubious. At least since Woodrow Wilson, American leaders have sought to export what they believe is best in America — its openness, its democratic ways, its commitment to a responsibly regulated market system — to the rest of the world. That this enterprise, seen by its designers as strictly benign and peace-promoting, also spreads American power and steers profits to certain American companies, is a side benefit most observers are too polite to mention.

Bacevich argues, with well-chosen examples from more than 50 years of American statecraft, that the U.S. has advanced its imperium through a "strategy of openness," insisting that other countries be as open as we pretend the United States is to trade and new ideas. In areas we consider important — Europe, Japan, Korea, the Middle East — we station permanent garrisons of troops. In areas we consider marginal, like Africa, we are usually content to lecture and make occasional symbolic trips and gestures. Ultimately American imperialists want to remake the entire world in our image.

American Empire is more descriptive than polemical. Bacevich is so even-handed in his treatment that you're not always sure whether he stands on one

Any country that believes it has the legitimate prerogative to effect "regime change" by force in a country halfway around the world is an imperial power.

side or the other of some of the issues he describes. But he wants Americans and their policymakers to be at least modestly honest. "The question that Americans can no longer afford to dodge is not whether the United States has become an imperial power. The question is what sort of empire they intend theirs to be." — Alan W. Bock

American idol — I have just read Joyce Carol Oates' *Blonde* (Ecco, 2001, 752 pages), which, as Oates describes, is a "work of imagination" about the character, career, and inner life of Marilyn Monroe. Oates' powerful writing, rhythmic narrative, and intense visual description recreate the life of the famous bottle blonde so that her struggles and artistry become immediate and moving. I was taken by the fervid study and dedication Norma Jean Baker put into her work; her perfectionism in performance; the books she read, the men she married, and the religion she chose. (I also listened to the abridged, audio version of the book, as read by Jayne Atkinson, whose fluid vocal transition from character to character is genuinely remarkable.)

In 1962, *Life* magazine ran an article on Marilyn Monroe in which she was quoted:

When you're famous, you kind of run into human nature in a raw kind of way. It stirs up envy, fame does. People you run into feel that, well, who is she — who does she think she is, Marilyn Monroe? They feel fame gives them some kind of privilege to walk up to you and say anything to you, you know, of any kind of nature — and it won't hurt your feelings — like it's happening to your clothing. . . . I don't understand why people aren't a little more generous with each other. I don't like to say this, but I'm afraid there is a lot of envy in this business.

Today, another bottle blonde is making her way to American idol status. Britney Spears, like Marilyn, has also run into raw and envious human nature. A recent example is her interview with Tucker Carlson of CNN. In this interview, Carlson asked Spears whether she trusted President

Dell sells computers, McDonald's sells hamburgers, and Britney sells Britney.

Bush as the leader of our country. This question was a trap.

Britney and Marilyn share more than hair color and evocative appeal: they are (or were, in the case of Norma Jean) entrepreneurs. They are running

businesses. The difference that so many miss is that entertainment entrepreneurs are in the business of selling themselves. Dell sells computers, McDonald's sells hamburgers, and Britney sells Britney.

For an enterprise to be successful, its product must be affordable, in demand, and attractive. In order to remain attractive, the product must not offend or alienate consumers. A neutral political position is best, for *any* political opinion will alienate part of the consumer population. This seems patently obvious. Any attempt, therefore, to weasel a political statement out of an apolitical public figure can only be interpreted as an attack. When Britney was asked if she trusted President Bush, she did exactly the right thing in making a vapid, simplistic response to Carlson: she defended her product.

We don't need to know whether Britney trusts George W. to appreciate her mastery of pop performance. In 1962, Ayn Rand wrote that Marilyn Monroe was "unable to conceive of ugliness or evil, facing life with the confidence, the benevolence, and the joyous self-flaunting of a child or a kitten who is happy to display its own attractiveness as the best gift it can offer the world, and who expects to be admired for it, not hurt." That's enough for me. I don't need to know Marilyn's political ideals to enjoy her beauty and her performances. The Britneys and Marylins of the world should be enjoyed for what they are, not jeered at or attacked for what they're not. — Katelyn B. Fuller

Outgrowing war — We have just begun a new century with the world's sole superpower engaging in a war of choice, not necessity. It followed a century characterized by two world wars, a protracted Cold War and innumerable local military conflicts. This raises a very good question: is war, with all the attendant destruction, displacement, and economic damage that accompanies it, inevitable in a world populated by human beings?

There's bad news and a hint of hope in Steven A. LeBlanc's *Constant Battles: The Myth of the Peaceful, Noble Savage* (St. Martin's Press, 2003, 256 pages). LeBlanc, an archaeologist at Harvard who has been on digs all over

the world, contends that "The common notion of humankind's blissful past, populated with noble savages living in a pristine and peaceful world, is held by those who do not understand our past and who have failed to see the course of human history for what it is."

Rather, LeBlanc says, "wherever I have dug, regardless of time period or place, I have discovered evidence of

Societies anthropologists have wanted to view as peaceful have histories of warfare that saw 25 percent of adult males killed in battle.

warfare." China's wall, the Acropolis in Athens, and American southwestern pueblos are all defensive fortifications made desirable by the pervasive threat of organized conflict. Most of the earliest discoveries of proto-human skeletons show evidence of death by weapons. Societies anthropologists have wanted to view as peaceful and in harmony with nature, as in Samoa, have histories, as teased out through archaeological evidence, of warfare that saw 25 percent of adult males killed in battle.

Do human beings have a "war gene"? Not necessarily. LeBlanc, taking us through the earliest humanoids, the early foragers, primitive agricultural societies, more complex civilizations, and the development of the nation-state, argues that the pattern of war has been tied to ecology and resources. As human beings were successful at exploiting their immediate environments, populations grew beyond the carrying capacity of their community, whether village, town, city, region, or nation. So they went in search of more territory, which was often populated by another community, often also looking for more land.

Warfare ensued, often enough involving the slaughter of all the men, women, and children of the losing side. As societies became more complex and sophisticated, so did warfare, with warmaking becoming a specialized profession, culminating in the global-scale battles of the 20th century.

Does this mean, then, that we are

doomed to constant warfare? Not necessarily. The Vikings were once the scourge of Europe, but modern Scandinavians are almost ridiculously war-averse. The Hopi are peaceful now though archaeologists have found evidence of brutal warfare in the 1300s. LeBlanc believes that while humans have been selected for aggressiveness, there is no "war gene."

If wars are the result of overexploitation of environments and depletion of resources, some trends offer hope. "The Industrial Revolution dramatically slowed [population] growth rates and increased the world's carrying capacity. . . . Six thousand years ago a Neolithic farmer was lucky to achieve yields of eight bushels of wheat per acre. In Kansas today, farmers get almost eighty bushels per acre."

Unfortunately, "[j]ust as it is often claimed that the generals fight the last war, the politicians in the twentieth century fought wars for old, no longer relevant, reasons." It will take a while longer for mankind to learn that increasing usable resources, through technology and trade, is more efficient than conquest. Maybe this won't happen, of course, but LeBlanc offers plausible reasons to hope. — Alan W. Bock

From Fallingwater to Fountainhead — Frank Lloyd Wright's is a captivating American story. Possibly the best American architect ever, maybe even the greatest ever to practice the craft, he was revered, feted, scorned, and ignored during his long career. Born in 1867, he was dismissed as washed up by 1930. And then in 1934 he got the commission that would forever make his reputation: build a home in the woods for Pittsburgh department store magnate E. J. Kaufmann.

That's the story that art historian Franklin Toker tells in *Fallingwater Rising: Frank Lloyd Wright, E. J. Kaufmann, and America's Most Extraordinary House* (Knopf, 2003, 462 pages). It's not just an architecture

book; it's full of fascinating detail on Wright's career, Kaufmann's family and business background, the hype and buzz that made Fallingwater famous, and the house's later years in the hands of Edgar Kaufmann Jr. Toker explores "the hype that sold [Fallingwater]," especially the enthusiasm of *Time-Life-Fortune* publisher Henry Luce.

Liberty readers may be most interested in Toker's extensive discussion of

Ayn Rand's role in making Fallingwater famous. Toker is no fan of Rand. He refers to her "purple prose" and "fanatical" anti-communism. (Presumably he thinks opposition to communism should be moderate and judicious.) But he does write, "Magnified by a movie that reached many times more people than the book, *The Fountainhead* constituted the single most powerful force for the acceptance of modern architecture in this coun-

Notes on Contributors

Baloo is a *nom de plume* of Rex F. May; in real life, he is the world's greatest cartoonist.

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Jo Ann Skousen is a writer and critic who lives in New York.

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Tim Slagle is a stand-up comedian living in Chicago whose website is www.timslagle.com.

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Andy von Sonn, a former linebacker for the Los Angeles Rams, is an attorney who lives in Hawaii.

Thomas S. Szasz, M.D. is author of *The Myth of Mental Illness* and professor of psychiatry emeritus, SUNY Health Science Center in Syracuse, New York.

Leland Yeager, Professor Emeritus of Economics at Auburn University, has on his office wall the portrait of only one person, King Juan Carlos.

Libertarian Attorney — Not all attorneys are Democrats. I fight the good fight against government regulations in Real Estate and Estate Planning. Licensed in Washington State. Mark K. Funke, Esq. P: 206-632-1535 — www.funkelaw.com

try." Drawing on Rand's published letters and journals, Toker argues that Rand was facing writer's block on *The Fountainhead* until Fallingwater burst on the scene, giving her an architect and a building to fictionalize. One of his specialties is psychological speculation, and he argues that even the name Fountainhead echoes Fallingwater "in the identical twelve-letter length, the identical initial F, and a parallel aqueous image."

Fallingwater Rising is a fascinating study of architecture, business, publicity, the desire for fame, and the creation of a modern icon. It's a handsome book, with full-color pictures of Fallingwater, its creators, and its competitors.

— David Boaz

Voodoo dispelled — If books criticizing the drug war for being ineffective, expensive, conducive to corruption, destructive of constitutional liberties, and generally socially corrosive were enough to move public policy, we would have ended the drug war long ago. Arnold Trebach, former law professor at American University, made the case

persuasively in the 1980s. Journalist Dan Baum (*Smoke and Mirrors*), screenwriter Mike Gray (*Drug Crazy*), and Orange County Superior Court Judge James Gray (*Why Our Drug Laws Are Failing*) are just a few who have documented the harmful effects of the sacred War on Drugs.

In *Saying Yes: In Defense of Drug Use* (Tarcher/Putnam, 2003, 340 pages), Jacob Sullum moves a step beyond criticism. He argues that society should be promoting responsible drug use rather than zero tolerance. Then he makes the case that, contrary to the barrage of tax-funded propaganda with which the drug warriors assault us every day, this is possible.

The virtually unshakeable belief of the drug warrior, as Sullum puts it, is that "a drug user is not an independent moral agent because his will has been hijacked by a chemical." He acknowledges that "[i]f some drugs really do turn people into zombies, it makes no sense to expect self-control. But if voodoo pharmacology is a myth, it's reasonable to talk about illegal drugs the way we talk about alcohol."

A certain percentage of alcohol users become problem drinkers, but most people drink responsibly most of the time. Using the best scientific evidence (sometimes not easy to get in a prohibitionist environment that actively discourages independent research), Sullum argues for the proposition that the same is true for such illicit drugs as marijuana, LSD, cocaine, heroin, and MDMA (Ecstasy). All of them carry dangers and can be misused. But none is a magical potion that compels otherwise sane and decent people to lose all control, do evil, and become self-destructive.

Sullum has written a compelling refutation of the "all or nothing" approach that has dominated the political discussion of drug policy for so long. He hopes that "in the absence of a persuasive explanation for why intoxication per se is wrong, self-righteous condemnations of drug use should give way to dispassionate evaluations of prohibition's costs and benefits." One may hope. At least Jacob Sullum has made a solid contribution to the discussion.


— Alan W. Bock

Our Pagan Holy Day, from page 20

urrect the Dutch St. Nicholas in his satirical *Diedrich Knickerbocker's History of New York*, adding significant embellishments to the 1821 version: "and laying his finger beside his nose, gave a very significant look; then mounting his wagon, he returned over the tree tops and disappeared." Docents at Irving's home, Sunnyside, in Irvington, N. Y., love to point out that this was published one year before Clement C. Moore's culture-changing "'Twas the Night Before Christmas," but since the two were friends, it is difficult to say who borrowed from whom, or even whether the true author of the poem was Henry Livingston Jr., another New York acquaintance, whose descendants have been making this claim for over a century. It was another of Irving's friends, John Pintard, founder of the New York Historical Society, who hoped that rekindling an observance of St. Nicholas Day (Dec. 6) might encourage greater harmony between the poor and the wealthy; Pintard had already been instrumental in establishing Columbus Day, Washington's Birthday, and the Fourth of July as public holidays. But it was Moore's poem that established St. Nick's visit as "the night before Christmas," and we were back to our winter solstice, Dec. 25 observance.

The split personality of our winter holiday has endured for more than 2,000 years, and that pattern is likely to continue as governments seek to influence the masses by controlling their Masses. Some complained that solstice rituals were too pagan, and Christmas was born; others com-

plained that Christmas was too Christian, and Santa Claus emerged; some complain today that the holidays have become too commercial, but even louder, Keynesian voices complain that we aren't commercial enough — without "healthy" Christmas sales, our economy will falter. I suspect the conflict will rage a long time, as humans seek a balance between the profound and the profane, the commercial and the personal, the spiritual and the pagan, self-interest and self-sacrifice. The two-faced Roman god Janus, who sits on the cusp between the old year and the new, will continue to preside over this schizophrenic holiday of merriment and wonder. □



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Reflections, from page 18

and privacy is important. Is the FTC's "Do Not Call" list so egregious a violation of the constitutional principles upon which our free society is based? Well, yes, I think it is.

There are many irritating aspects of a free society. If I'm located on a busy street and have a large picture window in my living room, then — if I desire my privacy — I have to put up curtains. The communication network is a similar opening on the world — if I wish not to have people call into my domain — then it is my responsibility to put up an appropriate privacy barrier.

At the base of all this is a confused view of privacy. To those promoting these laws, privacy is the requirement that interactions proceed only at the behest of the individual affected. Women going to bars should not be approached by predatory males. Nudists walking down the street should not be noticed. No one should knock at your door or telephone you without prior permission. But, this is a highly confused perspective. Privacy is rather a relationship between yourself and others — a decision on whether one will place information in play or not. Individuals are free to withdraw from areas where they might be contacted by others, but there is a cost for such hermit-like existence. We can stay indoors, we can post "No Trespassing" signs or lock our gates, we can avoid bars, we can buy a telemarketing-zapper, get a cell phone, or leave the phone off the hook during dinner.

When we join the public network — whether by going out into the streets, answering the telephone, accepting mail, or going on the Internet — we find ourselves bombarded with messages and inquiries from others. It is for us to

decide what privacy efforts we make (wearing conservative clothing, not answering calls from unknown callers, opening the envelope, entering a website) — but to do so is to wall ourselves off from a world of strangers seeking to be our friends. For government to make those decisions is wrong — and dangerous.

The FTC rules are especially troubling from a free speech perspective. Many conservatives have long viewed free speech as limited to political speech — politicians can say what they want but not the citizenry. Left-liberals have generally championed free speech while being indifferent or even hostile to commercial speech — one can rant about the evils of America but not advertise candy or tobacco or SUVs. The FTC enters this fray with rules that allow "charities" to telemarket but block commercial endeavors of the same sort. This idea that the constitutional protection of free speech can be sliced and diced according to the situation is worrisome. After all, not all charities are equal. Should we ban religious charity calls (possibly offensive to atheists)? What about Police Benevolent Association calls (worrisome to the paranoid), or right-wing or left-wing charities (offensive to the ideologues)? Once speech can be regulated by political will there is no obvious stopping point.

The courts offer the only hope of limiting the populist perspective: vox populi vox Dei! America flirted with that ruling principle during the Progressive Era and bruised the Constitution in the process. We're now more aware of the risks of direct democracy, and the protections afforded us all by the Constitution have become more apparent. The FTC and Congress should read up on this topic — and let individuals decide which calls they wish to take, not place their names on another government list!

— Fred Smith

Letters, from page 28

let's lands and grooves are completely intact. This bullet struck nothing harder than water or cotton. It, and (by reasonable extension) the two fragments, were planted in order to incriminate Oswald.

Recently developed forensic evidence points toward other culpable parties. On the day of the assassination, several fingerprints were lifted from the boxes that comprised the "sniper's nest" on the sixth floor of the Texas School Book Depository. Most of the prints were matched to Dallas police officers. (None were Oswald's.) One print remained unidentified until 1998. That latent print was definitively matched to the inked print of a convicted murderer (Malcolm Wallace) who had been linked to the Kennedy murder, and to Lyndon Johnson, in testimony delivered to a grand jury in 1984.

While much more could be said in response to Steele's slapdash historical pronouncements and his mangling of the work of several careful researchers (he appears to have "surface-skimmed" many of the sources he cites), his bass-

ackward method of evidence evaluation renders his article a windy polemic.

Clever stuff; no sale.

Alan L. Kent
Bellingham, Wash.

Proof of Conspiracy

Mr. Steele's conclusion that there was no conspiracy in John F. Kennedy's murder is logically compelling except for two facts:

- 1) Lee Oswald was murdered before he had a chance to say anything (such as "I didn't do it" or "I'm glad I did").
- 2) Robert F. Kennedy was murdered very soon after. Coincidence?

William Wood
Las Vegas, Nev.

David Ramsay Steele replies: In my article I reiterated several times that I could not answer some of the highly technical arguments of the Conspiracy theorists, and referred readers to some of this work, including David Mantik's. I went on to show in detail that, despite such claims about minutiae of the physical evidence, the Lone Nut theory is rationally preferable, because the hypothesized Conspiracy makes no

sense, either in terms of motive or in terms of method chosen.

And how does Alan Kent respond to this? By ignoring my arguments completely and restating a couple of the familiar technical arguments made from the physical evidence by Conspiracy theorists!

There is precedent for claims made at one time later to be rejected by expert analysis. For example, Conspiracy theorists have often claimed that the photographs of Oswald holding his rifle were fakes, but experts for the House Select Committee on Assassinations looked at this issue and found the photos to be genuine. I confidently expect that other highly technical arguments made by Conspiracy theorists will eventually be disposed of by independent experts.

As for William Wood's points: 1) Oswald did talk a lot in the two days following his arrest. He said he hadn't done the shooting. He also made several demonstrably false claims. 2) Robert Kennedy was murdered more than four and a half years after Jack. Yes, a coincidence.

Spain

Evidence of the advanced state of jurisprudence in the European Community, from a dispatch in the *Akron Beacon Journal*:

Tomás Valdiviso of Spain was fined \$70 for scratching his ear while driving. The police officers who issued the fine claim the lawyer, was talking on his cell phone. After the man gave proof that no calls had been made on his phone since the night before, the officers deliberated and decided to fine him anyway.

France

Further evidence of the advanced state of jurisprudence in the European Community, from a report in the United Kingdom's estimable *The Guardian*:

France Interior Minister Nicolas Sarkozy's recent bill which made "offending the dignity of the republic" an imprisonable offense has found one of its first victims in the French rap group, Sniper. Sarkozy claims their music is "anti-women, anti-French, anti-European, and anti-police" and "perfectly scandalous."

Boston

Addendum to the growing body of evidence that diversity benefits higher education, from the *Harvard Crimson*:

Harvard researchers have recently published an article in the *American Journal of Public Health* that shows that drinking rates among white, male, underage students are significantly lower on college campuses with larger percentages of minority students. "This study has shown that having a diverse student body . . . is an important factor in lowering binge-drinking rates," a researcher stated.

California

Advance in police-community relations in the Golden State, from a report in *USA Today*:

Santa Barbara County deputies may be asked to wave to residents as they patrol the city. The deputies have been recently criticized as unfriendly and heavy-handed.

Alabama

Evidence of the advance of jurisprudence in the Deep South, from a dispatch by the Associated Press:

Chief Justice Roy Moore, who was removed from office for refusing to obey a federal court order to remove his Ten Commandments monument from the courthouse, said his refusal was a moral and lawful acknowledgement of God.

Britain

Curious discovery by the most eminent practitioners of broadcast journalism in the world, reported by *The Telegraph*:

A recent research project by the BBC has concluded that garden gnomes can increase the value of a home in the United Kingdom by as much as £500 (\$850).

Independence, Mo.

Innovative use of copyright law in the "Show Me" State, from a report in the *Blue Springs Examiner*:

When police officers asked Daniel Smith, 45, for his driver's license, they were surprised when he told them his name was copyrighted. Smith then handed the officers a slip of paper which stated that anyone who duplicated his name would be sued for \$500,000.

China

New career opportunity for America's former First Gentleman, from a report by the Associated Press:

A Chinese clothing manufacturer wants former President Bill Clinton to be its spokesmodel, stating that its suits match Clinton's character and personality. The firm wants a figure with "worldwide charisma" to represent it.

U.S.A.

Further evidence that more regulation is needed to prevent urban sprawl, from an article in the *Seattle Times*:

A recent study claims that urban sprawl contributes significantly to obesity in America.

Minnesota

Victory for automobile rights activists reported by the *St. Paul Pioneer Press*:

A man who shot eleven bullets into the hood of his brother's car in an attempt to "kill" it will lose his permit to carry.

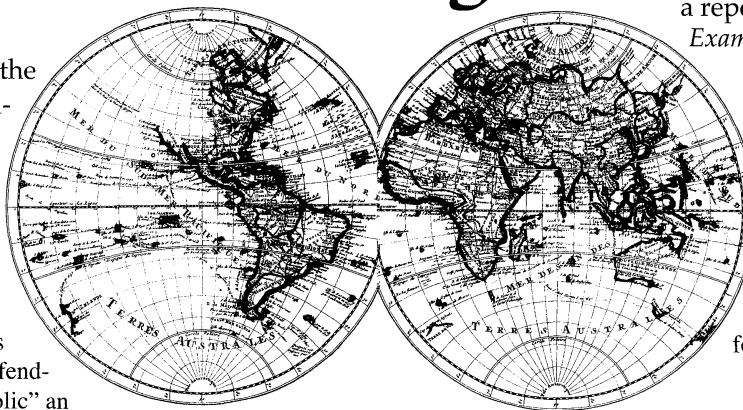
Beijing

Progress in the science of sanitation in the world's most populous nation, reported by *China Daily*:

China's Ministry of Science and Technology is wrapped up in an effort to clean up little blobs of discarded chewing gum from Tiananmen Square. The project will cost 1 million yuan and proposes to develop a special "gum-removal lotion" that can effectively dissolve the discarded gum.

Special thanks to Russell Garrard, Owen Hatteras, and William Walker for contributions to Terra Incognita.

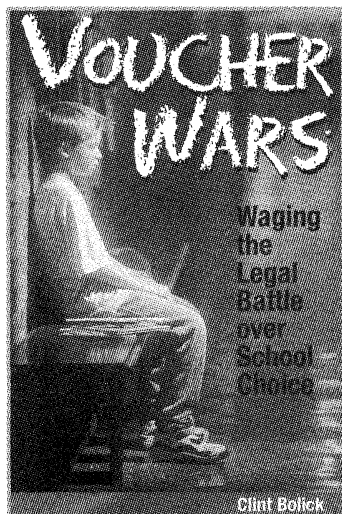
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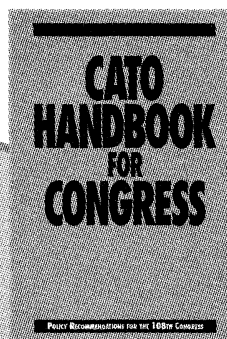
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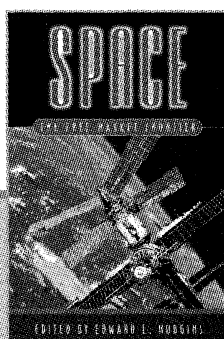
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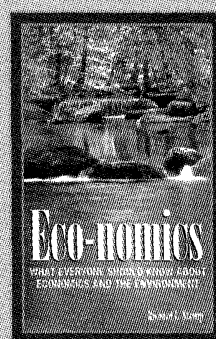
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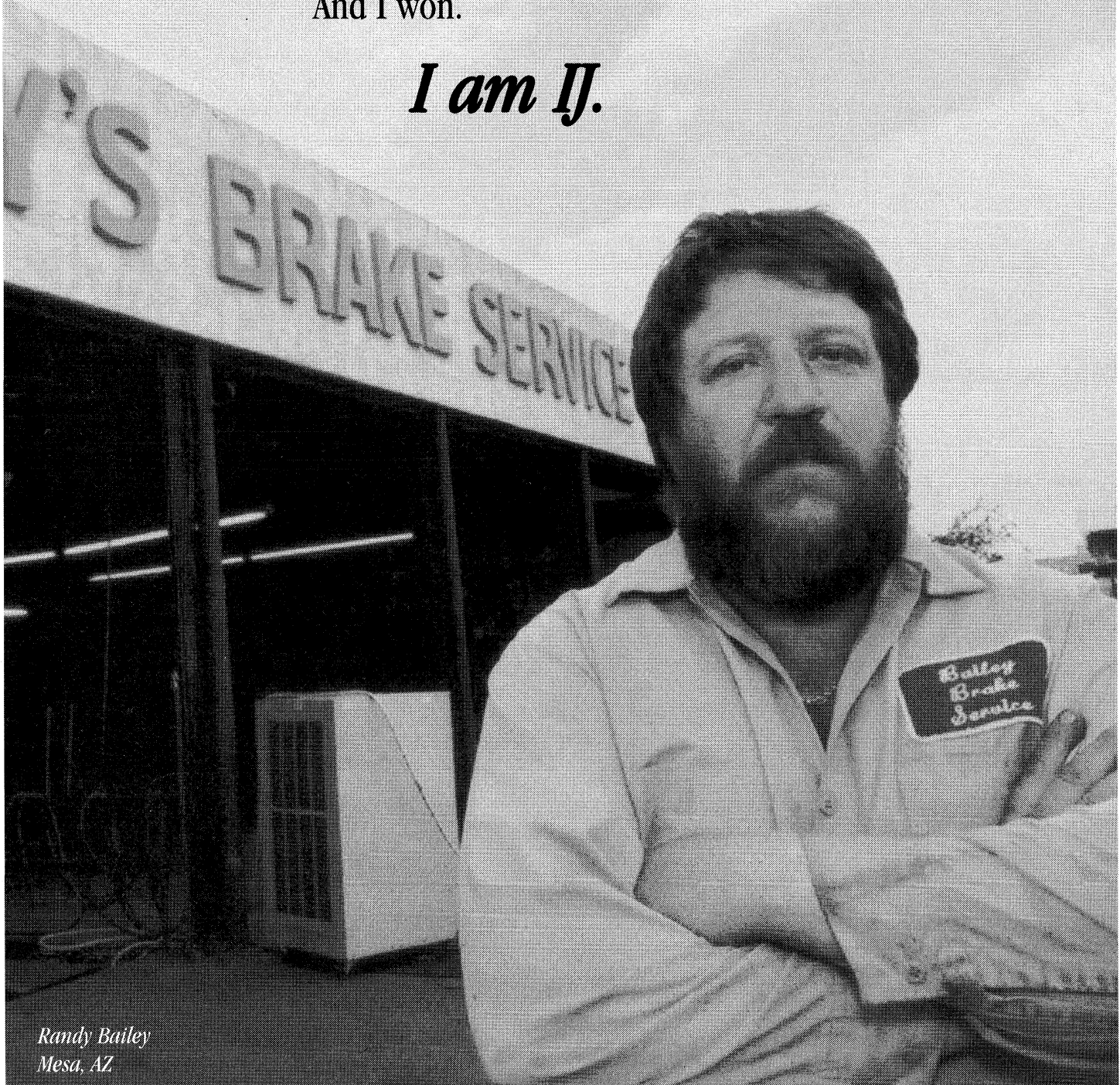
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Mesa, AZ

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