

Liberty

March 2000

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A Nobel
Prize for Bill
Clinton?!?

Greenspan Go Home!

by Ron Paul

The Politics of Seizing Property

by Miles Fowler

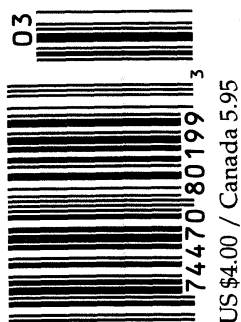
The Incredible Shrinking Serb Atrocities

by David Ramsay Steele

What if the U.S. Had Stayed Out of World War II?

by Michael Drew

Also: Is there a place in America for a little Cuban boy?; Yuri Maltsev on Russia's new thug, a fantasy about Bill Gates' retirement; Stephen Cox hears America singing "Throw the Bums Out!" ... plus other articles, reviews & humor



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Inside Liberty

March 2000
Volume 14, Number 3

- 4 Letters** Our readers get the first word.
- 7 Reflections** Liberty's editors on Americans who have everything, the cloning of fruit, Bill Clinton's campaign for the Nobel Peace Prize, and Y2K cranks, left and right.

Features

- 17 The New Man in Russia** Boris Yeltsin resigned and left spymaster-terrorist Vladimir Putin in charge. Unlike America's political leaders, *Yuri Maltsev* does not think this is encouraging news.
- 19 Greenspan Go Home!** Ron Paul reviews U.S. monetary policy and offers the Fed chief some friendly advice: get out while the gettin's good.
- 21 Is There Room in America for a Little Cuban Boy?** A brave Cuban woman died to bring her son to America. President Clinton wants to send him back. *Liberty's* editors prefer to send Clinton.
- 24 The Spirit of Northfield and Coffeyville** A century ago, Americans knew how to deal with armed robbers. Some Americans still do, but, as *William Tonso* observes, America's elite doesn't have a clue.
- 27 The Incredible Shrinking Serb Atrocities** When President Clinton wanted to bomb Yugoslavia, he told Americans that Kosovo was filled with mass graves with more than 100,000 corpses. Now that the smoke has cleared, *David Ramsay Steele* discovers no mass graves and hardly any bodies.
- 32 Back to Belgrade** Life, mostly, went on in Yugoslavia, during the American bombing. *Stephen Browne* revisits friends in a city he loves.
- 35 The Politics of Seizing Property** The War on Drugs offers an opportunity for Libertarians, argues *Miles Fowler*.
- 39 Bill Gates Shrugged** Bill Gates has stepped down. Where will he go today, wonders *Michael Giorgino*.
- 41 What if the U.S. Had Stayed Out of World War II?** *Michael Drew* answers the question that shocked Americans.
- 45 Was George Orwell a Bad Guy?** *David Ramsay Steele* argues that Martin Tyrrell got it all wrong when he claimed that the author of 1984 was an anti-Semitic, homophobic imperialist. *Martin Tyrrell* stands by his guns.
- 50 Vindication** What happens when a young woman faces a wall of indifference in her pursuit of liberty? A short story by *Tracey Rosenberg*.

Reviews

- 53 The Law and the "Leave-Us-Alone" Coalition** *Gene Healy* examines the prospects for a return to genuine federalism.
- 55 What Went Wrong With the Netherlands** How did the Dutch become the world's richest and freest country . . . and how did they lose it all? *Brien Bartels* looks into this mystery.
- 58 Battle Hymns of the Republicans (and Democrats)** *Stephen Cox* hears America singing, "Throw the bums out."
- 61 Notes on Contributors** Who we are.
- 62 Terra Incognita** Reality intrudes.

Letters

Smile on Your Brother

Clark Stooksbury's contention (Reflections, February) that the drug legalization cause is being dragged down by the Libertarian Party was interesting. I'm sure he's aware that the argument is usually made the other way around, although most Libertarians I've spoken with favor speaking out forcefully on the issue.

While I share Stooksbury's anticipation of the end of prohibition, I think he does the cause of liberty a disservice by publicly downplaying the Libertarian Party's chances of success. The LP may not have a huge string of high-profile victories to its name (though what it has accomplished is impressive), but it's the only party the movement's got. Like it or not, it is the most visible representation of the libertarian movement. The general public is likely to see its success or failure as a barometer for the success or failure of the movement as a whole.

The fact that ours is a movement of individualists is both its greatest strength and greatest weakness. If all the libertarian-leaning people in this country turned out to support the party that stands for those beliefs, we could overthrow the Democrats and Republicans tomorrow.

Still, is it too much to ask that people who are active in the cause, such as those who write for *Liberty* magazine, not denigrate the efforts of their fellow freedom fighters? All for one and one for all, united we stand, divided we fall.

Starchild
San Francisco, Calif.

We Could Call It the LFFF

So Ludwig von Mises is the Libertarian of the Century, is he? Is this the same Ludwig von Mises who endorsed military conscription in his magnum opus, *Human Action*, and denounced all who opposed it as "abettor[s] of those aiming at the enslavement of all"? Gee. A Libertarian of the Century who believed in chattel slavery. What's next? A national organization? We could call it Libertarians for Force and Fraud.

Jeff Riggensbach
San Francisco, Calif.

Ayn Rand: Statist

I was shocked to read that Ayn Rand was the selection of so many of your edi-

tors to be "Libertarian of the Century." She explicitly argued for government lotteries and gave her moral sanction to the Library of Congress when she donated her papers to it — not to mention her support of the presidential candidacies of Richard Nixon and Gerald Ford.

We must draw the line somewhere. Rand may have been a good novelist, but she was no libertarian.

Russell Martin
St. Louis, Mo.

The Corporate Mob

R. W. Bradford's account of the turmoil in Seattle ("The Streets of Seattle," February) is the best thing I have read or heard on the subject. As an individualist anarchist I have a morbid curiosity about mob activity, whether that of rioters or cops; from the individualist point of view it is just as disgusting as the mobs themselves find it exhilarating, and for the same reason: it represents the dissipation of individual responsibility to the point of complete annihilation. Who is to blame if a mob harms life, limb or property? There is no answer. One can't blame it on the leaders, since every human action is a result of individual will (including the will to passivity). On the other hand, it's extremely difficult to separate particular actions for condemnation when people are acting en masse. One is left with the unsatisfactory observation that "the mob did it." The difficulty of assessing blame for collective activity except in such vague terms indicates the source of its perennial popularity.

Unfortunately the above also applies to the corporations that the Seattle mob-activity was intended to attack. They, too, are collective entities in which no human being is responsible; in fact, they were created for the express purpose of evading responsibility by creating a "legal fiction" to the effect that the corporation is a "person" — a person with rights and no corresponding obligations. The usual results have followed. Who is to blame if a corporation harms life, limb

or property? There is no answer. One can't blame the CEO and board of directors, since they are supposedly acting on behalf of the stockholders. On the other hand, the stockholders themselves are explicitly excused by law from anything beyond a "limited liability." One is left with the unsatisfactory observation that "the corporation did it." A corporation, in its social structure, is merely an organized, highly respectable mob.

What's odd is that so many libertarians cling to the superstition that these monstrosities have anything to do with a free market — which, by the way, I am fanatically in favor of (or maybe it isn't so odd; maybe it's a result of basing one's thinking on pragmatic utilitarianism instead of fundamental principles). Not only are corporations creatures of the State by definition, but many of them are thoroughly entwined with it, in the form of subsidies, government contracts and influence in regulatory bureaucracies like the WTO (which they wouldn't dream of wanting to get rid of). "Corporate fascism" is an accurate description of the current economic system in this country, although at present it may not be as virulent a case as occurred in Germany, Italy, Japan and now Red China. In her way Rand warned us about all this, as her more unreflective followers always seem to forget; she said we were heading towards fascism 40 years ago, and some of most odious villains in *Atlas Shrugged* are businessmen fascists of a kind nauseatingly familiar now.

Kyle Rothweiler
Bozeman, Mont.

Gates & Landon

Two comments in the December *Liberty* made me cringe.

One was a letter from Matt Ruff in which he thought that the state protecting Bill Gates' right to hold copyrights was a manifestation of coercive powers of the state. I always thought the enforcement of contracts and the protection of private property were some of the functions of the state libertarians thought were legitimate. Copyrights (and patents) are private property of either the "author" or the person to

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whom the author sells the rights, and use of a copyright is a contract. Does Mr. Ruff intend that from now on contracts shouldn't be enforced by the state or that if someone steals my car the police shouldn't force the thief to give it back? Or does his thesis just apply to Mr. Gates?

The second was a reflection by R.W. Bradford in which he tried to divine the reason so many libertarian books were voted to be among the 20 best non-fiction books of the 20th century. Although he realizes the poll was taken over the Internet, he seems to think the results reflect that Libertarians have a lot of free time and engage in ballot box stuffing. The real reason, of course, is that, at the moment, libertarians "own" the Internet. (Libertarians should try to take advantage of this. Maybe the 2000 election would be a good time.)

As more and more people jump on the Net this may change. But even many of those out on the Net who consider themselves Democrats, Republicans, or independents think and live as libertarians. Modern Library may be faulted for inadvertently offering their referendum in such a politically slanted venue, just as the magazine whose famous survey in 1936 predicted Alf Landon would be the next president could be faulted for not realizing that most telephone owners of that day were Republican. But in neither case should you blame the respondents.

John Silveira
Brookings, Ore.

God Lit the Fuse

As a creationist, I believe that God created the universe and all forms of life within it. What proof do I have? I don't need any. I accept that on faith and have found no reason not to accept it. Furthermore, am I going to suffer if I am wrong?

I have no idea how He carried this out, and the Bible does not shed any light on the matter. When Genesis was written, we didn't have much in the way of science. If there was a "Big Bang", I believe that God "lit the fuse." There had to be some energy from somewhere; and the only answer I can conceive of is that God provided it. The evolutionists tell us that life began by the random combination of certain elements. If so, I believe that the combination was not really random, but that God caused it.

If you disagree with what I'm saying, that is your choice. It is not necessary to my happiness that we concur on this matter. After all, neither of us can give

"eyewitness" proof of our views. Yes those who reject creation in favor of the other scientific theories have many facts that to them constitute proof; but in the final analysis, proof is what the individual accepts as proof.

So, isn't it a great waste of time, mental energy, and yes, ego to get into these arguments?

Bill Williford
Houston, Texas

Corn Into Puppies

Kosko's affinity for the "big bang" does not affect or enlighten us about what happened at the creation. He has the same difficulty with this theory that all scientists have. That is, as Charles Colson has ably pointed out, it interrupts the chain of cause and effects going back to the bang. Matter does not just come from nothing. Quoting Colson, "The theory of conservation of matter implies that matter cannot just pop up into existence or create itself . . . if the universe had a beginning, then something external to the universe must have caused it to come into existence. Someone or something transcendent to the natural world."

I accept Kosko's challenge to fill in the blank. Here goes: God did not create the world if Kosko can turn his mutant corn into a puppy. Oops, God didn't play by Kosko's rules. Since most creationists are not scientists, we don't see any blanks to fill in; no standards of testability to worry about. It is enough to look around and see that it is unlikely that all of this could randomly come about as we know it. The physical evidence is all around us. Yet I realize that some will never be convinced. I could call Kosko's science a "pseudo religion" and be closer to the truth than he was, but I won't.

This is a perfect example of why we need government out of education choices entirely. Kosko and I shouldn't have to argue about which theory should be taught in public schools. We should each be able to send our children to the school that reflects our beliefs.

Jim Printz
Decatur, Ala.

A Quick Lesson

I was delighted to read Bart Kosko's piece this month in *Liberty*. I have always considered creationists' wishes for equal time in the classroom somewhat puzzling. What would there be to teach? It seems all the teacher would

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have to do is say that the creationist theory of the origin of the cosmos consists of a divine "Poof!" Any questions that followed could not be answered, for there would be no body of knowledge to divulge: no principles, no equations, no methods, no processes, no experiments, no data, no nothing. Simply that God did it somehow. There would be no overhead projector slides showing million-year time lines, no morphing species, no DNA diagrams showing self-replicating protein chains, no nothing.

Just, God did it. It would be difficult to do five minutes on the topic of divine poofery, much less an entire hour.

And as for teaching it as an example of bad science, I can only say, "Amen!"

Chuck Winegar
Seattle, Wash.

Keep the Faith Brother Kosko

Bart Kosko's "argument" contra Creationism failed to recognize two different approaches to Creationism, (1) the Fundamentalistic, generally visible in

political activism, and (2) the Reformed/philosophical, as reflected for example in the works of Greg Bahnsen. The article only tackles the first form. Even at that, it fell short of rebuttal. To say that Creationism, to be compelling, must explain the "how!" of creation, and come up with a set of a priori predictions which must be confirmed, the absence of which counts as rebuttal, begs the question. If the existence of an intricate watch implies the existence of a watch-maker, it doesn't follow that one could "predict" anything from this — e.g. that the hands would be painted red, or the hours marked by dots rather than squares. Precisely the attributes of the needed watch-maker — i.e. a person having not only intelligence but also will — imply that such things could not, in the nature of the case, be predicted. It is merely an arbitrary manifesto, not a requirement of reason, to dictate that science requires otherwise.

The second form undercuts anti-Creationism more fundamentally. In brief, it argues that the self-revealing transcendent God is a necessary presupposition for the very possibility of logical, let alone scientific thought. In an atheist world, there would be no reason to believe that laws of thought such as mathematics should be "obeyed" by physical things, nor that thoughts themselves had truth-value as opposed to merely being brain secretions. In short, in an atheist world, there would be no reason to believe that the complicated chain of reasoning known as "evolution" had any external validity at all. The skeptic Hume saw the problem but many of his would-be followers seem to ignore it.

This form of the argument was not addressed by your article. The superficiality of screeds like Kosko's will probably confirm for many that trust in the Bible is indeed the most rational option.

Tim J. Harris
Rising Sun, Md.

No Need for Further Discussion

Bart Kosko's screed on Creationism is more worthy of a statist, than a libertarian. No government body should decide what is taught in schools. Government has no business in education, period. Schools should be in the voluntary sector, where these decisions will be made by the providers and their customers: the parents.

Jim Rongstad
Woodbury, Minn.

continued on page 20

Proof that truth is more fascinating than myth!

The *Titanic* disaster is usually blamed on the "arrogance" of capitalism and modern technology.

The new book by Stephen Cox, *Liberty* Senior Editor, cuts through the myth and gets to the real story — the drama of individuals coping with the risks of human life.

The Titanic Story is superbly documented and illustrated and contains a guide to other *Titanic* books.

"Written with elegance and grace, *The Titanic Story* demonstrates why Cox is perhaps the finest libertarian writer we have today. *The Titanic Story* is more than a genuine pleasure to read: it delightfully demythologizes the disaster, proving that the truth about the *Titanic* is more fascinating than the myth."

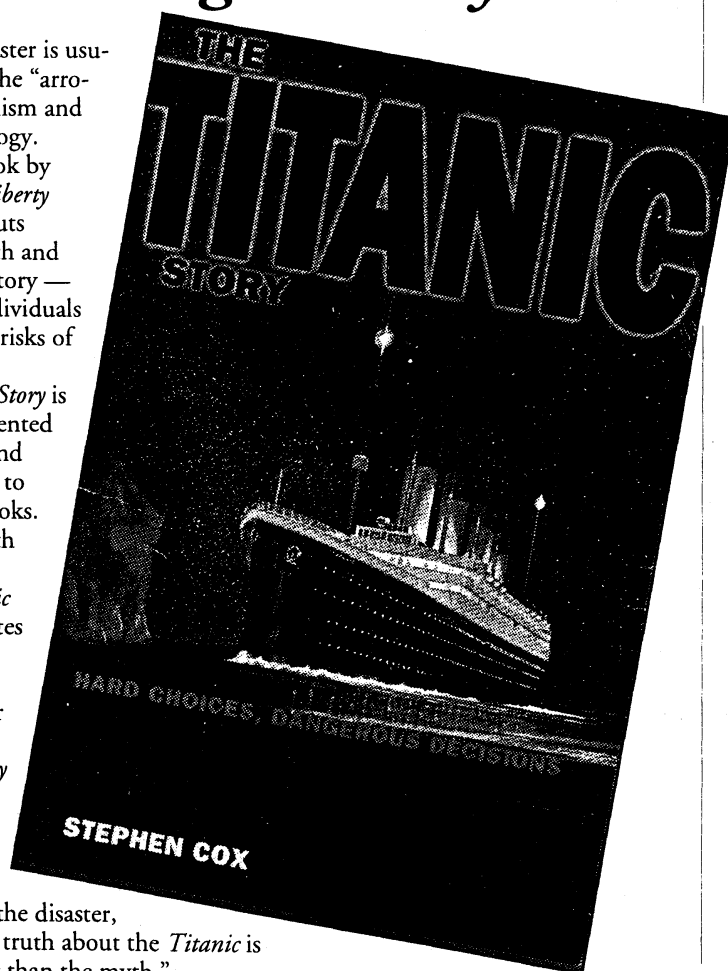
—R. W. Bradford

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Reflections

Gary North fiddles . . . — Well, well. Y2K was such a good marketing tool. Consider the mailer sent out in July 1997 and again in December 1998 by Gary North, Ph.D., soliciting subscribers to his *Remnant Review*.

"A bank run like no other will hit every major bank on earth in 1999," the headline says. "A worldwide panic is now inevitable. It has literally been programmed into the bank's computers."

That, misplaced apostrophe and all, was just the beginning. The booklet was 32 pages long, replete with boldface, underlines and fire-alarm insistency. Y2K, said the prescient Doctor, "could be the biggest single event in the history of the West."

The Millennium Bug, he said, would cause the life insurance industry to go to Congress and ask that all cash-value life insurance contracts be suspended. Insurers would dump assets. Corporate insiders would bail out. Markets would crash. Interest rates would skyrocket.

"I ask you: is my scenario too exaggerated?" he wrote. "Too apocalyptic? Fine. Tell me, *where am I wrong?* If you tell me that this isn't really that big a problem, answer me this: Why is Allstate spending \$40 million trying to fix it?"

Fear sells, even to CEOs. That's why.

—Bruce Ramsey

. . . while the suburbs burn — Right-wingers weren't the only ones who salivated over the "coming Y2K crisis." Consider this bold prediction by James Howard Kunstler, author of "The Geography of Nowhere"; it appeared in *Sierra* magazine:

"The good news is that the Y2K problem is going to put the schnitz on the sprawling of America. Adios, business as usual. Hello, new paradigm. We are going to see disruptions in the global petroleum markets that will make the 1973 OPEC embargo look like the three-legged race at a Sunday-school picnic. One manifestation of this will be a spectacular loss of equity value in American suburban property. The more auto-dependent a place is, the more likely it will lose value, so you can kiss the Big Box stores good-bye."

Will people now be kissing *Sierra* magazine good-bye, or is this yet another journal that people buy for the vibrations, not for the actual words?

—R. W. Bradford

Cosmology flash! — Maybe the world *did* come to an end at midnight on January 1. Maybe the papers are hushing it up.

—Sheldon Richman

Clinton gets a piece, er, Peace Prize? —

Bill Clinton desperately wants some semblance of a non-Monica legacy. A peace agreement between Israel and Syria along the lines of the Camp David accords of blessed memory — except among certain U.S. taxpayers who are still paying for Jimmy Carter's elevation to secular sainthood — could fill the bill nicely. So came to pass the talks between Israel and Syria in the rural college outpost of

Shepherdstown, West Virginia.

Cato Institute foreign policy guru Ted Carpenter suggests a more concrete goal lurking behind the meeting: he thinks it could be part of Bill Clinton's concerted campaign to secure a Nobel Peace Prize, especially if they come up with some face-saving formula to save the latest agreement in Northern Ireland and Der Schlickmeister gets some credit for that one in the same year.

The idea that the Mad Bomber of Belgrade, a man who callously ordered the destruction of two Sudanese pharmaceutical plants to divert attention from his impeachment, might be awarded an encomium with the word "peace" within spittin' distance of its title might seem disgusting to anybody who has even a residual distaste for unprovoked and unjustifiable aggression. But when you think about it, the Nobel Peace Prize has only rarely been bestowed on a real peacemaker. Teddy Roosevelt, the natural-born imperialist who once opined "What this country needs is a good war," snagged the prize in 1906. Woodrow Wilson, who had just dragged his country into an unnecessary war that changed the character of the American republic into a putatively benevolent empire, won the prize in 1919. The 1998 winners from Northern Ireland are no longer speaking to one another. Henry Kissinger, the ultimate international cynic, shared the prize.

The sad thing is that there is a chance that some semblance of peace will eventually break out in the Middle East. Driven by pure personal ambition, Clinton wants to force peace before its time, unlike the wise winemaker. Peace agreements that result from something other than a decisive military victory are more often the product of sheer exhaustion than diplomatic maneuvering. Hostilities, especially low-level border hostilities, are expensive and burdensome. People get tired of them eventually. At that point, a third party can sometimes be useful in providing a neutral site or a secure meeting place. But a paper "peace" forced through before the parties are really ready can fall apart in blood and bullets if some element proves to be rickety.

And the United States, whatever its self-perception, is not perceived in the Middle East as a disinterested third party, an "honest broker."

—Alan Bock

Sociological note — A country is in sad shape when there can't be a tax cut unless those who don't pay taxes get a bigger cut than those who do.

—Sheldon Richman

The thought umpires — Atlanta Braves pitcher John Rocker was no doubt stupid and insensitive when he allowed a *Sports Illustrated* writer to listen in on his adolescent ramblings about some of the unpleasant aspects of New York City. What's most amusing or dismaying about the incident is official baseball's response. Commissioner Bud Selig ordered the loose-lipped reliever to undergo a psychological evaluation before deciding what dread punishment

would be visited on him. He thus implicitly bought into the notion that only crazy people could possibly disagree with the ever-changing officious consensus on what it means to be sensitive in modern America. If Major League Baseball has become a satrapy of the Therapeutic State, what is left?

—Alan Bock

Our top story tonight — I watch television news as often as I can stand the shock. Where else can you find such impressive examples of human ingenuity?

Examples were plentiful during the holiday season, when the networks set themselves doggedly to reviewing the history of the past millennium. Their studies showed conclusively that Marilyn Monroe was a more important cultural figure than Dante or Shakespeare and that almost anything that happened during the 1960s was more "pivotal to humankind" than Columbus's first voyage.

Fascinating debates were staged, complete with authoritative man-on-the-street interviews, to determine the most important event of 1999: was it the impeachment trial of the President, or the accidental death of the publisher of *George* magazine? Of course, President Clinton never came up during television's ceaseless quest for "history's greatest villains" discussion in that category focused resolutely on the big three: Hitler, McCarthy, and Nixon. The networks' expert consultants seemed to agree that the vilest deed of the twentieth century was the firing of several communists from their jobs in the Hollywood film industry.

While freeing itself from the burden of history, television still labored to keep up with important breaking news. Time — a great deal of time — was found to cover the story of a black church that canceled its New Year's Eve services in order to avert an anticipated terrorist attack. There had been no indication whatever that such an attack was planned, but reporters were doing their best to stay on top of anything that might be happening. Speaking of religious items, there was equally long and thoughtful coverage of a hitherto obscure Roman Catholic priest who has made the unprecedented discovery that some people regard the rituals of his church as "old-fashioned" and "joyless." "That's why," he said, "I learned to play the guitar."

As self-conscious servants of the democratic (or at least the Democratic) ideal, network newsmen continued doing a heroic job of rescuing neighborhood meddlers and cranks from unjustified anonymity. As the year 2000 stole over the horizon, there were very few crusaders against tobacco, mobilizers of youth, academic Stalinists, environmental utopians, "advocates for the poor," scientific devotees of political causes, litigants for the obnoxious, unemployed political operatives, actors who long to perform before congressional committees, transsexual and transgender activists, vegetarians, people who are allergic to everything, people who think that leftwing books are continually being banned from the schools, people who think that rightwing books should be banned from the schools, people who think that Ronald Reagan was a Nazi, and people who think that O.J. Simpson was prosecuted because he is black — there were very few of these people, I say, who had not been discovered and engaged as expert consultants to one or more network news organizations.

But ingenuity has its limits. There are certain people

whom television will never allow to have their providentially allotted 15 minutes (or was it 15 hours?) of fame. There are certain themes that no responsible person would ever dream of pursuing on a network television broadcast, certain stories that you will never see on CNN, no matter how many millennia of its "coverage" you endure.

You don't believe me? Just imagine being told that these stories will turn up on the six o'clock news:

Network Hysteria. Is television being used to incite racial fears? Paranoia — and who's responsible!

Secondhand Lies. How scientists misrepresented the tobacco danger.

A Contest of Tyrannies. New evidence indicates that Joseph Stalin may have committed worse crimes than even Joseph McCarthy. The latest on this astounding story.

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You May Be Next! Antidrug fanatics, and the victims they prey on.

Buddy, Can You Spare a Dime? The minimum wage and its war on the poor.

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The Million Man March. The latest conference of American militias: 10 hours of live coverage.

Star Aid. Hollywood's benefit for victims of homelessness under the Clinton administration.

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Kennedy the Conservative. JFK cut taxes — and changed the nation!

While America Stands Idle. People around the world are wondering: when will the United States intervene on behalf of Asia's persecuted Christians?

Merchants of Deafness. Rap artists get rich while your kids lose their hearing. What you can do about harmful noise.

I Could Have Been Rich. Glenda Peters is old and poor, but she would have been a millionaire — if she hadn't invested in the Social Security Scam.

How Much Should You Really Pay? Our consumer affairs expert shops for the best deals in municipal services — and finds that they're all offered by nongovernmental operations.

Whose Life Is It, Anyway? Experts reveal: half your life is

taken by government! Don't miss it, on today's edition of *Oprah*.

No, these stories are far too remote from the concerns of real Americans to merit any attention from TV. —Stephen Cox

A geek is a terrible thing to waste — Part of President Clinton's \$2 billion proposal to thwart what the friends of the megastate refer to as "cyber-terrorism" is a scholarship program for computer geeks. The federal government (otherwise known as "just us") would fund college education for computer specialists who agreed to serve a term of indentured servitude in the government, perhaps as part of a new institute designed "to help plug computer security research gaps."

The initiative came in the wake of several news stories bemoaning the fact that at civil service wages (even with all the security and pension benefits), the government has lately been unable to attract enough computer specialists to begin to try to keep up with the private sector. The opportunities in the private cyber-sectors are just too attractive; only the time-servers are willing to go into government. That strikes many of us as wonderful news, but not Mr. Clinton. So he'll just use the taxpayers' money to tweak the market. Is there any chance we can laugh this proposal out of existence by referring to it as a "cyber-draft"? —Alan Bock

What America needs is a better whoopee cushion — In the past, a staple advertising ploy of the gift-giving season was "for the man who has everything." If you were stumped for a present, you could give this materialist "something to put it in," or perhaps an extravagant non-essential like a gold toothpick or a gag gift like a pet rock.

Times have changed, however. Thanks to our incredibly productive society, the "man who has everything" is legion. He no longer merits merely a present — entire industries are organized to satisfy his whims. Nonessential extravagances are awesomely rich and complicated, whether they are video games, nouvelle American "lite" cuisine, genealogical research, California wines, Beanie Babies, or NASCAR race memorabilia. As for "something to put it in," we have larger homes than ever before, storage items from the "Hold Everything" catalog, and mini-storage units that we can rent. Only in the area of gag gifts may we be wanting. With all this wealth to manage, who has time to laugh? —Jane Shaw

Anarchists for big government — A Eugene, Oregon group calling itself the Anarchist Action Collective claims responsibility for window smashing at the WTO meeting in Seattle. A statement put out by the oxymoronic group says they believe in "total autonomy and personal responsibility." It adds that breaking windows is "a direct personal connection with a world that is ordinarily completely out of your control" that "tells McDonalds that for at least one day, they cannot use a shiny new window to make money at everyone else's expense."

The Anarchist Action Collective supports French farmers who want the government to subsidize them and protect them from foreign competition. That's not autonomy; that's dependence. They support AFL-CIO demands that the U.S. government protect workers from foreign competition.

That's not personal responsibility; that's Big Brother. And they want to give Congress the power to prevent me from buying goods made in other countries. That's not autonomy; that's oppression.

The contradictions are too many and too obvious to enumerate. Maybe libertarians should forget about presidential politics and instead spend their money on educational programs for high-school and college students. —Randal O'Toole

Throw in a couple of virgins — Bill Clinton has announced a five billion dollar "New Markets" initiative that will help inner cities and needy rural areas compete with foreign markets for industry. The goddess misfortune must constantly be appeased by throwing money into the volcano of bureaucracy. —Tim Slagle

Inventions of the century — The twentieth century was a time of exploding new technology, of invention on a scale never before dreamed of. Trying to identify which invention has benefited mankind most is an almost impossible task. The automobile lowered transportation costs and increased human mobility on an unimaginable scale. The microcomputer increased human productivity geometrically. The Internet has already transformed information retrieval and it holds the potential to revolutionize the marketplace by minimizing transaction costs. Television has revolutionized how we spend our leisure time. All of these are plausible candidates for the title of "best invention." But how do you choose just one?

Sierra, the magazine of "exploring, enjoying, and protecting the planet" recently posed this question to a group of experts. The answers were edifying.

- "Fiber-optic cable," said Kevin Kelly of *Wired* magazine. Well, okay. There's a certain plausibility there: fiber-optic cable has already cut the cost of data transfer tremendously. But then things went off the deep end.

- "Permaculture," said Kim Stanley Robinson, author of *Antarctica*. Huh? Just what is "permaculture"? Happily, Robinson explains: "the creation of productive and sustainable landscapes through means that leave minimal human impact . . . with [a] fusion of justice, sustainability and meaning." Oh yeah. Humanity has benefited a lot from that.

- "Gaia Theory," said Paul Allen of the Centre for Alternative Technology. If Allen thinks "Gaia Theory" is the invention that's done the most good, then you have to wonder just what sort of "Alternative Technology" his center is promoting.



"Hello, 911? — All the liquor stores are closed!"

• "Public television," answered Gray Brechin, geographer. Why? Because, Brechin explains, it "was invented as a breathing hole through the thick ice of commercialism and government spin." (I am not making this up: Brechin actually believes that you can avoid government influence on television programming by having the government own and operate a television network. And the editors of *Sierra* apparently think this character's opinion is intelligent.)

But the most amusing answer I've heard comes not from the goofballs at *Sierra*, but from those at the United States Department of Commerce, which issued a New Year's press release touting the invention of Gross Domestic Product by Commerce Department bureaucrat Simon Kuznets. GDP is a big number that government bureaucrats and other idiots make a big deal out of: it's supposed to represent the total value of goods and services in the country during a year.

Unfortunately, it makes very little sense, since it does not include productive work that is not paid for. Suppose, for example, that Sally and John are married and share a home which John takes care of, and that Bob is Sally's assistant at work. Sally makes \$50,000 at her job, Bob makes \$12,000 as her assistant, and John gets paid nothing as a homemaker. The work of the three of them adds a total of \$62,000 to the U.S. GDP.

Now suppose that John is better suited to be Sally's assistant and Bob is an excellent housekeeper. So Sally hires John for \$12,000 per year, which John uses to pay Bob to do the housework. The outcome is exactly the same as in our first case: Sally and John have a net income of \$50,000 per year and Bob has an income of \$12,000. But in this case, the work of the three of them adds \$74,000 to GDP. The increase in GDP is reported in the papers as evidence that the economy is more prosperous, various government bureaucrats start chaining regulations to the economy to reflect the higher GDP, etc.

Nevertheless, the Commerce Department touted GDP as the invention that "helped the country win World War II." Commerce Secretary William Daley also claimed that "Without the big picture the GDP gives us, [government bureaucrats] would not have had the information they need to figure out what's going on in our economy and take appropriate action." But now that they do have that exact, yet "big-

continued on page 12

Liberty Live . . .

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The 1999 Liberty Group — Join Bill Bradford, Tim Slagle, Fred Smith, Durk Pearson and Alan Bock as they presciently analyze the current political madhouse and slaughter sacred cows with abandon. This is a fast-paced journey of libertarian commentary that explores the issues of the day and predicts outcomes for the elections of tomorrow. (audio: A401; no video available)

How Environmental Regulation Prevents People From Protecting the Environment — Environmental economist Rick Stroup explains how iron-fisted regulators provide powerful incentives against private landowners caring for the environment. (audio: A402; video: V402)

The U.S. Forest Service: America's Experiment in Soviet Socialism — The country's premier expert on the U.S. Forest Service, Randal O'Toole, tells a sad tale of excessive road building, clearcutting and the strangling effects of Soviet-style centralized decision-making. (audio: A403; video: V403)

Environmental Religion in the Schools — Author Jane Shaw explores how schools indoctrinate children in the New Religion of Mother Earth. In this religion, wealth and production are among the deadly sins. (audio: A404; video: V404)

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

Advancing Liberty in the Courts — Washington Supreme Court Justice Richard Sanders explains how libertarians get more bang for their buck by supporting judicial candidates. You'll hear how one libertarian justice can make a huge difference! (audio: A406; video: V406)

A Libertarian in Congress — The sole libertarian in Congress, Ron Paul, on the art of building coalitions and on how he led the effort to slay the privacy-invading Know Your Customer regulations. Hear him recount the history of the Social Security number as an identifier, and learn how laws on immigration, welfare reform, and health care are shredding your privacy. (audio: A407; video: V407)

Does the Libertarian Party Have a Future? — R.W. Bradford makes a powerful case that the LP is failing to advance freedom, and suggests a controversial new approach that could lead to a political breakthrough. Judge for yourself whether the provocative strategy he outlines will propel the LP into the big leagues. (audio: A408; video: V408)

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

Share the Excitement!

Selling Liberty in an Illiberal World — Fred Smith offers a revolutionary approach to spreading libertarian ideas, and explains how to frame issues for maximum appeal. (audio: A410; video: V410)

Contracts and the Net — The Internet will reshape contract law, argues David Friedman, at the expense of judicial power. Learn how netizens are developing institutions to allow for private litigation, and hear how arbitration and reputation loss are actually more potent on the Net than in real space. (audio: A411; video: V411)

How to Write Op-Eds and Get Them Published — Join former *Business Week* editor Jane Shaw, *Orange County Register* senior columnist Alan Bock and *Seattle Post-Intelligencer* business reporter Bruce Ramsey for a workshop on how you can air your opinions in the newspaper. Learn Jane's six points that will send you on your way to publication, and hear the one phrase which Ramsey says is taboo at his paper. (audio: A412; video: V412)

What Does Economics Have to Do With the Law, and What Do Both Have to Do With Libertarianism? — David Friedman explores how economics and law relate to each other and to libertarianism. (audio: A413; video V413)

Urban Sprawl, Liberty and the State — Urban sprawl may turn out to be one of the hot-button issues of the next election. Learn why environmentalists want you caged in cities, and how they plan to do it, with Jane Shaw, Richard Stroup, Fred Smith, and Randal O'Toole. (audio: A414; video: V414)

My Dinner With James Madison — Scott Reid views modern America through the eyes of a Founding Father. Our Madison discusses some little known alternatives considered at the Constitutional Convention, and why they would have been better for freedom. (audio: A415; video: V415)

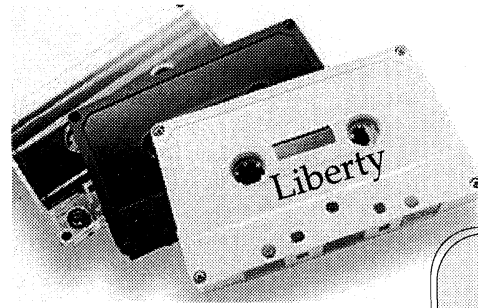
The New Liberty and the Old — R.W. Bradford explains how fundamental changes are reshaping the libertarian movement, and forthrightly takes on the advocates of the non-aggression imperative. (audio: A416; video: V416)

Using the First Amendment to Smash the State — Durk Pearson and Sandy Shaw tell how they've used the First Amendment to wage total war against the government. Learn how they brought the FDA to its knees, and share their secrets for successful litigation. (audio: A417; video: V417)

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

End the Drug War or Forget About Freedom — Alan Bock journeys to the heart of darkness in America's failed effort at drug prohibition. The casualties of the war, says Bock, are a lot of harmless people and your civil rights. (audio: A419; video: V419)

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



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picture," information, I'm sure that they're taking that appropriate action.

I am happy to say that there is one important invention that did not have to wait until the twentieth century, an invention that is available for use whenever one encounters such opinions as those I have cited here. That invention is a sense of smell.

—R. W. Bradford

Good shortage — An early January news story tells of a GAO report that the Immigration and Naturalization Service failed to hire the 1,000 new agents Congress had ordered it to hire. Three-fourths of the potential recruits failed to show up for initial interviews, and most who took the written test failed it. I see this as more good news. When the government has trouble hiring enough thugs to do jobs that shouldn't be done, how can it be otherwise?

—Alan Bock

Eyes on the prize — Al Gore's campaign manager, Donna Brazile, race-baited the Republicans by saying they'd rather pose for photos with black children than help feed them. The Republicans took offense and whined something like, "That's not true!" Too bad the GOP isn't capable of saying, "Only a racist would think that black people need more than liberty to improve their families' living standards."

—Sheldon Richman

No pay, no play — The part of George W. Bush's proposed tax cut that worries us is that it would reduce by some 40,000,000 (or so Bush says) the people who have to pay *any* income taxes. While it is great that so many people will be free of income taxes, the fact that those people can continue to vote themselves benefits from the remaining taxpayers is a serious moral hazard. These folks will no longer have any incentive to favor reduced government spending because they will be receiving no signal (in the form of their own income taxes) that their demands are placing a burden on others.

As long as people can vote to spend other people's money, we think it best that they be required to share the burden that their demands create. Nobody should be paying nothing while being unlimited in what he/she can demand and receive.

Moreover, by putting so many people in the 10 percent or less bracket — more than half of the population — Bush would create an immense constituency that will oppose changing to a flat tax which would have to be somewhere in the 15% to 18% range, unless spending were cut, or eliminating the income tax altogether and replacing it with a national sales tax, which would also hit them harder.

Bush's tax proposal would thus have the terrible unintended consequence of locking us into the current steeply progressive Marxist income tax rip-off.

—Sandy Shaw & Durk Pearson

Deeper and deeper — When you're knee-deep in trouble, do you start to think about getting out or do you take steps to get yourself in even deeper? President Clinton, facing failure in the vaunted drug war in Colombia, wants to sink another \$1.3 billion of our money into the morass. \$600 million will be in military assistance, which means intervening in a civil war that shows few signs of being

amenable to intervention. Some \$145 million will go for economic assistance to farmers and villagers displaced by the intensified war. House Republicans, of course, complained only that it should have come sooner and have involved more money.

—Alan W. Bock

Eat a clone — California may be the first state in the world to have honored cloning with a designated tourist site. State Historical Landmark 20 lies in Riverside between Arlington and Magnolia Avenues. There grows the Washington navel orange tree that Eliza Tibbets first planted in 1873. The tree still produces navel oranges. Tibbets ordered two navel-orange cuttings from Brazil by way of government scientists in Washington, D. C. She named the navel variety in honor of this Washington connection.

The navel oranges you have eaten likely grew on genetic clones of the Tibbets tree. Budwood from the Tibbets tree began the citrus boom in California. Washington navels remain the most popular navel-orange variety. Most other navel varieties (such as "Robertson" and "Late Lane") mutated from Washington clones.

Navel oranges have unstable genes. They propagate faithfully only through buds or twigs cut from the tree and then grafted onto the rootstock of other citrus. My neighbor once grew a Washington navel tree from seed. The tree was sterile and had twisted branches and wrinkled leaves. It looked like a prop from a 1950s science-fiction movie. We cut it down and replaced it with a proper grafted lime clone.

Navel orange trees are so unstable that the genes of branches can mutate away from the rest of the tree and produce "sports." A Washington navel in Brazil recently produced a sport branch that grew oranges with flesh the pink color of a ruby red grapefruit. Clones from this sport count as a new variety called "Cara Cara."

What holds for navel oranges holds for almost all commercial fruit: They grow on clones. Look at the base of almost any fruit or nut tree and you will see the scar or "callos" where someone once grafted a scion bud or twig cutting onto the rootstock. The bearing part of the tree has the same genes as the fruit tree from which someone cut the bud or twig. This is a botanical version of cuckoldry. The genes of the roots bear no relation to the genes of the upper fruiting part of the tree. The human analogue would be to remove one person's sex organs and replace them with someone else's.

The feds grant patents on new clones. The University of



"Okay, I'll let your people go — but don't come crying to me when the Arabs get after you."

California gets a royalty each time someone sells a grafted cutting from its new "Oro Blanco" grapefruit. This grapefruit blends the genes of the common white "Marsh" grapefruit with those of the larger and sweeter pummelo.

Fruit breeder Floyd Zaiger has become over the last 50 years perhaps the leading clone master in the world. He has 125 acres of experimental fruit clones in Modesto. Zaiger has to protect his clones from "cultivar rustlers" who try to steal budwood at night. Bounty hunters and DNA tests help him enforce his property rights in his patented clones. Zaiger's most famous creations are his "aprium" and "pluot" clones that combine apricot and plum genes. Apriums are mostly apricots while pluots are a more equal mix of apricot and plum. He has also created many other varieties of fruit trees that fruit well in warm regions of the southwest and southeast. Zaiger himself trained with nectarine creator Fred Anderson. Anderson in turn trained with Luther Burbank.

Now Zaiger's cloning empire could be at risk. Europe's "plum pox" tree virus has just arrived in the U.S. The virus first struck near Gettysburg and now threatens to spread to the whole U.S. prunus genus from plums to almonds. But new "vaccinated" clones may stop it. Fruit breeders used some of the plum-pox virus to create a resistant plum variety called C-5.

Governments also grant patents on parts of the human genome. The U.S. Patent and Trademark Office grants patents on genes and DNA clones. It honors like patents from the European Patent Office and Japanese Patent Office. You can't just patent any strip of DNA. But you can patent it if you "demonstrate utility" for the genetic "invention." The Japanese firm Helix Research Institute has filed for patents on more than 6,000 human (full-length complementary) DNA clones. Japan's Ministry of International Trade and Industry says it will patent a "portfolio" of DNA clones for a planned 20-firm biotech consortium. MITI also sponsors Helix.

Meanwhile some of us still look in awe at the seedless watermelon.

—Bart Kosko

Only his geneticist knows for sure — An interesting little tidbit appeared in the January 7, 2000 *Wall Street Journal*. It follows the reporting in *Nature* that a rare genetic polymorphism (variation) found in the "Y" chromosome of the men of Thomas Jefferson's family was discovered in a modern descendant of Sally Heming (T. Jefferson's slave). This might mean that Thomas Jefferson fathered a child with her. Then again it might not. As discussions that followed in the pages of *Nature* noted, the polymorphism was a feature that would have been carried by all the male Jeffersons at the time that Thomas Jefferson lived, as well as those in the subsequent unbroken paternal line of male Jeffersons. Hence, there were several men, including his brother Randolph, who could have been implicated. In the meantime, popular newspaper and magazine articles have appeared to revel in the idea of bringing Thomas Jefferson down by spreading the news of his supposed affair with Sally.

It is still possible, though, that Thomas Jefferson fathered one of Hemings' children since he did possess the rare genetic polymorphism on his "Y" chromosome. Now, reports the *Journal*, Herbert Barker has located in Kansas the long-lost grave of William Hemings, son of Madison

Hemings, who (it is said here) maintained during his lifetime that he was Thomas Jefferson's son. DNA from the remains in the grave might provide an opportunity for directly testing the hypothesis because the DNA would come from an unbroken line of male descendants. Unfortunately, reports the *Journal*, Hemings' descendants oppose the tests, saying that the oral tradition is good enough for them. Right. But is it good enough when better evidence goes unexamined? On the slippery slope of genetic testing, you may find out things you never wanted to know and things you never wanted anyone else to know.

We would be sorry to hear that Thomas Jefferson had a kid by a slave of his, just as we were sorry that he had slaves in the first place. But, yes, we would like to know what the DNA from the new grave can tell us, so that we are not ruled by oral traditions rather than scientifically verified facts.

—Sandy Shaw and Durk Pearson

Republican justice — According to the 4th Amendment to the U.S. Constitution, "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

On January 12, the Supreme Court ruled that it is reasonable for a policeman to chase, stop, and search a person who "flees" from them. This isn't exactly shocking: the Supreme Court has in the past ruled that neither government-mandated segregation nor tossing people of Japanese ancestry into concentration camps violates the 14th Amendment's guarantee of "equal protection under the laws."

What's interesting is the politics of the current decision. Whenever I suggest to any of my conservative-oriented libertarian friends that Democratic presidents are less harmful to the country than Republican presidents, I am immediately told that while Republican presidents make horrible policy decisions, the people they appoint to the Supreme Court are so much better than anyone a Democratic president would appoint that their terrible policies fade into insignificance.

So who voted against this decision? Not libertarian favorite Clarence Thomas. Not Mr. Justice Scalia. Not conservative Anthony Kennedy. Not Sandra Day O'Connor or her classmate William Rehnquist. Nope. Opposition came only from Justices Breyer and Ginsburg — the two justices that Bill Clinton appointed — and the two turncoat conservatives, Souter and Stevens.

So, thanks to these nominees of these Republican presidents, the next time you see a policeman, the best advice is to "freeze," whether or not the policeman orders you to.

—R. W. Bradford

Bucks for the bang — On December 9th, The United States agreed on compensation for NATO's bombing of the Chinese Embassy in Yugoslavia and damage to U.S. offices done by stone-throwing Chinese protesters. The United States agreed to pay \$28 million for damage done to China's embassy in Belgrade plus \$4.5 million in compensation to the Chinese injured and the families of those killed.

\$28 million is a lot of money, enough so that some can be kicked back as donations to the Gore campaign. And \$1.5 million per casualty seems excessive for a country where workers earn \$75 dollars a month.

Considering the campaign contributions that came from China, and a bombing that was nothing more than a cover for a Presidential indiscretion, China had it coming. Not counting the cost of the bombs, that one mistake cost taxpayers \$32.5 million. Compared to the comedy the \$40 million Starr investigation provided, Ken Starr was a much better value.

—Tim Slagle

Spare the rod, spoil the parent — Parents of chronic truants are going to jail more often. George E. Ward, a Detroit prosecutor, tells parents they must get their children to school or "face a misdemeanor charge of parental neglect." Considering the quality of public education in the Motor City and elsewhere, some parents should face a misdemeanor charge of parental neglect for *sending* their kids to public school.

Consider some other implications of seeing public schooling as it is. Surely some imaginative attorney will sue parents for negligent school selection when their child is murdered or badly injured at a public school. Also, perhaps the parent with primary custody of a child will lose custody because of sending the child to the wrong public school, or any public school. (Remember, the standard is the best interest of the child.)

The new program has destroyed some families. In Illinois, Angela Hesse was jailed for two weeks. She said she lost her job after caseworkers repeatedly called on her at work regarding her children's truancy. Illinois prosecutor Craig Chval said threats of jail time had improved attendance for many other chronic truants and were not intended to tear apart families. But Hesse's two teenage children have been taken away by the state. She said "It has torn our family completely apart. I'm getting ready to go through a divorce."

Schools are striving to improve low standardized test scores and reduce dropout rates. They are convinced kids can't learn without coming to class, and are trying new ways to dragoon the consumer. Jailing parents follows failure of

revocation of a truant's drivers' license and rounding up kids at the mall during school hours. But for older kids, all the approaches are hopeless. Even when parents take kids to school, some are internal truants (hanging out in the lunchroom) and others run out after the parent leaves. A better solution: Entice kids with an interesting, competent education. What is the truancy rate at private schools?

—Martin M. Solomon

Burning bright — We have been celebrating men of the century and, of course, the "man of the year." If we had been celebrating a man of, say, the past few years, I would nominate Tiger Woods.

As most people know, in 1997 at age 21, Tiger Woods became the youngest person to win the Masters Tournament, one of the four major golf tournaments. He could have rested on this success and looked good for years, but he was dissatisfied with his swing. In September 1997 he started over, completely revamping his attack on the ball. It was a costly change — after winning the Masters by 12 strokes (a record that still stands), he only won a single PGA tournament in 1998.

Many people wrote him off, suggesting that his victories had gone to his head — he appeared on the cover of *National Enquirer* and was later photographed at a nightclub dancing with a "buxom blonde" under an *Enquirer* headline saying "Tiger's Wild Night with Topless Dancer."

In fact, however, he spent most of his working time modifying his swing so that he could hit more accurately, even if it cost him some distance. And he achieved his goal. He began winning tournaments again in 1999, including the PGA Championship at Medinah, Illinois. His streak has continued. His new record of five consecutive PGA tour victories is the best in the past half-century.

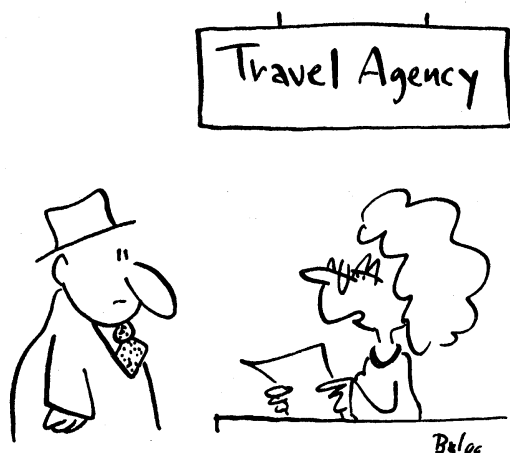
Golf is just a sport, but sports surround us these days and the symbols and images of sports permeate our lives. I am impressed by this simple but powerful story. Tiger Woods looked objectively at his talent and saw its flaws. He was not dazzled — or discouraged — by what others thought. He corrected the weaknesses and built the foundation of an even more impressive future. We can all be inspired by his example.

—Jane S. Shaw

Bailiffs need work, too — In a case in Tampa, it was discovered that undercover agents sold cocaine to people, and the FBI installed remote kill switches to immobilize their cars so State troopers could search the vehicles. One wonders why we even bother with trials.

—Tim Slagle

Disparity Forever! — Public-policy experts and social reformers always have one cause for indignation when all else fails. Consider, for instance, a recent column by Walter Williams in the *Seattle Times*, headlined "Income Disparities Drive Nation Apart." (The author is a local academic, not the famous George Mason University economist.) According to him, something called the Center on Budget and Policy Priorities had just released a study showing that "In 1999, the richest 1 percent of the population is projected to receive as much after-tax income as the bottom 38 percent combined. That is, the 2.7 million Americans with the largest incomes are expected to receive as much after-tax income as the 100



"If that's all you have budgeted, I'd recommend that you hitchhike to Wichita."

million Americans with the lowest incomes." (Italics his.)

The misuse of one word in that statement makes a sham of the whole study. Income is not "received" but *earned*, as everyone who earns a living is well aware. Using the term "receive," the center insinuates that people's incomes have no relation to the value of their work, that a few somehow get far more than they deserve while many others get far less.

Williams goes on to complain that "wealth is far more unevenly distributed than income" — again, as if wealth were never built or earned by anyone, but only "distributed" unjustly. Even if we excuse these perversions, the study proves nothing anyway but a banal obvious fact of American life — that in a given time period, among the whole population of every age, occupation, skill, education, and temperament, there are huge "disparities" of income and wealth.

Williams concludes that "the critical need is for the poor and middle class to make reasonable gains on the wealthy." He has it all wrong, in the worst way. Income and wealth disparity are not only inevitable in a free society but beneficial. The true threat to civilization is not other people's success, but the griping and envy about it by the likes of Williams. Fortunately, in America, the result of this has been mainly wasted time, tax dollars and newsprint. In Bolshevik Russia and Nazi Germany, envy over wealth disparity led to famine, war, and genocide. Williams may be sincere in his wish for only "reasonable gains" here. But I challenge him to name one society in the 20th century that ever reduced this disparity, without imposing many far worse evils in its place.

The critical need is for Americans to smarten up! If we wish to improve our lot in life from poor to middle-class or from middle-class to rich, we need to exert our own selves first. Let us applaud one another's success, emulate it as we can, partake of the benefits it offers us, and damn all griping and envy about it to hell.

— John Clark

Wired for an audit — Bill Clinton proposed a ten dollar tax credit to people who file taxes electronically. Treasury Secretary Lawrence Summers said the idea is to encourage more people to file returns via either the Internet or the telephone to improve efficiency at the IRS.

I don't want to make the IRS more efficient, I want to burden them with as much paperwork as possible. When I file, I prophylactically add schedules and forms that are not required, just to make them work harder. As far as filing electronically, I get nervous knowing that my hard drive will be linked to IRS computers, even if it's for only a millisecond.

—Tim Slagle

IPO, RIP — I've recently joined a pre-IPO dot-com start-up called eGroups, Inc., so I have been giving quite a bit of thought to the Internet and Initial Public Offerings.

The stock options that I have been promised as part of my compensation will be substantially more valuable on the day after eGroups is publicly listed than the day before. Why? It will be the same company with the same assets, liabilities, customers, and competitors. The answer is liquidity. Because of the ready market for its stock, a publicly listed company is simply more valuable than the same company, not yet listed.

But this is going to change. The impact of the Internet on any market that is largely information driven (and capital markets are nothing if not information driven) will be revolutionary. The revolution in the securities market is going to be the emergence of a single, unregulated, global, twenty-four by seven market for securities.

The result of this vastly more efficient capital market will be that the ritual of being "publicly listed" will go away. A liquid market will exist even for companies that are very small and high risk. As these companies prove themselves, they will gradually, rather than suddenly, be seen as viable candidates for the portfolios of the typical investor.

So the IPO, made famous by the success of so many Internet companies, will be killed by the success of the Internet. Just so it doesn't happen before eGroups goes public!

— Jon Kalb

I'll take the 14th — Since Gene Healy has now granted some of my arguments in defense of the Fourteenth Amendment, yet still casts me among "the forces of centralization," let me take a moment to address just a few of the confusions that remain between us. (See his "Roger & Me," responding to my "In Defense of the Fourteenth Amendment," both in February's *Liberty*. The latter was a lengthy response in turn to Healy's earlier critique of my views, "Liberty, States' Rights, and the Most Dangerous Amendment," which ran in August's *Liberty*.) To frame this response, like many modern libertarians, I support the Fourteenth Amendment as a protection against state and local tyranny, despite its over and under utilization by both courts and Congress. Properly understood and applied, the amendment grants courts and Congress *limited* power to protect individual rights, not the expansive power Healy rightly condemns. By contrast, we see in his latest effort that Healy would "make common cause with decentralist conservatives" in the short term, then would "work toward restoring the good name of secession and states' rights" in the longer term. His concern, plainly, is with federal tyranny. It's not at all clear what he would do about state and local tyranny. Nor is it clear, as a practical matter, how we would get from here to there. As I urged last month, it may be wiser, in both the short and long terms, to come to grips with the true meaning and import of the Fourteenth Amendment.

Responding to my arguments supporting the amendment, Healy again homes in on the question of legitimacy: the amendment is illegitimate, he says, because it was rammed through after ratification efforts failed. Again, I quite agree that the amendment was not the product of immaculate conception; but as I wrote, to one degree or another that point applies to all government, and to the Constitution itself, including the ratification procedures on which Healy's complaint rests. Thus, looking only to consent, we're left to argue about degrees of legitimacy, which is why I've never grounded claims about legitimacy on consent alone but have always said that substance matters too. It's important to ask, that is, not only whether those in the original position consented but whether they "got it right"—substantively. Since the answer to the first question can never be deeply satisfying, we look for the best we can find there; then we turn to the substantive question.

Regarding that first question, I believe I made a fairly

compelling case that we needed to put in perspective the initial failure of the southern states to ratify the amendment just after the Civil War concluded: those states, at that time, were hardly exemplars of representative democracy. Indeed, the very fact that Congress deemed it necessary to impose military rule, through the Reconstruction Act of 1867, speaks volumes about the aftermath of the war. Thus, when Healy chides me for discounting those rejections, or the illegitimacy of the Reconstruction Act, he invites us to believe that once the war "ended," it was back to constitutional normalcy. Would that the world were that neat. As for the contrast with FDR's machinations, where constitutional consent was never even sought, I'm afraid that Healy's contention that consent *might* have been given rings hollow. This is not the place to detail the differences between the two periods, but I do believe those differences support my contention that the post-Civil War efforts "came close" to satisfying the constitutional requirements that the New Deal crowd simply ignored.

Nevertheless, given the infirmity of consent under even the best of circumstances, we have to look to substance to buttress arguments for legitimacy. Here, unfortunately, Healy raises a host of questions, the effect of which is to come close to saying that I'm "willing to let moral theory trump constitutionalism." Let me state unambiguously that that is *not* my view, as my remarks about the Sixteenth Amendment should have made clear. Nevertheless, drawing upon both text and history, moral theory and constitutionalism must be put together in such a way as to do justice to both, insofar as possible. Obviously, that is a *very* complex and often subtle undertaking, well beyond my scope here. I've written about it extensively elsewhere.

Regarding Healy's second line of argument, that the Fourteenth Amendment confers "vast powers" on courts and the Congress, here too he misstates my views in certain respects, although in one case understandably. Taking the courts first, my remark that almost every example in Healy's "parade of horrors" involved the hopelessly confused area of race discrimination was meant to serve a larger point, as a careful reading of the relevant passage should show: Jim Crow laws, and our subsequent efforts to remedy them, have seriously compromised the distinction between private and public. Thus, Healy's analogy invoking British socialism and class simply misses the point.

But so does his contention that *Brown v. Board of Education* led to "a massive judicial power grab." Judicial overreaching and abuse did indeed follow *Brown*, as I fully granted. But the decision in that case, setting aside its rationale, was necessary to rectify the judicial abdication that occurred in *Plessy v. Ferguson*. I grant that judicial overreaching is no better than judicial abdication. But abuse of a power, in either direction, is no justification for abandoning it. The power must stand or fall on its own merits, except when abuses become so numerous or serious as to suggest that it *cannot* be rightly exercised. I do not believe we've reached that point here. Thus, I support reviving the Privileges or Immunities Clause, even though judges might abuse it, because in the end I am a constitutionalist — and the clause is right there, in the Constitution. Healy would ignore the clause. Indeed, he criticizes the Court for invoking it recently in the *Saenz* case because it was misused, he

believes, "to frustrate welfare reform in California." No, it was used to ensure equal protection of the laws.

Turning to the role of Congress in enforcing the Fourteenth Amendment, here I need to clarify something. I do *not* believe that "Congress has the power to 'enforce' our natural rights at all levels of government," as Healy suggests in a note. I can understand how he might have thought that, however, because in an essay in Cato's *Handbook for the 105th Congress* I wrongly implied, as he observes, that some federalization of crime might be authorized under section 5 of the Fourteenth Amendment. The issues here are vexing, to say the least, and I admit that I have still not thought them out fully — nor, of course, has the Court. In brief, our natural rights against each other are enforced under the police power, which belongs to the states, not to the federal government. Section 1 of the Fourteenth Amendment ensures those rights against *state* violation only: "No *state* shall abridge, deprive, or deny." Ordinary enforcement of those guarantees is through the courts, state and federal alike. But Congress *also* has the power, in section 5, "to enforce" those guarantees against the states. But how? A strict, textual reading, which I am inclined toward, directs Congress's remedies against the *states*. That raises many questions, especially regarding the Equal Protection Clause. A broader reading allows Congress to create federal remedies when states fail to provide adequate remedies for private wrongs. That reading, I believe, is wrong, because the provisions of section 1 that Congress is authorized to enforce speak only of *state* wrongs, even though those wrongs may concern private wrongs a state may have failed to remedy.

Having clarified that ambiguity — which was drawn from the *Handbook* article, not from the *Liberty* response — I want to note that it should be clear also that I do *not* want to repeal or even weaken the state action doctrine, as Healy charges. He bases that contention on my view that the Fourteenth Amendment protects against both state *actions* and state *omissions* (as in equal protection cases). "Protecting against state 'omission,'" he writes, "is equivalent to protecting against private action." True, but not directly, and therein lies the crucial difference. If the narrow, textual reading is right, Congress is authorized, if necessary, to compel states to provide equal protection of the laws (I leave open just how, which is no small matter). It is *not* authorized to substitute and exercise its own general federal police power, which it does not have (except in federal territory). Indeed, that is just the issue at stake in the *Morrison* case the Supreme Court heard in January, which Healy mentions, in which Cato and the Institute for Justice filed a brief setting forth that position.

Thus, to conclude, I would take strong exception to Healy's conclusion that libertarians should promote a "narrow" reading of the Fourteenth Amendment because it's smart and because "the original meaning of that amendment doesn't matter much." As his entire argument makes clear, especially his defense of *Slaughterhouse*, Healey's "narrow" reading is tantamount to ignoring the amendment altogether. If protection against state and local tyranny matters, then the original meaning of the amendment matters too, and the smart thing to do is to rediscover it. Federal tyranny is a problem, to be sure, but it is not the only problem we face.

—Roger Pilon

The New Man in Russia

by Yuri Maltsev

Boris Yeltsin resigned and left spymaster-terrorist Vladimir Putin in his place.

On the last day of the last Millennium President Boris Yeltsin melodramatically resigned, asking his fellow Russians for forgiveness for "frustrated hopes and betrayed aspirations." Rightly so, for his sins were great. Very few leaders in modern history approach his mastery of Orwellian Newspeak. With the active support of the Clinton administration, he betrayed Russian hopes for freedom and prosperity. The Russian Parliament was crushed in 1994 with the ferocity of a Waco operation and the words "free market" and "democracy" became a sad travesty. Nobel Prize winner Alexander Solzhenitsyn characterized Russian affairs in the following way: "Russia has no semblance of democracy and is far from real market reform. Russia's present rulers are hardly better than the Communists were. A stable and tight oligarchy of 150-200 people is deciding the fate of the nation. For the past ten years, leaders have robbed their own people of national wealth, pocketing billions of dollars, impoverished millions, possibly leading thousands to their death."

The widespread frustration with the failure of Gorbachev's perestroika and subsequent "free market" reforms of Yeltsin's government led to a situation where every new announcement of impending reform causes perverse public responses; every new law passed, ostensibly to increase freedom, only increases opportunities for fines and bribes. Every law that has promised stability in taxation and established rules of economic conduct has been overtly undermined in order to preserve the opportunity for willful government expropriations.

Yeltsin departed leaving not only frustrated hopes but a ruined economy, looted treasury, revived ethnic hatred and social envy, and endemic corruption. But these all pale compared to the worst part of his legacy: making Prime Minister Vladimir Putin the country's acting president.

There is no doubt that Putin will win the presidency in the March 26 elections. In Russian history people like him never gave up power once they were at the top. Especially

people like Putin — a KGB spy, a believer in big centralized government, and a ruthless murderer of Chechens. Russian politicians immediately recognized the Arrival of the Master. The council of the political movement "Russia is Our Home" (NDR) on January 9 made the decision to support Putin's bid for the Russian presidency in the March elections. "The council recommended that grass-roots organizations be active in support of Putin's candidacy." Its leader, former Prime Minister and himself a presidential aspirant Viktor Chernomyrdin, was one of the first to pledge his allegiance to Putin. All others followed the party line, leaving other candidates like Yevgeny Primakov and Grigory Yavlinsky with virtually no visible support.

Putin's professional life revolved around the KGB, where he was a career spy, promoted to the rank of colonel, one can only guess for what kind of "merits." Most of his KGB "work" was done in East Germany. Some of his colleagues called him "Stasi" (the name of the infamous East German secret police). He was a consummate Cold Warrior, pulling the strings of the East German government, and an "advisor" to East German dictator Erich Honneker.

Our Man in Moscow

Here, in the United States, the Clinton government and its misguided supporters proclaim that Mr. Yeltsin was a defender of democracy and Putin another reformer, worthy of U.S. taxpayer support. Both President Clinton and Secretary of State Madeleine Albright reminded us that "We have to remember the great role that President Yeltsin played." Tim Russert of NBC asked Albright on *Meet the Press* on January 2: "Do you believe that Boris Yeltsin resign-

ing, accepting immunity from criminal prosecution, and setting the election date in Russia in March rather than June is undemocratic?" Albright replied: "No. I think that, actually, what has happened is they have done this transfer of power in a democratic, transparent way. We have to remember the great role that President Yeltsin played. I mean, he was the first democratically elected president of Russia. He has abided by a variety of democratic principles and I think that this transfer of power to an acting president is something that we believe has taken place democratically. . . . I think what is very important here, though, is that the democratic

A cynical Russian saying goes: "The only lesson of history is that it does not teach us anything."

aspects of what Yeltsin has done need to be continued. We were quite encouraged by a speech that Acting President Putin made in the last 48 hours in which he talked about the importance of freedom of expression, of association, of press and his dedication to a rule of law."

Hiding behind his favorite mask of arrogant ignoramus, National Security Adviser Sandy Berger praised Putin's years as a "democratic reformer" in St. Petersburg. He also pointed out that "Acting President Putin enjoys strong support from the Russian people and a newly elected Duma." Yes, Putin was a Deputy Mayor of St. Petersburg appointed by the "liberal" Anatoly Sobchak, who sees Putin as the protector of "honest capitalism" and "true democracy."

I encountered Sobchak at an American Enterprise Institute function in 1999, where he presented the largely conservative audience with a talk on the merits of privatization. People in the room could not believe that Mr. Sobchak came out of the U.S.S.R. and not Thatcher's cabinet. He received a standing ovation, but there was something in his speech that placed me on alert. Feeling like a fool, I asked Mr. Sobchak whether he believed that some sectors should not be privatized. The answer I got proved my worst suspicions. I am quoting Mr. Sobchak's answer from my notes: "Many things. For example bakeries, which are too important for the people to be given to private hands." I approached him after his speech and meekly suggested that the most important sectors should be privatized first. Both Mr. and Mrs. Sobchak gave me such a hostile look that I became speechless and retreated.

Now the new buzzword of Russian "reformers" is this "honest capitalism" which I suspect, given the way "capitalism" works in Russia, is as oxymoronic as Gorbachev's concept of the "planned market economy." Really, what is dishonest capitalism? Socialism? Or Democratic Party fundraising? Or rent-seeking of our antitrust litigators?

In his New Year's Eve message Mr. Putin declared: "Any attempt to exceed the limits of the law and Russia's Constitution will be decisively crushed," stressing the last words of the sentence. Putin believes that the chief threat to freedom in Russia today is too little power in the central government, not too much. "Putin has a wonderful opportunity to become for Russia what the Roosevelts are for America," the "great reformer" Sobchak told *The New York Times*. "Theodore Roosevelt took on entrenched monopolies,

helping small businesses to thrive and competition to flourish. Franklin Roosevelt reworked the federal government to aid the poor, improve education and create a less crash-prone financial system." Both men "amassed state power over the government and economy to shape the capitalistic system that exists today." This is the ideal of the so-called reformers in Russia: Teddy and FDR "saving capitalism."

The Russian media is slightly more realistic than U.S. officials and newspapers: both pro-Kremlin *Kommersant* and pro-Communist *Sovietskaya Rossiya* described the transfer of power to Putin as an autocratic or even monarchist move. "Tsar's Gesture" was *Kommersant's* banner headline, while *Segodnya* proclaimed the "Good Tsar is left in the Old Century." *Izvestia* described the transfer of power as "Hereditary Democracy." "Boris Yeltsin has given us to his successor Vladimir Putin as a gift," political editor Tatiana Malkina wrote in *Vremya*. "Perhaps not everybody can detect the fundamental anti-democratic character [of this]. But the general cynicism of this high-class political combination is obvious even to a baby." Russian papers describe Putin as a "dark horse," "black box" and a "blank sheet of paper." "The majority of Russian citizens indeed know nothing about him," Svetlana Babayeva wrote in *Izvestia*. "And, what is curious, they don't need to. It is enough for the people that he is 'tough, honest and principled.'"

Killing Chechens for Fun and Political Profit

Vladimir Putin goes even further than the Roosevelts in his racism. FDR only sought to incarcerate Americans of Japanese ancestry in concentration camps during World War II; Putin claims that the "dark-skinned people must be annihilated; find them in the latrine and kill them." Putin's first official visit was to Chechnya giving orders, medals and hunting knives to the Russian military. Putin dismissed all statements about shelling of civilians in Chechnya as "an evil provocation," and did not rule out the involvement of some mysterious "Moslem countries" in this provocation.

William Saletan writes in *Slate* magazine that to please Putin, U.S. officials have begun to rephrase complaints about the war. When asked about Russian "atrocities," they

Every law that has promised stability in taxation and established rules of economic conduct has been overtly undermined in order to preserve the opportunity for willful government expropriations.

express regret about Russia's "actions." But they also frame the war as an unfortunate expression of a trait that could serve Putin well in other pursuits. When asked about Putin's vow to "annihilate" the Chechens, Albright called Putin "very determined" and "action-oriented." The media, too, have begun to use positive adjectives to describe Putin's conduct of the war: "aggressive," "tough-minded," "determined," "decisive," "uncompromising," and "no-nonsense."

It has become apparent that Russia's ruling elite finds incessant armed conflict in Chechnya necessary to keep its grip on power. With the Russian economy in chaos, inflation

continued on page 38

Greenspan Go Home

by Ron Paul

The media and political elites are unanimous in their enthusiasm for the re-appointment of Alan Greenspan. But is the world's most famous Ayn Rand disciple in over his head?

President Clinton's nomination of Alan Greenspan to a fourth term as Federal Reserve Board Chairman has been met with nearly unanimous praise. From Congressional leaders to Wall Street gurus, the announcement brought a sigh of relief that good times will continue. The only reservation I noticed was written by economist Mark Weisbrot, who worried that Greenspan might not inflate the currency fast enough. Virtually no one in Washington, on Wall Street, or in the financial media has challenged the inflationary policy of the Fed. They all seem convinced that the present prosperity will continue as long as the money wizard stays in charge.

In good times it's easy to forget severe recessions and commodity price inflation. Today, just about everyone endorses the New Era in prosperity that technology and Alan Greenspan have delivered to us. Inflation, as defined by a rising CPI, has been declared dead.

Everyone seems delighted that Greenspan will stay in charge, believing he can prevent an economic downturn with proper monetary management.

Sorry, but it's too late. Instead of depending on production and savings for capital, today's economy depends on new "capital" coming from the Fed's credit machine. When credit is created out of thin air for investment purposes and interest rates are driven artificially low, mal-investment results. This monetary inflation, of which we have had plenty, has already set the stage for the next recession.

Fiat money is incompatible with free markets. The distortions are already in place, and because the most recent economic cycle has lasted longer than usual, it means there's been more credit creation and distortion than usual. Therefore a bigger downturn will result. The only policy available to the Fed today is to further inflate the currency in an attempt to delay the inevitable correction.

No matter how astute a chairman of the Federal Reserve Board is, it's impossible to avoid recessions when managing a fiat monetary system. Alan Greenspan has been quite gen-

erous when it comes to creating new money. Since 1987 when Greenspan took over, high-powered money, as measured by the monetary base, has increased by 138%. This has resulted in an increase of nearly \$3 trillion of bank deposits as measured by M-3.* This new money creation keeps interest rates lower than they otherwise would be, making the banks and Wall Street happy. It also pleases the spendthrift politicians who during Greenspan's term have increased the national debt by \$3.5 trillion. Almost the entire increase in the national debt since 1987 has been monetized or paid for by printing new money.

Of course, any of us would "thrive" if we could increase our wealth at that rate with borrowing and counterfeiting — but for us, it's illegal. For now, foreigners' willingness to soak up our inflated dollars while selling us goods at discount makes us feel wealthier. But that will eventually end with higher interest rates, a weak dollar and much higher price inflation. When this takes place, increasing interest rates will only accelerate the painful correction.

Every time the market in the past three years threatened to bring on a correction, Chairman Greenspan rushed to the rescue — to the delight of everyone in Washington and New York — with a massive influx of new money and lower rates. In 1997 the excuse was the Asian crisis; in 1998 it was the failure of Long Term Capital Management; and in 1999 it was the potential Y2K crisis.

* M-3 is the sum of currency, demand deposits, and commercial bank time deposits other than large certificates of deposit, plus deposits at nonbank thrift institutions, such as savings banks and savings and loan associations.

In the past three months, bank credit has increased at a greater than 30% annual rate. Greenspan, in this past quarter, talked about "tight money" and raised overnight rates, but at the same time, he was actively inflating the currency.

This inflationary policy does alleviate the immediate financial crisis. But it does so by further inflating the financial bubble. It delays the correction but makes the situation ever more dangerous for all Americans. There will be a price to pay. Borrowing and creating credit out of thin air will never prove to be the way to permanent prosperity. When it

Alan Greenspan has been at the Fed too long. It seems he now believes in his own greatness. He should read his own analysis, and decline the nomination

comes to money there are no "New Eras." Economic law will prevail. The law of supply and demand applies to money as well as goods and services.

The Federal Reserve will always want to avert a collapse of the stock market, just as it did publicly with Long Term Capital Management. But it can only do that for a limited period of time. The markets will eventually rule. They always do.

Likewise, the world central banks have for years sold and loaned gold to keep the gold price artificially low. A rise in gold price is a vote of no confidence in paper. And it's in the interest of all central banks to keep this from happening. Their credibility is at stake. But we must remember, through the 50s and the 60s gold was "fixed" at \$35 an

ounce and in the 70s the markets overruled the powerful Fed and the U.S. Treasury and vetoed this price.

Alan Greenspan was once a free market adherent and gold standard advocate. Here's what he had to say about the Federal Reserve Board policy of the 1920s, when "experts" had also declared a "new era" of unending inflation-free economic growth:

The excess credit which the Fed pumped into the economy spilled over into the stock market — triggering a fantastic speculative boom. Belatedly, Federal Reserve officials attempted to sop up the excess reserves and finally succeeded in braking the boom. But it was too late. By 1929 the speculative imbalances had become so overwhelming that the attempt precipitated a sharp retrenching and a consequent demoralizing of business confidence. ("Gold and Economic Freedom," *The Objectivist*, July 1966)

Maybe Alan Greenspan has been at the Fed too long. It seems he now believes in his own greatness. He should read his own analysis, decline the nomination, and hope the next chairman gets blamed for the correction already built into the system.

This is not to say that anyone else can do any better than the current chairman in the coming years. Central planning, whether it's in the monetary system or in the economy itself, just doesn't work.

The debate should not be over who is best at managing the economy, determining the money supply and knowing the proper interest rates. It should be over whether we should have a managed monetary system at all. Instead of arguing over whether and when interest rates should go up or down, we should debate whether or not market interest rates and commodity money are superior to fiat money in preventing price inflation, recessions and painful periods of unemployment. ┘

Letters, continued from page 6

The Intelligent Amoeba

It was amusing to see Bart Kosko ("Let's Teach Creationism," February) make the usual mistake of assuming religion is in competition with science. Teaching creationism in science class makes as much sense as teaching physics in wood shop.

And measuring Creationism by the standards of science is like saying an apple is not sufficiently acidic to be an orange. Moreover it is absurd and laughable for human scientists to imagine that they can know what lies beyond our universe. Now just how exactly would they do that?

And since the scientific appraisal of our universe changes every 50 years or so, science's track record in cosmic matters is dismal. Kosko, like most of the scientific community, suffers from overweening human intellectual vanity.

These same people who are not

clever enough to predict the weather tomorrow have the gall to tell us they know how the universe was made.

Most scientists know that size is relative. But their vanity prevents them from seeing that our understanding of God's universe may be limited by our ability to measure it — as with quarks. Our entire universe could be a dust mote in a closet in another universe. There is no reason to think that relativity stops at the edges of our ability to measure it.

Extrapolation is also a bum scientific tool. If you were living on a planet where the temperature never fell below 32°, what reason would you have to think that water would become a solid at that temperature — none whatever.

Science "proportions belief to evidence"? When did that start? History is full of evidence to the contrary.

Religion shaves more closely with Occam's Razor than science does, since God is an infinitely less complex expla-

nation of everything than anything yet advanced — inadequately — by science.

Ultimately the electron goes around the neutron because God wants it to, and no scientist has ever come any closer to explaining it than that. Suppose you were an intelligent amoeba in your own bloodstream, struggling to comprehend the nature of the universe — could you do it? Probably not.

You are an amoeba in God's bloodstream.

Neil Elliott

Evanston, Ill.

Intolerance No Problem

I don't understand why *Liberty* devoted almost four pages to this author's silly concerns about the lack of tolerance at Hillsdale, a totally private institution. Indeed, having steadfastly

continued on page 38

Is There Room in the U.S. for a Little Cuban Boy?

President Clinton finally gets tough on illegal immigration.

An Alien Named Elián

by Martin M. Solomon

Can a child, whose mother was killed at sea emigrating from Cuba, and whose father stayed in that dictatorship, properly file a request for political asylum in the U.S., when his father opposes asylum? In whose custody will a child be better off after his mother has been killed trying to emigrate to a welfare/warfare state (the U.S.) from a dictatorship (Cuba)? His father, who remained in Cuba for reasons unknown, or his uncle who lives in the U.S.?

These are two of the many issues in the cause célèbre of six-year old Elián González. His fate is in the hands of the Immigration and Naturalization Service, and the Circuit Court of Miami-Dade County in Florida, though the U.S. Congress is threatening action.

The INS has ruled that his father is the only person it recognizes as representing the child's interests. (Many observers believe that the Clinton Administration, soon to commence negotiations with Castro, is bending over backwards not to offend his delicate sensibilities, and induced the INS decision.) His uncle can appeal the INS decision, but the courts rarely reverse the INS. If he does not get asylum, he would be deported, because he did not arrive in a lawful manner.

Does his father, Juan Miguel González, genuinely represent his best interests? It's difficult to tell whether he sincerely believes Elián will be better off in Cuba; he may be responding to the pressure of a regime that can starve or

imprison any Cuban who dissents from its policies.

If Elián becomes a lawful resident, he still must prevail in Circuit Court before Judge Rosa Rodriguez on the custody issue. We do not know how Juan Miguel González rates as a father, or how good a parent Lazaro González (his paternal great-uncle) would be. The law begins with a strong presumption that a biological parent is the best person to have custody of his child, but the presumption is *not* conclusive. Let's assume they are both good men. What if this were 1952 and Juan Miguel González lived in the Soviet Union? What if this were 1938 and Juan Miguel González were a Jew living in Germany? Surely the nature of the regime makes a difference.

But not to Bernard Pearlmuter, director of the Children and Youth Law Clinic at the University of Miami:

It seems to me that they are making a very tenuous claim that returning Elián to Cuba, where he would *perhaps* be deprived of freedom and of material well-being children have in this country, is sufficient basis to have

Can a person who believes that children belong to the State ever be a suitable, loving parent?

the father declared unfit. That doesn't, to me, satisfy (sic) even a prima facie case under Florida law. (Emphasis added)

Consider an analogy. If Pearlmuter were a six-year old Jew who came to the U.S. from Germany in 1938 and Herr Pearlmuter requested return of custody of little Bernard in the Third Reich, the claim that Pearlmuter's deprivation of free-

dom and material well-being upon return to Germany would justify custody in the U.S. would be objectively solid, not tenuous.

So is his uncle's claim.

Indeed, what is the chance that his father has the opportunity to make an uncoerced decision about his son's custody or status as a political refugee? It is easy to imagine that Juan Miguel González desperately wants Elián to stay in the U.S., but is silenced by Fidelista intimidation. In this case he is not unfit as a parent, just unfit because he is a victim of kidnapping and extortion by the Cuban state. Of course, if he is an enthusiastic Communist, that raises different issues of fitness for parenting. Can a person who believes that children belong to the State ever be a suitable, loving parent? □

Where Liberty Lives, There Is Our Homeland

by R. W. Bradford

People have asked me what I would do about the problem of little Elián González, the 6-year-old Cuban boy who made it to the U.S. half-conscious in an inner tube. "Who do you think I am?" I responded to one. "Well, if you were president . . ." he said. "Well, it's not possible for me to be president," I replied. "I don't want to be president. And

Plainly, they don't believe in the supremacy of law, else why would they try to bring traffic in Miami to a halt with their demonstrations? So if they really care for the kid, why have they thrown him to the mercy of the judges and bureaucrats?

nobody else wants me to be president." To another, I replied: "If I were president, I'd have to be a politician who sucks up to the idiot electorate. So I'd do whatever a suck-up politician does. What is President Clinton doing?"

In my less dyspeptic moments, though, I admit it's a good question. Basically, I believe that the treatment one receives from one's parents is almost always better than the treatment one receives in a state institution. I'm not very enthusiastic about judges taking kids from their parents and giving them to other relatives either, if only because doing so in any but the most extreme cases would encourage a vexatious wave of litigation. Little Elián's father is very much alive and wants his son sent back to him in Cuba, so by this line of thinking, I'd ship him back where he came from.

On the other hand, Cuba is a poverty-stricken country, thanks to Fidel Castro. It's a communist dictatorship where human rights are not respected, where as a consequence a young boy can look forward to a life of meanness, deprivation, and quasi-starvation. Sending Elián back there, when he could be living happily in the United States, would be

unbelievably cruel.

This isn't my decision. It's a decision reserved for heartless bureaucrats and judges. But I wonder: why have Elián's relatives and the Cuban-American community reacted as they have? Why the lawsuits and demonstrations?

Plainly, they don't believe in the supremacy of law, else why would they try to bring traffic in Miami to a halt with their demonstrations? So if they really care for the kid, why have they thrown him on the mercy of the judges and bureaucrats?

Surely, they could spirit him away to a new home whose whereabouts is unknown to the authorities, where he could grow up more or less like any American kid. Somewhere in America, there are families that would embrace this child, invite him into their hearts, keep his background secret, and raise him as one of their own. I believe I know several such families myself; I suspect there are millions more.

So why haven't his temporary guardians done this?

Politics is an ugly business. A few years back, when the Navy proposed to store nuclear bombs at a small base across the inlet from the town where I live, there was a hue and cry you wouldn't believe. Having all those bombs only a mile or so from town was dangerous, people said, and the Navy's denials rang hollow, since their stated reason for parking the bombs there was that they didn't want them on submarines that were going further up Puget Sound to more densely populated places.

So a meeting was called at the community center. Hundreds of people came. They were as mad as hornets. A letter was dispatched to our congressperson, who got the Navy to agree to keep the bombs away if the people of Jefferson County voted against them. It looked like shooting fish in a barrel: there was no way people would vote for the bombs.

But something else happened at the meeting. A committee was formed to organize the anti-bomb campaign, and a well-organized minority of doctrinaire leftists captured its leadership. They tied the issue of the bombs to just about every lunatic leftwing idea that was floating around those days, and began an energetic campaign. Voters were against the bombs, but once the ballot measure was transformed into a means of protesting sexism, militarism, racism, automobiles, non-organic food, etc . . . well, they began to have second thoughts. The referendum to get rid of the bombs failed.

And now, when I look out the window of my office at that peculiar glow emanating from the Navy base, I'm not sure whether I'm seeing the unnatural lights of sodium vapor lamps or the unnatural glow of nuclear bombs.

What had happened was plain: the people who ran the anti-bomb campaign weren't really trying to keep the bombs out. They were trying to gain publicity for themselves and to build their political movement. And they succeeded.

That is how politics works. Special interest groups find issues that they can use to advance their own agendas. They exploit these issues without regard for the outcome of the particular battle. This is a perfectly natural thing to do.

And this, I am afraid, is what the Cuba-Americans who control little Elián are doing. Which is too bad, because it

will likely result in a little kid who nearly died trying to get to America going back to a communist hellhole. □

The View From Little Havana

by Ralph Reiland and Sarah McCarthy

The northbound train from Florida was four hours late, so we found ourselves on the back lawn of the Bar Out Back, a serious biker bar in Sanford, listening to a rock-'n'-roll band playing "Two Tickets to Paradise" in the afternoon sun. "Caution: Does not play well with others" read the t-shirt on the guy sitting next to us.

Where better than South Florida to learn about freedom and sub-groups in America?

Earlier in the week, the Cuban exile community in Little Havana, a place where people still talk about freedom like they really mean it, took to the streets in an attempt to shut down Miami International and the Port of Miami over the fate of Elián González, the 6-year-old boy who was found clinging to an inner tube surrounded by dolphins in the waters three miles off Fort Lauderdale on Thanksgiving Day.

What at first looked like a routine custody case quickly escalated into an international tug of war when the Immigration and Naturalization Service ruled that Elián must be returned to his father in Cuba. Miami's Cuban exile community framed the problem as a freedom issue, a case of a child being robbed of the freedom his mother was willing to lose her life to provide. "Mom will have died in vain" read the protest signs. Exile leaders said Elián, if necessary, would be hidden away in safe houses.

The Versailles Restaurant in Little Havana is the place to go to talk to the Cuban exile community. On the morning after the tear gassing and arrest of some 200 demonstrators, the restaurant's patio and parking lot were filled with people waving their arms and talking in Spanish and English about Elián. "I was in Castro's militia at the age of 14," Benito García, a former city editor at *El Nuevo Herald*, told us. "My father was a doctor who treated Castro's revolutionaries in the hills. He opposed Batista's military dictatorship but soon saw that things were going to be the same with Castro. The turning point came when one day he was ordered to appear at a meeting. He refused, telling them he was not in uniform, that he didn't take orders from the military. Instead, he went back to what he wanted to do . . . saving his patients.

"Shortly after, we came to Miami, the year of the Bay of Pigs, 1961," he explains. "It's a question of opportunity for Elián," García contends, pointing to the successful Cuban businesses all around. "The owner of Versailles came here in the '60s with nothing. He had grocery stores in Cuba. Everything was confiscated. Now he has over 30 restaurants and hotels in Miami. It was that way in Cuba before Castro. It was not a paradise but you could pull yourself up from nothing. Today, it is a country of hate, with neighbors spying on each other for the government. Castro is a murderer."

The toll? "By conservative estimates, 40,000 Cubans have died at sea trying to escape over the past 40 years," says García. "You see the parts of the rafts floating. Another

20,000 have been killed by firing squads or died in prison for political crimes."

As we're talking, a van with two loudspeakers mounted on the roof and flying Cuban flags pulls into the parking lot. The driver, Juan Ramón García, begins handing out "Salvemos A Elián!" bumper stickers ("Let's Save Elián!") and newspapers. The headline reads "Los niños nacen para ser felices" ("Children are born to be happy").

"I was jailed by Castro when I was 15," Juan Ramón says. "I was in a Catholic youth group. They put 3,000 of us in a baseball stadium with guards with machine guns around the top. We had no food, just one hose for water.

Elián will have no life in Cuba, no parents. The government takes control of the children, what they eat and read. There's hard labor at age 10. There are no rights. When they allow you to live they consider it a favor. They own you.

They tried to humiliate us. They made the boys urinate in front of the nuns. We were taken from there to chicken coops.

"Elián will have no life in Cuba, no parents," he continued. "The government takes control of the children, what they eat and read. There's hard labor at age 10. There are no rights. When they allow you to live they consider it a favor. They own you. Everything is for the revolution. The red scarf on the children says you belong to the state."

Castro, of course, sees it differently. Holding Elián in Miami is "kidnapping," a plot by the "Cuban-American Mafia and the right wing in the U.S. Congress" to violate international law. At a state-sponsored rally in Havana, a 10-year-old girl was brought on stage to warn the crowd that Elián González would become a drug addict if he stayed in Miami.

At the University of Florida, Cuban-born law professor Berta Esperanzi Hernandez-Truyoe maintains that the issue has moved beyond a custody battle to a much broader question: "Should a child live in Cuba?" The Hague international Family Law Convention established that a child should be returned to his "habitual" country of residence unless showing can be made that there is a "grave risk" of physical or psychological harm. For the Cuban exiles who gather at Versailles, that's exactly the case. Every child, they say, is at risk in Cuba.

"I'm a veteran of the U.S. Navy and I'll return my honorable discharge papers to Clinton if he sends Elián González back," says Eloy Cepero, 54, a Cuban exile. "It will mean no freedom exists. Cuba is a place where people turn in their neighbors, where children turn in their parents."

It's a different story at the Bar Out Back where the customers don't have neighborhood investigations, and even brag that few know each other's names. "I've known some of these people for 20 years and still don't know their names," says Bar Out Back's owner Johnny Rotton. "These two I'm sitting with, I just know them by Bear and Karma." □

Comparison

The Spirit of Northfield and Coffeyville

by William Tonso

A century ago, Americans knew how to deal with armed robbers. Some Americans still do, but America's elite doesn't have a clue.

The James-Younger gang was a legend in its own time. Most, if not all, of its members had seen guerrilla action in bloody Missouri during the Civil War, and after that conflict they put their war-honed riding and shooting skills to use robbing banks and trains. They were a hard bunch, to put it mildly. But they didn't impress the citizens of Northfield, Minnesota. When Jesse and Frank James, Cole, Bob, and Jim Younger, and three other gang members rode into Northfield in 1876 and set about robbing the local bank, killing an uncooperative cashier and a confused Swede in the process, the locals armed themselves and massacred this gang of hardcases. Of the eight outlaws taking part in the attempted robbery, only Jesse and Frank escaped. All three Younger brothers were shot and captured by a citizen posse, and the three remaining gang members were killed during the attempted robbery or during their escape attempt.

The Dalton brothers, members of another legendary old-time outlaw gang and distant kin of the Youngers, apparently learned nothing from what happened to the Jameses and Youngers at Northfield. In 1892, Bob, Grat, and Emmett Dalton, and two other gang members, rode into Coffeyville, Kansas intent on robbing not one but two of that community's banks. The locals killed all but Emmett, who was wounded and captured.

Neither Northfield in 1876 nor Coffeyville in 1892 were wild-and-woolly frontier communities of the sort that Hollywood served up to us when it used to make westerns — places where most of the local males paraded around town packing six-shooters. Both towns were peaceful communities located in settled farming areas. Yet when threatened by heavily-armed toughs, their citizens had easy enough access to guns (Coffeyvillagers got most of theirs

from a hardware store), enough familiarity in their use, and enough spunk to make a stand (several Northfielders without guns threw rocks at the robbers) and risk casualties (five Coffeyvillagers were killed in the fierce shoot-out with the Daltons), to destroy formidable outlaw bands.

The much romanticized horse-riding outlaws of the old West and Midwest are long gone. The most publicized criminal gangs nowadays are much larger than the old outlaw gangs, composed largely of young black or Hispanic males, and mostly operate in big cities. Unlike the old outlaw gangs, these criminal gangs don't stage daring bank robberies and ride off into the sagebrush. Rather they war against each other over drug turf and, through miscellaneous villainies, make things miserable and dangerous for decent people of various skin colors and ethnicity who live or work within their reach. But these thugs on occasion still encounter the spirit of Northfield and Coffeyville even in urban settings, though that spirit is much under siege in "enlightened" urban-centered political, media, and academic circles.

One Man's Story — Meet Lance Thomas

Two thugs walked into Lance Thomas' Los Angeles watch shop, and knocked a customer over the head. Then \pointed a gun at Thomas and demanded that he give them his watches. Thomas responded by grabbing his own gun and shooting the armed robber in the face. The thug survived and was sent to prison for five years. Three and a half

months later, two other armed thugs came to rob Thomas. He yelled for his customers to drop to the floor, went for one of his own guns, and called 911 in the middle of the gunfight during which he killed both of his assailants. He was seriously wounded himself — suffering a gunshot wound in the neck and three in the shoulder. Two years later, a single gunman came to rob Thomas. You guessed it. One guy didn't have a chance against him. He shot and killed the thug. And though Thomas received another neck wound, he was back at work the next day. Eventually, with their criminal pride on the line, two members of one of L.A.'s most violent black gangs came to make Thomas, who is white, pay for his prowess. Pretending to open the front door of his shop to leave, they turned, pointed their guns at him and said, "You're dead!" They were mistaken. Thomas shot and killed both of them. In four gunfights he suffered and survived five gunshot wounds, but he killed five thugs and wounded a sixth. The citizens of old Northfield and Coffeyville would have been proud of him. But the "enlightened" among his contemporaries really don't know what to make of Thomas.

In spite of his spectacular success in protecting himself against armed criminals, Thomas received no national attention until ABC's *Turning Point* special on using guns for self-defense aired on October 5, 1994, five years after his first shoot-out. *Turning Point* let Thomas tell his story: how a friend had advised him to get a gun for protection after other shopkeepers in his area had been robbed and killed, how the first robbery attempt had come not long after he had acquired his first gun, how he added security devices and acquired more guns and practiced with them as the robbery attempts continued, and how he eventually closed up his shop when he heard that the gangs were determined to take revenge on him. ABC reporter Don Kladstrup seemed genuinely baffled by Thomas' willingness to take on armed robbers, all of whom had had the drop on him. Thomas' reply that he refused "to be a victim of violent crime" made no impression on the reporter, who wanted to know why he hadn't just forked over the loot the robbers were after rather than take human lives and risk losing his own.

Thomas and Kladstrup seemed to be talking past each other — they were simply on different cultural wavelengths. To Kladstrup it was liberal simple — give the criminals what they want, watches that can be replaced, and they might leave without the loss of human lives that can't be replaced. To Thomas things were also simple. By pointing guns at him and demanding his watches, the criminals indicated that they were willing to take his life if he didn't cooperate with them. If they were willing to take his life for watches, how could he be certain that they wouldn't take his life, after he gave them the watches? Other shopkeepers who apparently cooperated with robbers had been killed. He was at the mercy of criminals. Whether he lived or died was up to them. A tug on the trigger by any of those thugs, and he was history. The only way that he could take that decision away from them and ensure his survival was to get the thugs before they could shoot him. Simple! But Kladstrup, the reporter, showed no sign of ever getting it, and neither did anyone else associated with *Turning Point*.

As mainstream-media treatments of anything pertaining to guns go, *Turning Point*'s examination of the use of guns for self-defense was far from the worst. Thomas was allowed to

tell his story, and self-defense instructor and firearms authority Massad Ayoob and several of his students were interviewed and shown going through their firearms training. But the program left no impression that it was countenancing the notion that ordinary citizens should arm themselves for self-protection. Thus after Thomas' story was told, two other stories were used to illustrate how carrying a gun for self-protection could cause problems. In one of these, a Marine home on leave shot and wounded a person who was running away from him after trying to steal his car at a car wash. Though the thief was running away and posed no threat to the Marine, a grand jury, apparently fed up with criminals, refused to indict the Marine for shooting him. In the other case, a middle-aged motorist shot and killed a teenager who had punched him after the teen was called to task for reckless driving.

Gunfighter Nation author Richard Slotkin was called upon to make some solemn and politically correct comments about the continuing American attachment to guns, an attachment that he obviously considered to be retrograde. In response to Thomas' expression of concern that his fellow

Several mass shootings have been stopped by armed or unarmed private citizens acting in the spirit of Northfield and Coffeyville before the police arrived.

shopkeepers had come to view him as a hero, and might feel that they could arm themselves and follow his lead without preparing themselves as he had for such armed confrontations, Slotkin commented: "If you see Lance Thomas as a hero, then you're not really listening to what Lance Thomas is telling you about his life, because to resist force with force converts a situation of possible deadly threat into one in which firing back is more or less inevitable. It doesn't make you more invulnerable to such violence, in a way it makes you more vulnerable." Slotkin apparently thinks that heroism is risk-free.

Thomas, who could easily have been killed by any of the six thugs who had been pointing guns at him when he shot them, apparently had, in ways understandable only in the enlightened circles inhabited by the likes of author Slotkin and reporter Kladstrup, acted unreasonably. Yes, as Thomas acknowledged, even though he survived his encounters with armed robbers, he felt strongly that he acted justifiably in each case, and in no way regretted his actions. Concerned about his own safety, he gave up his business and took steps to evade gang thugs looking for revenge.

But what was his alternative to meeting force with force? Cooperate with the robbers and hope that they wouldn't kill him (and some of his customers) as they had killed other shopkeepers? Cooperate with them and hope that they wouldn't show their appreciation by returning over and over again until they finally killed someone or destroyed his business?

If good people like Thomas (and the citizens of old Northfield and Coffeyville) aren't willing to put their lives on the line to combat thugs, who will? The police, who

weren't there, and couldn't reasonably be expected to be there, when he and his fellow shopkeepers needed them?

Consumers of Safety

Such concerns wouldn't faze Slotkin, Kladstrup, and other modern enlightened "consumers of safety," as attorney and Second Amendment defender Jeffrey Snyder has labeled them. Writing in the July 1999 *Liberty* after the Colorado school massacre of twelve students and a teacher by a pair of demented students, and after the citizens of Missouri voted down the right to carry concealed handguns for self-protection, Snyder noted: "The reason why laws selling crime prevention have such tremendous appeal is that most Americans conceive themselves as mere passive consumers of a product called 'safety,' created for and delivered to them by government." And, he continued, "Inhabiting a world in which everyone believes that having the desire and the wherewithal to confront murderers in the act of murder is beyond their ability, and someone else's responsibility, they call 911, flee in abject terror, or wait and cower, passive recipients of a service that they hope will be delivered in timely fashion."

Snyder knows that we're not all safety consumers. Florida State University criminologist Gary Kleck estimates defensive gun use in the United States at more than 2.5 million times per year (in most cases the gun wasn't fired), and other studies place that number between 760,000 and 3,600,000. And it should be noted that several mass shootings have been stopped by armed or unarmed private citizens acting in the spirit of Northfield and Coffeyville before the police arrived. The Pearl, Mississippi school shooting was stopped by an assistant principal armed with a pistol that he retrieved from his car which, because it had a gun in it, had to be parked far off campus. The Edinboro, Pennsylvania school shooting was halted by the shotgun-armed owner of the banquet hall where an eighth grade graduation dance was being held and where the shooting took place. An unarmed, wounded student stopped the Springfield, Oregon shooting by wrestling the shooter to the floor. Unarmed fellow passengers grabbed the Long Island Railroad shooter

ABC reporter Don Kladstrup seemed genuinely baffled by Thomas' willingness to take on armed robbers, all of whom had had the drop on him.

when he was trying to reload. Had any of those passengers been armed, they could have stopped him sooner.

But surely the most spectacular example of ordinary people thwarting a mass shooting and exhibiting the spirit of Northfield and Coffeyville occurred far from the United States. Back in 1984, when three terrorists entered a Jerusalem cafe bent on machine-gunning as many people as possible before moving on to other crowded places to massacre more innocents, they managed to kill only one person before being shot down by pistol-packing Israeli civilians. The single survivor told the press the next day that he and

his partners had not known that Israeli civilians packed heat. The Israeli government encourages civilians to carry guns for the protection of themselves and their communities. In contrast, in the United States most prominent Jews in politics and the media encourage the consumption of safety, and most of the Jewish community seems dedicated to such consumption.

In 1990, a gentleman claiming to be a Jewish survivor of Treblinka, the Nazi death camp, wrote to a gun magazine in the hope that he could convince even one gun owner to turn in his guns. Concerned about the "gun violence" he saw everywhere in New York, he associated it with the guns carried

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by the Nazis who came to take him to the camp. He was shocked to learn "that the United States says that Americans actually have the right to own guns." If not for the fact that so many American Jews, from the Diane Feinsteins and Charles Schumers in government, to the Richard Cohens in journalism, to the Barbara Streisands in entertainment, to the anonymous man and woman on the street, regularly express similar sentiments, it would be difficult to take that letter seriously. How could a people who have so often been horribly victimized by the armed agents of the state in various parts of the world trust the government in this country to keep them safe? The same question could be asked of blacks, prominent and otherwise, who support civilian disarmament in this country and look to the police for protection. As late as the 1960s, Ku Klux Klan meetings were advertised and members of that organization recruited at the police stations of some southern towns.

But the spirit of Northfield and Coffeyville lives on in some American Jews, as indicated by responses of two Jews to the letter of the anti-gun Holocaust survivor. The first, from the founder of Jews for the Preservation of Firearms Ownership, stated: "There has not been, and I predict never will be, a time when people will be better off by being disarmed and naively allowing the government of any nation the power to determine who will be free." The second, from the son of a Holocaust survivor, stated that his father had determined that "never again would he or his family be rounded up like sheep for the slaughter! They would have the will, the training, and the means to fight back. He taught us that to die fighting tyranny like this is preferable to what happened to our friends and relatives under Nazis." Here is recognition, shared by the Founders of our country, that threats to the survival of decent people can come not only from criminals but from their own government.

* See David Kopel, "When the NAACP Went Armed," *Liberty*, January 2000

Continued on page 38

The Incredible Shrinking Serb Atrocities

by David Ramsay Steele

When President Clinton wanted to bomb Yugoslavia, he told Americans that Kosovo was filled with mass graves containing more than 100,000 corpses. Now that the smoke has cleared, the casualty list has been revised.

In the weeks before NATO occupied Kosovo, they told us there were at least 100,000 victims of Serbian genocide to be found, mostly in the "mass graves" identified by aerial photography. Within a few days of the occupation, the word came out that evidence of Serbian atrocities was "beginning to mount."

If some number "mounts" it approaches a very large number. "Beginning to mount" might imply that a substantial number has been surpassed and a very large number is being approached. But since only a few dozen bodies had been found when this phrase appeared in the media, it might instead be an affirmation of faith that far more bodies would be dug up in due course. In fact, it was a successful attempt to confuse people by repeating the ominous word "mount," instead of honestly reporting the truth: that the thousands of bodies of Albanians killed in "Operation Horseshoe" by order of the Satanic Slobo did not exist.

A little later, NATO announced that they were scaling down their estimate of victims of Serbian atrocities by a factor of ten, to 10,000. But, they added, they had sincerely believed in the 100,000. I wonder why they bothered to say that. Nobody in the mainstream media would dream of taking NATO to task for conjuring up 90,000 corpses out of thin air. Meanwhile, official U.N. estimates went from 44,000 to 22,000, and then to 11,000.

Mountains Grow Into Molehills

Not only had NATO intimated that the number of Albanians killed by the Yugoslavian army during the War of Juanita Broadderick's Lip was 100,000, they had strongly implied that this was a conservative underestimate. Higher numbers were freely tossed around. On *The McLaughlin Group*, Eleanor Clift, one of NATO's Julius Streichers, stated as a proven fact that the number was at least a quarter of a million.

The U.S. State Department frequently referred to

"genocide" in Kosovo, although it had primly refused to apply this term to earlier massacres, such as that of 500,000 Tutsis in Rwanda in 1993. The Clintons themselves repeatedly spoke of "genocide" against the "Koe-soe-varrs," these apparently being friendly elf-like creatures autochthonous to the hills of Kosovo, rather than Albanians who had migrated into this part of Serbia because conditions there, economic and political, were so much more comfortable than life back home.

Still, 10,000 is a lot of deaths, so why quibble? The number even jumped, for a day, back up to 11,000 or more, when Bernard Kouchner, chief U.N. administrator in Kosovo, announced that 11,000 bodies had already been excavated from "mass graves." Asked for the source of this figure, Kouchner said it had been given to him by the International Criminal Tribunal for the Former Yugoslavia (ICTY). The ICTY promptly denied this. In fact, at the time when Kouchner made his announcement (August 1999), the total number of KLA *allegations* of Albanian deaths at the hands of Serbs, mostly not yet investigated at all at that time, had not reached 11,000. As it happens, 11,000 is the total — presumably now final — of all such allegations.

No sooner had the 100,000 deaths "mounted" to 10,000, than they began to mount further. They have now mounted to 2,000. As with the original 100,000, there are winks and nudges hinting that the actual number may be much higher, while a thoughtful reading implies that the relevant number is much lower.

The especially sharp-eyed reader will have noticed the curious fact that, as the numbers mount, each successive

number is smaller than its predecessor. Where have we met this unusual mathematical phenomenon before? It comes from *Nineteen Eighty-four*, where the chocolate ration, having been 30 grams a week, is increased to 20 grams a week. No wonder that Winston Smith, the hero of *Nineteen Eighty-four*, wonders if he's the only person gifted with a memory.

Hunting for Bodies

It's very much in the interest of the NATO leaders to find, or cook up, any evidence of Serbian ethnic cleansing. This would damp down the feeble yet steadily growing criticism of the bombing in some NATO countries. It would also spread disaffection within Yugoslavia, increasing the likelihood of civil strife in that country, which would help to retrospectively legitimize NATO's bombing of civilians. For NATO has now arrived at the strange position of feeling the need to be vindicated by an electoral defeat for Slobodan Milosevic, even though Sloba has to leave office just over a year from now because of Yugoslavia's term limits.

There can be no question that if NATO had found one "mass grave," and even a half-credible story of a Serbian

On The McLaughlin Group, Eleanor Clift, one of NATO's Julius Streichers, stated as a proven fact that the number was at least a quarter of a million.

atrocities to go with it, the location of that atrocity would now be the best known, most filmed, and most photographed place on Earth. A dazzling hotel would have sprung up right next to it, with a perpetual exhibition of Serb atrocity pictures, and Hillary Clinton would have permanently rented a suite.

A treasure hunt has been organized. Hundreds of investigators from more than a dozen Western agencies have poured into Kosovo since NATO-KLA took over. Most of these agencies have but one aim in mind: to find evidence of Serbian atrocities. There's little pretense that these people are impartial fact-finders. For the most part, they defend, condone, or actively abet the KLA campaign of murder against all non-Albanians plus dissident Albanians, a campaign which was going on before the bombing and has been resumed without inhibition since the occupation. The wretched ICTY, without a spark of integrity and completely in the pocket of the U.S., has effectively taken the position that mass killings of civilians by NATO and the KLA are by definition not war crimes but humanitarian acts, therefore the ICTY cannot investigate them.

First prize in the treasure hunt will go to anyone who can find proof of a real Serbian atrocity. Failing that, there are plenty of consolation prizes for those who find anything, however dubious, that will keep the media talking about Serbian atrocities.

"Investigators" are panting to find any corpse, anywhere, that they can present to the world as evidence of genocide against Albanians. Fame, promotion, and a guaranteed future as a highly-paid celebrity await any investigator who can turn up some semblance of a Serbian atrocity, while

nothing but coldness, hostility and possible persecution await investigators who draw a blank.

Investigative teams went first to the most ballyhooed "mass grave" sites. In some cases a handful of bodies were found, in other cases none at all.

According to NATO, the worst atrocity had occurred at the mine at Trepca. NATO had informed the media that hundreds of Albanians, 700 at the very least, had been thrown down the mineshafts. The ICTY itself organized the investigation of the Trepca mines. They could find nothing. Nothing happened at Trepca. It was all NATO lies.

Many similar incidents have occurred. A mass grave at Ljubenic near Pec, site of a serious Yugoslav-KLA engagement, was predicted to contain 350 bodies. It actually contained seven.

Often the special aptitudes of agents Mulder and Scully have been called for. When confidently identified mass graves were opened and found to be empty, the KLA coolly explained that the Yugoslavs had crept back in the middle of the night, dug up the graves, whisked away the bodies, and refilled the graves, with impeccable landscaping.

The case of the Spanish forensic experts' visit to Istok, in the north of Kosovo, was reported by Pablo Ordaz in the reputable Spanish magazine, *El País* (September 23, 1999), but was not picked up by any of the mainstream U.S. media.*

The Spanish professional team, which included members with experience of the mayhem in Rwanda, were told they were going to the worst killing field in Kosovo and that they would have to perform over 2,000 autopsies over a period of three months. They left Madrid feeling "they were going on a road to hell."

They returned a few weeks later, having examined all the corpses in Istok: a total of 187, most of these having been occasioned when NATO bombed a prison. "There were no mass graves. For the most part, the Serbs are not as bad as they have been painted," stated one of the team, Emilio Pérez Pujo. Another member, chief inspector Juan López Palafox, contrasted the findings with those in Rwanda, where hundreds of corpses were found piled together. Aside from the prison bombing, all the bodies in Istok were individually buried, mostly oriented toward Mecca, and all without any signs of torture.

Palafox speculates that perhaps "the Serbs gave a choice to the families to leave their homes. If some member of the clan, for whatever reason, decided to remain, upon returning they were found dead from a shot or by whatever other method." Here we see the interaction of the Spaniards' prior belief in the NATO-KLA story of "Serb atrocities" with what they had found. Even when a legend is dramatically falsified, people often cling to whatever shreds of it they can. How likely is it that Yugoslav soldiers would cold-bloodedly murder Albanians, then bury them in conformity with Islamic practice?

Eight Questions for Carla

On 10 November, 1999, came the first, and so far, the only, official numerical claim. The ICTY Chief Prosecutor Carla del Ponte reported to the U.N. Security Council that the ICTY had received reports of 11,334 bodies in 529 graves.

* An English translation can be read at emperors-clothes.com.

About a third of the "graves" had been investigated, and from these 2,108 bodies had been exhumed. The figure of 2,108 has entered into media legend as the current number of deaths due to "Serbian atrocities," but this, of course, is at best a considerable exaggeration.

Since all the reputedly biggest graves were investigated first, and many of them found to be completely empty, and since it's also been admitted that many graves investigated contained just one corpse, it's a fair inference that the total number of corpses eventually found will amount to far fewer than 6,324.

Let's suppose that the number of corpses eventually turned up by ICTY will total 3,000. What we will then need to know are answers to the following questions:

1. How many of these 3,000 deaths occurred before the bombing, that is, how many of them are part of the acknowledged 2,000 deaths in the Yugoslav-KLA war prior to March 24th, 1999?
2. How many of them arose from natural causes, accidents, or ordinary non-political, non-ethnic crimes, including the inter-family blood feuds which are a normal part of traditional Albanian culture? (Kosovo, if you believe NATO, had two million occupants, or if you believe Yugoslavia, one million, before the bombing, so we would normally expect hundreds of deaths in any period of a few months.)
3. How many of the deaths arose from the ground war between the KLA and Yugoslavia which escalated sharply as soon as the NATO bombing began?
4. How many of them were the work of the KLA? (Remember that victims of KLA atrocities come from all ethnic groups, including substantial numbers of Albanians, whereas victims of alleged Serbian atrocities would be exclusively Albanian.)
5. How many of the deaths were the results of ethnically or politically motivated criminal groups of Yugoslavs

No sooner had the 100,000 deaths "mounted" to 10,000, than they began to mount further. They have now mounted to 2,000 and there are winks and nudges hinting that the actual number may be much higher, while a thoughtful reading implies that the relevant number is much lower.

("para-militaries"), which we know have been severely discouraged by the Yugoslav authorities by means of arrests and long prison sentences?

6. How many were victims of NATO's campaign of bombing against civilians (including the use of cluster bombs intended specifically to maim and kill civilians, especially children)?
7. How many were the victims of "war crimes" committed by members of the Yugoslavian army?
8. How many cannot be classified with reasonable certainty?

NATO and the mainstream U.S. media love to leave the impression that *all* 2,108 bodies recovered to date belong in category 7. That's obviously absurd. But it's by no means out of the question that *none* of them belongs in this category.

Operation Horseshoe

At the time of the NATO bombing, NATO-KLA claimed that the Yugoslavian government was deliberately killing and driving out Albanians from Kosovo, in a consciously planned campaign of "ethnic cleansing." As the bombing went on, this story was elaborated and even given a name: "Operation Horseshoe."

On the evidence we now have, the only reasonable conclusion is that no such official campaign of ethnic

The U.S. State Department frequently referred to "genocide" in Kosovo, although it had primly refused to apply this term to earlier massacres, such as that of 500,000 Tutsis in Rwanda in 1993.

cleansing occurred. Operation Horseshoe was simply an invention of NATO-KLA propaganda. It is conceivable that new evidence might come to light causing a reversal of this verdict, but with every passing day, the complete fabrication of Operation Horseshoe by NATO-KLA appears more and more certain.

This conclusion is supported by other considerations, one of which is: Why would Yugoslavia do it? When NATO started bombing, the Yugoslavian army quickly drove the KLA out of the territory they had occupied. The Yugoslavian army and the local Serbian police had to hide from NATO bombs and re-establish civil authority in the parts of Kosovo that had been KLA-controlled. Why choose this vulnerable moment to do something they had never done before — conduct ethnic cleansing against the Albanians?

The Yugoslavs could rely on the support of thousands of loyalist Albanians, whom they armed against the KLA. Furthermore, inside Kosovo, non-Serbian non-Albanians easily outnumbered Serbs. Though all these ethnic groups were and are loyal to Yugoslavia, as their only protection against KLA attacks, they are overwhelmingly Muslim and many of them would have been disconcerted if they had heard of ethnic cleansing against Albanians. Why risk alienating these indispensable allies? It makes no sense from the standpoint of the Yugoslavs' political and military interests. And if ethnic cleansing had been conducted against Albanians by the Yugoslavian army, some of them would surely have talked, and some people in Yugoslavia, with its many competing political groupings, would have used their testimony against the governing Left coalition.

If there was no Operation Horseshoe, were there more informal, less orchestrated atrocities against Albanians? Did some local Yugoslav captains, driving the KLA out of one village after another, fail to exercise the most scrupulous diligence in distinguishing KLA fighters from innocent Albanian bystanders? Is it even possible that one or two of these commanders, motivated by vengeful feelings, took the

opportunity to murder or mistreat Albanians?

That this kind of thing may have happened in a few instances cannot be ruled out. If apprehended by the Yugoslavian authorities, the perpetrators would have been punished.

Such occurrences are a common accompaniment of military campaigns. In the last few months, more news has come out about American massacres of civilians in the Korean War, apparently caused by unwarranted jitters that ordinary South Korean villagers might have been in league with the enemy. These events have been reported in the U.S. press with a very ho-hum attitude, and I have heard no one calling for prosecution of those responsible or, for example, for disinterring their remains from Arlington National Cemetery.

This is not to make light of any possible atrocities that may conceivably have been committed by a few Yugoslavian soldiers. But bear in mind that if there were any such, they were vastly outweighed by NATO-KLA atrocities. Furthermore, it was NATO-KLA which began this war, after the Serbian parliament had voted to reject

There can be no question that if NATO had found one "mass grave," and even a half-credible story of a Serbian atrocity to go with it, the location of that atrocity would now be the best-known, most filmed, and most photographed place on Earth.

NATO's preposterous ultimatum demanding occupation of the whole of Yugoslavia by NATO, effective control of Kosovo by the KLA, and detachment of Kosovo from Yugoslavia. In conspiring to unleash a war of aggression, NATO-KLA bears some responsibility for all the deaths on both sides.

The Selling of "Serb Atrocities"

NATO miscalculated badly in Kosovo. NATO lost the ground war. NATO had expected that the KLA, which controlled 40 percent of Kosovo territory at the start of the bombing, would rapidly seize the whole of Kosovo. No doubt Clinton would then have claimed that NATO was not responsible for the secession of Kosovo: it was just the way things turned out.

Instead, NATO air power was unable to hurt the Yugoslav army, even while the Yugoslavs were rapidly driving the KLA out of Kosovo. From that point on, NATO's plan was to degrade civilian targets across Yugoslavia until the mass slaughter and crippling of ordinary Yugoslavians of all ethnic groups, and the devastation of essential amenities, would persuade the parliament in Belgrade to vote to accept NATO-KLA occupation of Kosovo. The new rationale for the NATO-KLA war was the story that "Milosevic" was conducting "genocide" against Albanians. This, as we can now see, was an invention by NATO and NATO's instrument, the KLA.

A threat to this rationale was the move of thousands of Albanian refugees to return home under Yugoslavian

protection, once Kosovo had been made safe from KLA attacks by the Yugoslavian army's swift defeat of the NATO ground force, the KLA. Since the KLA was unable to massacre these Albanians, NATO did the job itself, from the air.

All this was obvious at the time to anybody who watched and thought. It was not conclusive, of course. Atrocity stories, however convenient to the side which spreads them, sometimes turn out to be true.

A number of factors made the ethnic cleansing story easier to sell to the American populace. The blood libel against the Serbs has been disseminated since the Bosnian civil war and even earlier. But probably the biggest factor was the apparent eyewitness stories related by some of the refugees who poured into Macedonia and Albania following the bombing.

At first, refugees reported that they were fleeing NATO bombardment, but within a few days this story changed. American reporters arrived in the Macedonian and Albanian camps, concerned only to find whoever would give them the most horrifying account of Serbian atrocities. The KLA, and those afraid of the KLA, duly obliged.

This is not to say that all the refugees were lying. The classic case of atrocity propaganda is that of the tales of German atrocities, especially in Belgium, in World War I. Although a few of these stories were actually composed quite deliberately by propagandists in Britain, the great majority were reports collected from purported eye witnesses and compiled in the weighty report of the Bryce committee. Historians now agree that these stories were either all or almost all false.

What happens when you and your fellow villagers leave your homes because of bombing or shelling, or are brusquely directed to leave by some foreign military commander who shows up in your village square? Crazy rumors spread like wildfire. You hear from your sister-in-law that the troops have massacred a hundred people half a mile away. Possibly your sister-in-law heard this story from a neighbor, only then it was 20 victims. These stories grow by accumulation and amplification among people who are afraid for their lives, desperate to understand what's going on, and lacking any but the most meager information. Once you have heard the same massacre story from half a dozen different people, you will probably repeat it without qualification to any reporter or investigator who asks you.

What's necessary to establish a closer approximation to the truth is to question each informant closely, and if the story turns out not to be an eye-witness account (which it rarely is) to track down the informant's informant, then that informant's informant, and observe how the story changes as it moves back closer to its origin.

One of the journalists, or perhaps the only journalist, who actually did this during the war — did what every conscientious journalist should do, but almost no journalists actually do — was Audrey Gillan, whose account appeared in the *London Review of Books* (May 27, 1999). She was able to demonstrate, simply by asking obvious follow-up questions of informants, that many of the atrocity stories were without foundation or at least exaggerated. That this was a common pattern in Kosovo is corroborated by the high frequency

with which graphic accounts of the killing of various individuals were punctuated by the embarrassing re-appearance of the murderers.

Where This Is Leading

When Clinton bombed Yugoslavia, Kosovo was troubled by ethnic strife, roughly of the dimensions of Northern Ireland, but it was a multi-ethnic, pluralistic, essentially democratic society, in which, despite some general mistrust

NATO may believe that enabling the KLA to conduct the most draconian ethnic, religious, and political cleansing will homogenize the population and render the governance of this new U.S. colony so much easier. That seems an unlikely outcome.

and despite violent harassment from the KLA, most people of different ethnicities cooperated. Newspapers, schools, TV and radio stations represented all the diversity of the many ethnic groups, with a richer and more prosperous Albanian cultural life than was available in Albania. Kosovo was a far safer place to live than any U.S. city.

Today the KLA, which had too little popular support ever to risk facing the voters in elections, but which was prepared to kill and maim people, has been given the run of Kosovo. Not only the Serbs, but the Roma, the Turks, the

Muslim Slavs, the Croatians, the Jews, and all the many non-Albanian groups have been largely killed or driven out by the KLA. NATO has arrested a few of the perpetrators but can't decide what to do with them, since any court would be KLA-controlled and would acquit all the killers. Thousands of Albanians have suffered the same fate, including all of Kosovo's non-Muslim Albanians, mainly Catholics and Evangelical Christians.

All political groups which might compete with the KLA are effectively outlawed. Ibrahim Rugova, only a few years ago the revered leader of the majority of Kosovo Albanians, used to walk about freely under Yugoslav rule, with only one or two companions. Following the KLA takeover, he didn't dare return to Kosovo for eight months, then appeared in Pristina surrounded by 50 armed bodyguards.

NATO may believe that enabling the KLA to conduct the most draconian ethnic, religious, and political cleansing will homogenize the population and render the governance of this new U.S. colony so much easier. That seems an unlikely outcome.

The KLA has never shown any interest in democracy or multi-ethnic tolerance, and now this little gang of young thugs is becoming habituated to getting its own way to a fabulous extent. Individuals whose human capital is exquisitely adapted to butchering and looting are being guaranteed the opportunity to butcher and loot without restriction. Prudence, restraint, and a spirit of compromise will not be among the lessons they learn.

NATO's bombing of the Yugoslavs points inexorably to NATO's bombing of the Albanians. ┘

Guilt, Blame and Politics

Allan Levite

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Back to Belgrade

by Stephen Browne

Life, mostly, went on in Yugoslavia during the NATO bombing.

"I'd like to apply for a visa to Yugoslavia." I said, and handed the official my passport. He took one look at the seal of the United States on the cover and handed it back. "I'm sorry," he said. "It's impossible."

I reached into my passport sack and brought out a letter. "I have an invitation from the Ethnographic Museum." He looked it over. "Give me forty dollars and your passport. Come back tomorrow. We have to ask the Ministry in Belgrade, but in any case you'll get your money back."

I had come to Sofia, Bulgaria after a year in Saudi Arabia. I was trying to get to Belgrade to check up on my friends and colleagues, particularly Tomas Krsmanovic, long-time dissident, president and sometime presidential candidate of the Yugoslav Movement for the Protection of Human Rights, which had elected me an honorary member in 1997. I had been entrusted with some resources to deliver that I hoped would keep the lines of communication open over the winter.

While I was in Saudi Arabia the war started and because of the difficulty of communicating via email I had been frantic with worry about my friends. I'd received a message from Tomas that sounded horribly depressed. He said that Milosevic's popularity had soared as a result of the bombing and that dissidents were keeping their heads down.

At the underground pub I frequented in Dammam I had made myself very unpopular among intelligence types and military advisors for saying that I couldn't understand how in the world they bombed the Chinese Embassy by mistake. I used to live not far from it, and it doesn't look like anything other than a Chinese embassy — except perhaps a Chinese restaurant. It's in the same general area as some government buildings, but not really that close. And it sits in a rather open area.

I also was ridiculed for saying that if NATO had marched overland instead of bombing, it's possible they'd have been

welcomed as liberators, at least in the city of Belgrade. Nope, Serbs were all diehard fanatics who would defend their territory to the death.

So with some trepidation, I'd shipped all my gear to Poland and transferred the contents of my bank account into my girlfriend's account in Warsaw. From Bahrain I flew to Athens and traveled overland to Sofia to wait for a faxed invitation that my friends had arranged for me and to brush up on my survival South Balkans Slavic *patois*.

The next day I reported to the Yugoslav Embassy at opening time with, I must admit, a feeling of relief. They'd say "No way, no how" and I'd be off for Poland. My Polish girl had been giving me hell for my plans. I said, "Honey, this is just like Poland during martial law." "Don't compare them to Poland! We weren't killing strangers!"

The embassy official arrived. "Here's your visa."

It was indeed a Yugoslav visa, taking up a whole page of my passport and good from September 3 to September 9. Now having no excuse not to go, I checked out of my hotel and bought a ticket on the overnight train.

For the first leg of the trip, to Nis, I shared a compartment with a mother and daughter who attempted to make light conversation. Later an elegantly dressed Gypsy woman with several large bags got in. If they guessed where I was from they didn't seem offended or upset at all. (I must explain something here. I speak fair Polish, and Bulgarian and Serbian on a survival level. The Slavic languages as a whole are a fairly close linguistic family and the South Slavic languages, Bulgarian, Macedonian and Serbian, have the same kind of "triangle relationship" as Polish, Slovakian and

Czech, i.e. A and B can talk to each other fairly easily, B and C can do the same, but A and C have problems. The upshot of it is, that I can make myself understood, with difficulty, on a basic level and that often I understand what people are telling me, without really being able to explain how I know.)

When we reached the border, I began to get tense. I'd had an ugly experience with a Bulgarian border guard last time I passed through that checkpoint, and I wondered how the Serbs would react to me. To say the least, I didn't like the idea of being asked to get off the train in the middle of

People prefer to believe themselves caught up in a vast conspiratorial web because the alternative is too terrible to contemplate; that one powerful man used their national agony to divert attention from domestic scandals and to try to leave a legacy of something other than sniggering jokes.

nowhere in the middle of the night. The Bulgarian check passed without incident and then two Serb policemen came around checking passports. I handed them mine, "Oh, American!" the elder said in a loud sarcastic voice. "Oh shit," I muttered and quickly handed him the letter of invitation. "Okay," he said. Then they told the Gypsy woman to come with them and they disappeared for a few hours. She turned to me and told me to watch her bags and keep her place. The younger cop lingered behind and said to me, "I have family in America and I'm going to join them as soon as I can. This country is going to shit." It turned out that she was a cross-border trader (a specialty of Gypsies and certainly one of the reasons that sanctions don't seem to work) and they were negotiating their share of the goods in her bags. Before she left the train the older policeman explained to me that she had owned a factory, which had been bombed.

In the early morning the train pulled into Belgrade. Tomas was waiting for me, just as he had been two years before, so for sentiment's sake we went for coffee and rakia in the same hotel restaurant, where he could ask around for some street money changers who'd offer a good rate.

We then checked with my colleague Sasa Sreckovic, a curator at the Ethnographic Museum. "I knew you'd come. When you emailed that you'd come I knew you would." I'd been invited to speak during a film festival that the museum was putting on to try to restore some feeling of normalcy to the Belgrade community of anthropologists, folklorists, and kindred specialists. I had spoken two years previously on "Weapons Technology and Culture; Is the World Becoming the Balkans?" This time seemed to call for a lighter topic, so I spoke on "Linguistically Dependent Humor in English: Puns, Plays on Words and Spoonerisms."

Over the next five days I wandered about Belgrade and visited old friends and colleagues, and made new friends. I listened to what they had to say about their recent experiences during the war. The opinions I gathered, of course, came mostly from educated English-speaking Serbs, but I got more than one earful from cabdrivers as well.

The Allied bombing had been incredibly precise; there was surprisingly little damage in Belgrade itself. I walked by a couple of buildings which were gutted shells. The ones next door had perhaps had the windows blown out. The bombed buildings were mostly government buildings, of no importance to the infrastructure of the city itself. I was astounded to hear people joke, "Well, the bombing was a terrible experience but you know, I didn't really mind some of the targets!" Another said, "Why did they kill the innocent and let the guilty live?" (These conversations took place on the busy mall of Knez Mihailova at an outside table on a bright summer day and in a normal tone of voice, in English.)

A new acquaintance told me that the buildings were hit at night and that there were usually no casualties, not even watchmen or cleaning staff. To him this meant that someone was getting information ahead of time as to what would be hit when. "There is no other way to explain the low casualty rate."

However I was told that other cities and small towns had been horribly damaged by the bombing and that the infrastructure had suffered enough damage to make power unreliable during peak demand — and that they are afraid of the coming of winter.

One old friend expressed delight at the bombing of the Ministry of the Interior. "I spent an uncomfortable afternoon there being grilled as to why my name appeared on a list at the American Embassy," he said. "I asked them, 'Could it be because I'm an American citizen and have an American passport?'" "They said 'Why are you in Belgrade?' I replied 'Because my mother is seventy years old and won't leave.'"

Another colleague, Marianne, of mixed heritage but with an American passport, also stayed in Belgrade during the bombing. Marianne is a smoker and has to have her favored brand of cigarettes. During the war the only way she could get them was to go to the black market. She admitted that she felt like she was taking her life in her hands, but she went to a kiosk where the owner dealt black market goods out the back. He told her to step inside away from public view. "My God he wants to murder me!" she thought, but went in anyway. He handed her two cartons. "I don't have enough money for that many." "Take them. Pay me when you can and tell your people what kind of people we are."

My second day in the city I took a cab across the Brotherhood and Unity bridge over the Sava River to Novy Beograd to visit my colleagues at the Galindo School. The cabbie asked where I was from. "I'm American." "Oh, journalist?" "No, I'm a teacher." He then took me on a tour of the bombing sites near the confluence of the Sava and Danube.



"A bed-wetter? Great! — I win my bet with my receptionist."

"That's the TV building, owned by Milosevic's daughter. Communist bitch! Tell your people Serbs good, Milosevic bad. Of course we don't like Americans. Oh here we are. Have a nice day!" Now the truly remarkable thing is, that of perhaps four cab rides I took, not once did a cabbie try to shortchange or overcharge me. Here in Warsaw, where they like Americans, you have to be very careful about which cab you get into.

The attitude I universally ran into was that they were all caught up in an immense conspiracy and that seemingly inexplicable actions must have an ulterior purpose. A colleague of mine, a lawyer and business manager, spoke for the general opinion: "Come on Steve, you can't tell me that with the immense power of the United States that they couldn't get rid of one man without a war? This is an excuse to demonstrate American power in Europe."

This type of thinking seemed universal among the population. One fellow asked, completely seriously, "Do you think Milosevic is working for Clinton?" I answered, "Well, I don't think he gets a paycheck from Clinton, but I do think they find each other's existence very convenient."

Aside from the fact that conspiratorial thinking comes easily in the Balkans, people prefer to believe themselves caught up in a vast conspiratorial web because the alternative is too terrible to contemplate; that one powerful man used their national agony to divert attention from domestic scandals and to try to leave a legacy of something other than sniggering jokes.

Right about this time I was breathing a sigh of relief that I hadn't lost any friends and that the city I loved was largely intact. Then a friend told me that her cousin had sent her two little girls, nine and eleven, to Montenegro for safety, where they'd both been killed by a stray cruise missile.

My last night in Belgrade I talked late into the evening with Tomas and a neighbor, a Pakistani married to a Serbian woman. Tomas said, "Serbs not guilty, Albanians not guilty. They think Serbs oppressed them but the truth is that the government oppressed everyone, Serbs and Albanians." His neighbor pointed out that because of government agricultural policy people were deserting the farmlands. "It's totally

The attitude I universally ran into was that they were all caught up in an immense conspiracy and that seemingly inexplicable actions must have an ulterior purpose.

crazy, you could grow anything in this soil, but you either have to haul it to the city to market yourself or sell it to the government at the price they set."

So I asked, "I know that there has been a lot of propaganda and exaggeration, but the evidence is that bad things were done in Kosovo. Who did them, the army or the paramilitaries?" They replied together, "The paramilitaries." Tomas said, "You remember during the demonstrations how the army said they would stay in their barracks and Milosevic used the paramilitaries to keep control? When they aren't robbing and killing in Bosnia or Kosovo they are per-

fectly happy to do it in Belgrade! Six apartments in this building alone have been looted by paramilitaries."

"So do you think is this not a war of ethnic nations but of gangs and tribes?"

Both replied, "Yes, definitely."

I mentioned to my colleagues and former students that I had suggested that an overland march by NATO forces might have been welcomed as liberators, at least in the city. I was wrong. Every person I asked replied with blank looks, "Of course." One former student I spoke to while her mother entertained a member of the Belgrade city council in the next

The cabbie took me on a tour of the bombing sites near the confluence of the Sava and Danube. "That's the TV building, owned by Milosevic's daughter. Communist bitch! Tell your people Serbs good, Milosevic bad. Of course we don't like Americans. Oh, here we are. Have a nice day!"

room reminded me, "Don't you remember we were carrying NATO flags during the demonstrations?" (I didn't recognize the NATO flag, a compass rose, and feared it was some kind of neo-fascist banner.)

I then asked her about the reported surge of support for Milosevic. "Well the truth is that for the first month people rallied around him. But after a month the bombing was driving everybody so crazy that the attitude changed to, 'Oh, just give them what they want so we can get some sleep.'" So much for the affection for Kosovo, "the historical heart of the Serb nation." During my entire stay in Belgrade only one person acted the least bit unpleasantly towards me — a Serbian academic with American citizenship, who described himself as an "ex-American." During an evening of drinking with the museum staff he got progressively more insulting. When he said "You and your Polish whore!" I had had enough.

"All right asshole! That did it. You've got every right to speak about my, our, country in any way you like. But now we've got to step outside and go to it in any way you like, fists, knives or whatever you please!"

Then a really weird thing happened. He apologized profusely, the museum staff breathed a sigh of relief, and we changed places, figuratively. He said, almost sobbing, "But I still believe in America!" I asked, "Do you think that George Washington could get elected in this day and age? He was a slow and deliberate speaker, Sam Donaldson would tear him apart. James Madison? Physically tiny with a high squeaky voice. Abraham Lincoln? Spectacularly ugly. No, today we get a charming, photogenic sociopath like Bill Clinton."

I love Belgrade but there has always been something about it that drives me crazy. I don't think I was really entirely sane when I left in '97. It was time to leave. Tomas took me to a night bus going to Budapest. The train to Budapest was inconveniently routed over a bridge destroyed in the bombing. □

The Politics of Seizing Innocent Peoples' Property

by Miles Fowler

Drug police have lined their pockets with property seized from drug users and their innocent families. Opposing these outrages is not just the right thing to do — it's good politics too.

Through asset forfeiture, the War on Drugs has undone constitutional limitations on the scope of government's power. Governments seize people's property without due process, without a jury trial, often without reasonable cause, and even continue to punish property owners after they have been found innocent. Asset forfeiture thus seems to subvert most of the Constitution's Articles of Amendment from IV through VIII, and section one of XIV. It might even violate Article III, section 2, paragraph 3, in the body of the Constitution, which also mandates trial by jury for all crimes except impeachment. Asset forfeiture began as a federal tactic but quickly spread to state and local governments. Enacted as a tool of the wars on drugs and organized crime, it is now used against those who solicit prostitutes or those charged with vague economic and environmental crimes. It has been used against a farmer who accidentally ran over a member of an endangered species with his tractor, and an attempt has been made to use it against right-to-life organizations.

In the December *Liberty*, R.W. Bradford proposed that drug legalization be the central issue of the next Libertarian presidential campaign. He based his proposal, in part, on evidence that as many as 15 percent of voters have smoked marijuana and that even those who haven't are liable to have family members who have, and do not want their relatives jailed or their own property confiscated.

While I think Bradford's proposal is a good one, I'd like to suggest that such a campaign focus equally on asset forfeiture and drug legalization. For one thing, I think more people are likely to be hostile to asset forfeiture than to drug legalization by itself, which is liable to alienate people who are thoroughly brainwashed by the War on Drugs. I am sure there are people who cannot be convinced that government drug policies are leading us to a more totalitarian society who would nevertheless sympathize with the plight of victims of property seizure.

Like drug legalization, securing people's property against

arbitrary seizure is an issue that the LP can have an exclusive on. Federal, state and local governments have abrogated the Law of the Land, and the majority of established-party politicians and their judicial appointees show no great alarm about the peril they have wrought. It has become an important source of funds for law enforcement and other governmental uses, and has built up a considerable constituency.

This strategy may attract voters from other parties, as well as independents. My significant other, who has sometimes voted Green, tells me she would seriously consider voting for a Libertarian presidential candidate who made legalization the central issue of the 2000 campaign, especially if Al Gore and George W. Bush are the nominees of their respective parties. Another non-libertarian friend found legalization an attractive campaign issue but noted with alarm that one could not hope to win with the issue. As Bradford said, this strategy could increase the libertarian vote without bringing about an electoral victory.

The extent to which the LP has been too small to receive much attention has been a mixed blessing. It has been relatively unmolested at its most ineffectual, but whenever it has been successful or identified with a hot issue — usually in state or local contests — it has been attacked with tooth and claw. This would be the case if the legalization-forfeiture strategy worked on the national level. Undoubtedly, Rush Limbaugh, who says nice things about libertarians as long as they act as conservative mascots, would devote at least one monologue to attacking legalization and would predictably continue to do so as long as the issue appeared prominently in the news. That would be good, of course. The kind and

amount of opposition to legalization would indicate its significance and that it poses some threat to the established parties.

I agree with Bradford's idea of campaign ads reporting horror stories from innocent victims of the War on Drugs, demonstrating that it leaves no one safe from either the criminals or the police, and illustrating Ben Franklin's dictum that those who trade liberty for security will have neither. While fear is a tactic that can backfire, voters need to realize that there is legitimate reason for them to fear the out-of-

These victims and potential victims are a constituency libertarians should have reached already. This failure is the product of the LP's timidity on this issue, by not advancing legalization as the central issue.

control policies of the drug warriors. The harm that has been done could be presented clearly, factually, and understatedly yet powerfully.

Opponents always try to draw legalizers into debates over which drugs are to be legalized. This is, of course, a trap and a distraction from the real issue. Obviously, arguments for legalization of one drug apply to the legalization of all drugs, but the LP must affirm positively that prohibition, *not the commodity prohibited*, is the problem. The return to legalization, which existed before prohibition created all of our drug-related problems, is the only rational solution.

Ultimate Dilemma: Votes or Principles

Actually, what Bradford proposes is a way of doing what all electorally successful political parties do: appeal to a group of voters or a coalition of voters. Victims of the War on Drugs are otherwise honest, law-abiding citizens. They are threatened by drug laws, including mandatory drug sentencing and forfeiture laws that impose penalties entirely out of proportion to the harm claimed. These victims and potential victims are a constituency libertarians should have reached already. This failure is the product of the LP's timidity on this issue, by not advancing legalization as the central issue.

While we are at it, we might as well ask what constituency or constituencies the LP already reaches. For example, not all entrepreneurs are libertarians, but many libertarians are entrepreneurs. Is there a wedge issue that would help the LP win votes among those entrepreneurs who are Republicans, Democrats, or Greens? Is legalization somehow part of it? It would be smart to "keep it simple, stupid," making only one issue central to the campaign; however, the Justice Department's opening attempt to regulate the computer industry through prosecution of Microsoft has given the LP an opportunity to reiterate its opposition to government regulation, promising particularly that a Libertarian president would keep the government's hands off the U.S. economy's golden (silicon?) goose. This ought to be a secondary campaign message at the least.

The LP has never fully answered Ludwig von Mises' argument in *Liberalism*, that no political party can truly repre-

sent liberty. Political parties cater to groups that form the coalition of supporters whose votes and contributions give the party the power to enact public policy. Politicians are elected because they sound as if they will promote whatever programs are advocated by the interest groups they address, regardless of whether such programs favor the interest of society on the whole or individual liberty in particular. Appearing before these groups, politicians answer the question "If elected, what will you do for me?" When asked this question, the LP's first nominee answered, "I'll leave you alone." That is magnificent political philosophy, but it isn't politic. Most people won't support candidates who offer them only this answer.

By appealing to coalitions of interest groups for whom the LP can, almost paradoxically, do something for them by doing nothing to them, the party has some chance for electoral progress. Drug legalization and ending confiscation of private property seem to answer Mises' argument, at least partially. But there might not be enough such issues to give the LP any broad appeal in future elections. Harry Browne's question "Would you be willing to give up your favorite government program if you never had to pay taxes again?" was an attempt to appeal to a universal leave-me-alone sentiment, but it evidently did not have the hoped-for mass appeal.

Until such time as Libertarians convince a majority of citizens to vote for their long-term as opposed to their short-term self-interests, sticking to its principles risks a perpetual dry campaign message at the least.

In New Zealand, perhaps the most successful libertarian party in the world is called the Association of Consumers and Taxpayers (ACT), which may be the world's most inclu-

The ultimate success of the LP is uncertain, but it will never be successful if the party does not start somewhere. This may be the place to start.

sive coalition name. (Meanwhile, in the same country, the Libertarianz party is as marginalized as the LP is in the U.S.) However, even ACT could be in trouble. As Mises might have asked, what happens when the narrow, short-term interests of those consumers who are not taxpayers conflict with the interests of those who are? Is it that the more votes a party wants to win, the more it must be tempted to compromise the integrity of its principles?

Other strategies for garnering more votes have related dangers. Celebrity candidacy, to which Bradford alludes, is a variation on being led by the whims of voters rather than by principles. When Howard Stern ran for governor of New York, an official of the NYLP said he was unsure whether it was his dream come true or his worst nightmare. It was evidently both. Stern attracted much publicity to the LP when he won the nomination, but the party was publicly embarrassed when he subsequently dropped out of the race. American voters often seem to vote for personalities or sim-

continued on page 38



Surplus Balderdash

by Sheldon Richman

The projected budget surpluses are useful in revealing the political philosophies of Democrats and Republicans. The Democrats hold that lowering taxes in light of the surpluses constitutes a form of government spending and should be judged against other ways government could spend the money. That approach implies that government has a claim to 100 percent of our incomes and that we should be grateful for any amount it lets us keep.

The Republicans object to the Democrats' refusal to consider a surplus-based tax cut. In doing so, they have shown an appalling naivete about government that raises doubts about whether they can be trusted in any political office. If it isn't naivete, it is a profound dishonesty.

Republicans have responded to the Democrats along these lines: A budget surplus is equivalent to citizens' being overcharged for government services. Therefore, they should have

their taxes cut.

The call to cut taxes is unobjectionable (repeal is preferable), although the GOP proposal is outrageously small. What's philosophically wrong with the Republican response is the premise that taxes are charges for government services. This is untrue. It has never been true. And since taxes are not charges for services, there can't be an overcharge.

The purpose of taxes is to raise money (by force) for the government. True, the government uses the money to provide some services — whether wanted by taxpayers or not. But there is no direct connection between taxation and services.

When the government plans a new fiscal year, the budget people do not estimate how much money they will need to render services and then adjust tax rates to raise that amount of money. Rather, they estimate how much money they expect the tax system to harvest in the following year and then make plans to spend it. If they see they will have more money than they are currently spending, they increase spending or start new programs. That is what the Clinton administration wishes to do. At times,

politicians cut taxes to score points with voters or to stimulate the economy. They never cut taxes, however, because people have a right to their own money. Tax-cutters sometimes say that people have a right to keep more of their own money. But if they have a right to that, why don't they have a right to keep all their money?

There are other reasons to reject the idea that taxes are charges for services. When the government taxes you and gives the money to someone else (as in Social Security, food stamps, corporate subsidies, you name it), what service is being rendered to you? What about when your money is taken so the government can put peaceful drug users in prison? Or so it can bomb Serbs and Iraqis?

Another tip-off that taxes are not charges is the income tax itself. Under the income tax, the more you earn, the more you pay. Yet a wealthy person may get fewer government services than a poorer person. Where's the connection between tax and service?

No sober person really believes taxes are payments for services rendered. When the income tax was being promoted by social engineers

in the early 20th century, some of them said that people should pay on the basis of the benefits they get from government. The pro-tax economist Edwin Seligman, however, knew that was a poor argument and in its place advanced the ability-to-pay argument. A person, he said, "does not measure the benefits of state action to himself...because...such measurement implies a decidedly erroneous conception of the relationship of the individual to the modern state.... [It] is now generally agreed that we pay taxes not because the state protects us, or because we get any benefits from the state, but simply because the state is part of us."

That astounding presumption is at the heart of government. Any intelligent self-supporting citizen knows he is not part of the state and would just as soon keep his money in his own pocket.

*Sheldon Richman is senior fellow at The Future of Freedom Foundation in Fairfax, Va.; author of its book **Your Money or Your Life: Why We Must Abolish the Income Tax**; and editor of **Ideas on Liberty** magazine.*

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ply for names that they recognize rather than for policies and issues; but it is not so much that voters care more for personalities than issues as that they have usually been presented with make-believe issues that made them yawn even more than the personalities did. Bradford is right that it does not matter whether the advocate of legalization is a celebrity. The issues of legalization and anti-confiscation transcend personality. Those who care about these issues will vote for anyone who champions them.

Legalization has come a long way since the day it had no mainstream advocates. If the LP can win a significant number of votes with this issue, the consequences are bound to be good. It would certainly raise the party's visibility and

help it grow. It might also pave the way to actual victories. It might force other parties to confront the issue. Maybe other parties would co-opt the issue. Championing this issue is worthwhile regardless of what lies ahead. The ultimate success of the LP is uncertain, but it will never be successful if the party does not start somewhere. This may be the place to start. It would help greatly, too, if libertarian candidates for local offices echoed the issue and exposed police drug war murders and prosecutorial thefts in their own precincts. The LP is as right about the War on Drugs as it is right about anything, and will benefit itself while performing a service for liberty of all if it establishes visible leadership on this issue and gives it priority in a national campaign. □

Tonso, "The Spirit of Northfield and Coffeyville" *continued from page 26*

When you get right down to it, the spirit of Northfield and Coffeyville is the spirit of self-governing people and of the Constitution and the Bill of Rights. The Founders didn't expect us to consume safety; they expected us to be directly involved in the ongoing defense of ourselves, our families, our communities, our country, and our way of life. When the citizens of Missouri, the home state of the James-Younger gang, had the chance to determine by vote whether or not

they would be allowed, like the citizens of 31 other states, to obtain permits to carry handguns concealed for defensive purposes, the urban counties containing St. Louis and Kansas City were responsible for the narrow defeat of that measure. No surprise.

Unfortunately, as we move into the 21st century, American urban and suburban areas are producing far more consumers of safety than self-defenders like Lance Thomas. □

Maltsev, "Yeltsin's Worst Legacy" *continued from page 18*

out of control, accusations of top-level corruption being investigated by prosecutors in the United States, Switzerland and Britain, unbridled crime and terrorist attacks in several Russian cities, Putin's government is engaged in a genocidal war against Chechens and other Muslims of Russia. This war once again illustrates the old Russian tradition of creating

new problems, rather than solving existing ones. It also creates a nationalist-militarist psychosis in Russia in which the worst are coming to the top. In Russian history the kakisocracy has ruled in similar periods. But as a cynical Russian saying goes: "The only lesson of history is that it does not teach us anything." □

Letters, *continued from page 20*

demonstrated its intolerance of tax funding, Hillsdale has my permission to be intolerant of anything they please. Their library can even ban *Liberty* for all I care.

Perhaps it's time to reread Nock's *Our Enemy, The State*. Hillsdale College — with or without George Roche — is not part of our problem.

Dan P. Dougherty
Roseville Calif.

Hillsdale, Love It or Leave It

The dirt about George Roche and Hillsdale made a sad story indeed. Especially sad if it is true that Hillsdale "coddles cherished fairy tails, crushes opposition, and terrifies students with gestapo tactics." But even if these things are true, it sounds like no contracts were broken and no rights violated. Hillsdale's famous assertion of its rights to run its educational business free of bureaucratic meddling has apparently been paralleled by an assertion of its rights to deal with students as it sees fit. Students can play by Hillsdale's rules or they can walk. From a libertarian per-

spective, it's a sad story, full of immorality, bad judgment, and narrow thinking, but in no way was it a situation that justified outside intervention. The Hillsdale story raises a larger question for libertarians to think about. Suppose we go all the way with Rothbard to the conclusion that property rights are the only human rights. Then there would be no freedom of speech as such, only the freedom to use one's own property to make speeches, or to contract with others to use theirs. An entire town or district might be privately owned and the owners could practice what would normally be called censorship, racial discrimination, arbitrary searches, etc., with the understanding that anybody who didn't like it could leave. My point is that Hillsdale is only a warm-up for some very ugly private arrangements that would surely arise in a Rothbardian society. Is that what we want?

Warren Gibson
San Carlos, Calif.

High Market

I applaud Eric Miller's love of the

skyscraper ("Chicago's Ego," January), and the none-too-surprising revelation that policy-makers tend to be a thorn in the side of those who desire to push the edges of human ingenuity ever further. However, I must disagree with one of the central themes of his article: that symbolism should be central to the urban landscape. That seems too close to the attitude of our contemporary invasive urban planners. Building with symbolism as a foremost goal defies the market, especially when individuals are willing to go to "any lengths" to arrive at them (in other words, "I don't care if it makes money, just make it BIG!" — sounds like something a Green legislator would say about creating a new wilderness preserve). The phallic building is indeed a sign of America's (and the capitalist world's) commercial achievements. But I think that it is becoming more a sign of an older market. Today's market is dominated more by lower transit costs and lower-density urbanization. This change from urban

continued on page 61

Bill Gates Shrugged

by Michael Giorgino

Bill Gates has stepped down. Where will he go today?

Microsoft's general counsel waited impatiently. He was not accustomed to being kept waiting by the "boy genius" inside. He glanced at the clock over the silent, older woman who guarded the entrance to his office. He could not understand why her quiet, purposeful efficiency annoyed him so much at this moment.

"Who is he in there with?" he snapped.

"The gentleman did not give his name, but Mr. Gates knew he was coming," she calmly replied.

"This is one helluva time to be chatting with old friends."

"Oh, they've never met. They introduced themselves when he went in."

"He must be fishing for something. Ever since Bill created that charitable trust, money grubbers have been coming out of the woodwork."

"No," she replied, "He's not one of those . . . it's strange."

"What?"

"He was the most self-confident, self-assured man I have ever seen. He looked like he was here to collect a debt. He had the strangest eyes — dark green and penetrating. He had the serene look of a saint — or an executioner."

The lawyer breathed an expletive. "If he's going to execute someone, I wish he'd get it over with. I still need to discuss the judge's findings of fact with him, and I've been cooling my heels out here for three bloody hours."

Suddenly, the door opened. Gates walked out, took his legal strategist's hand, and said with a distant smile, "Go home. Call a special meeting of the shareholders for Thursday at noon."

"Just a damn minute, we have to discuss this case. There are some hopeful signs in the ruling. Fairness dictates that the government should cut us a decent break, given your commitment to the overriding social purposes . . ."

Gates held up his hand, and the lawyer stopped. He saw a look of uncompromising determination on the Microsoft chairman's face that he had seen previously only when scientific or technical matters were at stake — never in a social

context.

"What did he say to you?"

Gates just smiled, this time brightly.

On Thursday, all of Redmond was talking about the case, and how the company would respond to the antitrust ruling. 2,500 shareholders and the entire board and management were assembled. The international press hovered in the rear, barred by strict orders of the chairman from the front tier, which was reserved for the company's most loyal workers and longest-term stockholders.

Bill Gates walked in precisely at noon, and strode purposefully to the podium. It was suddenly apparent to everyone just how young this industrial giant was. They sensed a magnificent innocence, an untroubled purity in his manner — a pride which is serene, not aggressive. More than anything else, his face was utterly devoid of guilt.

"Good afternoon. I have called you here today to tell you that I am resigning as Chairman of Microsoft, Inc., effective immediately."

A gasp was heard in the audience, and shouts of "No, no!" The general counsel rose from his seat to approach the microphone, but Gates continued.

"I do not want this action to be misunderstood. I will state it publicly, for the record. I work for nothing but my own profit, which I make by selling a product that they need to those who are willing and able to buy it. I developed Windows and Microsoft's other products as an expression of my own creative ability. I did not produce them for the benefit of society, nor at their expense. Consumers of these products, the free men and women who stood in line to

order Windows 98 while I was being grilled on Capitol Hill, dealt with me as equals — by mutual consent for mutual advantage.

"I am rich. I made my first billion dollars in my 30's. I am proud of every penny I own, because I have earned it. I have made my money through the voluntary consent of every man I dealt with in my life — the first man who hired me when I was starting out, those who joined me in my first commercial enterprise, those who freely work for me now, and those who buy my products.

"All my life I accepted the moral code that it is good to live for the sake of others. In church, schools, and from our

"I cannot and will not continue to work under a system of arbitrary and unjust laws. Microsoft will close its doors."

government, I heard that the goal of one's life is self-sacrifice. 'Ask not what your country can do for you; ask what you can do for your country.' I didn't question that code. I worked hard and offered my best effort to others, expecting the same in return. When these government troubles began, my wife and I were advised to show the public that we had their best interests in mind. I thought I had done that with our products, unleashing unlimited human potential in information systems and mass communications. However, with all the wealth we had amassed, I thought it also would be beneficial to support worthy charities. Who would not like to have the economic power to cure disease and provide educational opportunity to the deserving poor? I have been told that our charitable donations have been the largest in history. I was shocked by the public reaction. The silence hurt. The sneering and 'It's about time' attitude from so many quarters raised the first question in my mind about the morality of a code

that preaches self-sacrifice.

"I want to assure our long-term workers that their pension plans are sound, and all contractual obligations will be honored. Those who have worked with us for less time will be given generous severance bonuses, based upon seniority. To our loyal shareholders, my associates and I will be announcing a tender offer later today, to minimize the impact of this action on your investments. However, I cannot and will not continue to work under a system of arbitrary and unjust laws. Microsoft will close its doors. Its patents and copyrights will be guarded against use. We will leave the market open for the 'underdogs' and the government to fight over what remains. The government says I have hurt consumers by giving them the best product at the lowest price? I am removing the source of that 'harm' — my mind — from their reach.

"The heart of the altruistic code is the idea that we do not have a right to live for our own sakes. I am here to tell you today that I do, and that I will not deal with men on any other basis. Do you hear me, Washington? I refuse to accept as guilt the fact of my own existence and the fact that I must work in order to support it. I refuse to accept as guilt that I am a businessman; that I make money; that I create wealth. I refuse to accept as guilt the fact that I am better able to accomplish these things than my neighbors, and that they are willing to pay me accordingly. I refuse to apologize for my success — my ability — or my money.

"I see now that the public good was never the purpose of my work. It was always to offer my kind of man my best effort in return for his. It is not a particular state policy I challenge today; it is their moral premise. If it is now the belief of my fellow men, who call themselves the federal government,

"The government says I have hurt consumers by giving them the best product at the lowest price? I am removing the source of that 'harm' — my mind — from their reach."

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that they demand sacrificial victims, then I say: The public be damned! I will have no part of it."

Suddenly, his wife was at his side. They looked into each other's eyes, and knew it was time to leave.

The general counsel blocked his exit. "What did that sonofabitch tell you?" he snarled.

Gates laughed in recognition. "He asked me if I saw Atlas, the giant holding the world on his shoulders, blood running down his chest, knees buckling, struggling to hold up the world with the last of his strength, what would I tell him to do? I asked, 'What could he do . . . what would you tell him?' He replied, simply, 'To shrug.'"

That evening the plane landed on a remote airstrip in Colorado. A small group of people waited to greet Gates and his family. At its head was the intense, confident stranger who had visited his office. His green eyes gleamed with pride as he claimed his greatest conquest. He stood beneath a 12-foot golden monument — the sign of the dollar.

John Galt said simply, "Welcome home." □

What if the U.S. Had Stayed Out of World War II?

by Michael Drew

A critical look at Pat Buchanan's anti-European war theory — without the shrieking and namecalling.

It's no surprise to see Pat Buchanan almost universally reviled for arguing that the West should have avoided war with Nazi Germany. Dwight Eisenhower's "Crusade in Europe" stands alongside the American Revolution and Civil War as sacrosanct in our history; hence the alliance of Buchanan-bashers from war-hero Senator John McCain to the unheroic Geraldo Rivera. Even George W. Bush got into the act with a rare statement (for him) about other countries: "Pat sees an America that should have stayed home while Hitler overran Europe and perpetrated the Holocaust."

While "playing the Hitler card" in any form makes for questionable campaign strategy at best, what about Buchanan's historical judgment? One would think a price of fifty million dead in World War II, with the chief result of elevating a marginal Soviet Russia to global superpower status, might at least allow us to talk about it a little. Buchanan's theme in *A Republic, Not an Empire* is consistent: that Britain and France would have been better off allowing Hitler the free hand he wanted in Eastern Europe in 1939, and that even after the fall of France in 1940, the United States could have, and should have, remained neutral and safe from all harm — albeit aided by a vigorous rearmament program. In short, Buchanan resurrects the terminally un-hip platform of Charles Lindbergh and the "America First Committee," claiming the discredited isolationists were right even in hindsight.

As the title of Studs Terkel's bestseller *The Good War* would suggest, much of the outcry against Buchanan's Hitler heresy is simple moral indignation. Hitler was the greatest war criminal of all time as author of the Holocaust. It was our moral duty and the finest act of the 20th Century to put him out of his misery (or more precisely, to strongly encourage him to do so) deep in his Berlin bunker in 1945.

One problem with the moral argument in favor of the war is that the U.S. did not go to war for moral reasons in the first place. Our country maintained official neutrality toward

Nazi Germany for nine of the twelve years of the Third Reich, until Hitler suddenly declared war on us following the Japanese attack on Pearl Harbor in December 1941. Up to that moment, as Buchanan points out, the great majority of Americans did not want war with either Germany or Japan, despite the fact that both countries had attacked their closest neighbors and committed widely publicized atrocities on a mass scale. Furthermore, if Hitler had not insanely declared war on the U.S., in the words of George Ball (the State Department official who later interrogated Nazi Armaments Minister Albert Speer) "there would have been an enormous sentiment in the United States . . . that the Pacific war was now our war and the European war was for the Europeans and we should concentrate all our efforts on the Japanese."

Whether these reasons for war were right or wrong, Buchanan's argument should be put in perspective; it reflects the overwhelming attitude of Americans at the time. There was no popular consensus for any kind of moral crusade to help anyone, although Americans overwhelmingly chose to defend themselves once attacked. On the latter point, historians generally agree that Franklin Roosevelt maneuvered aggressively with both Germany and Japan to provoke a war which he felt was inevitable, but which the public would not support until it was forced upon them, as indeed it was at Pearl Harbor.

A third problem with the moral argument for World War II is that we did not save the Jews of Europe; the great majority were exterminated during the period of U.S. intervention, from 1942–45. Many of those who did survive emigrated from Nazi-held territory either before or during the early

years of the war. If Hitler had systematically planned an extermination campaign during the thirties and then begun to carry it out in the forties, the moral argument would still hold great weight — that we at least had to go to Europe and save as many Jews (and other victims) as possible. While this is the impression many Americans still have, bolstered by gruesome footage of Allied forces liberating the death camps, the actual history of the period is somewhat different.

In Hitler's *Mein Kampf* and other writings and speeches from the twenties, the "final solution" to the European Jewish question was usually envisioned as emigration (voluntary or

One problem with the moral argument in favor of the war is that the U.S. did not go to war for moral reasons.

otherwise) of Jews to other parts of the world. This remained the core of Nazi policy when Hitler came to power, and Jewish emigration accelerated through the pre-war years. Internal Nazi security reports reveal part of the motivation for the anti-semitic Nuremberg Laws and other persecutions as being "to strengthen the compulsion (of the Jews) to emigrate." A well-known tragedy of this period was the tight restriction on Jewish immigration imposed by the U.S., Britain, and other western governments, including British restrictions re Palestine. These eventually cost many Jews their lives and reinforced the Nazis' impression that nobody else wanted them.

As tensions heightened and war with England and France seemed likely, Hitler declared before the German Reichstag in January 1939:

If international Jewry . . . should succeed once more in plunging the peoples into a world war, then the consequence will not be the Bolshevization of the world . . . but on the contrary, the destruction of the Jewish race in Europe.

Many heard this speech; naturally few took it literally. Despite Hitler's (well deserved) reputation for brutality, the Nazis monitored Western public opinion closely during the pre-war years. As a result, the foreign press indirectly imposed a relative level of restraint on Hitler's actions. The escalation to a war footing with France and England thus put the Jews in far greater immediate danger. Not only did emigration to the West become impossible under wartime conditions, public opinion in the (now) enemy countries suddenly became irrelevant. Most importantly, in keeping with his "prophecy," Hitler vented his rage progressively on the scapegoat Jewish hostages as pressures and setbacks of the war mounted. The correlation between the Holocaust and the war itself is no mere speculation, as seen in the diary entry of Propaganda Minister Joseph Goebbels on March 27, 1942:

The Fuhrer's prophecy (of 1939) is being realized in the most dreadful way . . . If we didn't act against them, the Jews would destroy us . . . Thank God the war offers us possibilities which would have been barred to us in peacetime . . .

Tragically, the record shows the mass murder of the Jews deliberately accelerating as the war intensified. In May 1941, further emigration from occupied Europe was banned. In January 1942, the Nazis convened the infamous Wansee con-

ference to map out the systematic roundup and murder of the Jews across Europe. In November of that year, the first large-scale American battle began with Operation Torch, the invasion of North Africa. SS Chief Heinrich Himmler told his confidant Felix Kersten at the time that "since the landings in North Africa the Fuhrer has given orders to proceed ruthlessly against the Jews." This is corroborated in Hitler's speech the day after the Torch landings, when he reiterated his earlier prediction and declared that "those who still laugh today will probably not be laughing much longer."

As the tide of war turned for good in the summer of 1944, Americans mostly read headlines about General Patton's record-breaking race across France toward the German border. Unfortunately another kind of record was being set at the time; as American, British and Russian forces streamed toward Germany, the Auschwitz gas chambers and crematoria reached their highest numbers of victims per day. Crucial German war shipments were delayed at the height of the military crisis to make way for more trainloads of Jews since, in the words of historian Peter Padfield, "the most pressing goal, acquiring fresh urgency as the Red Army advanced . . . was the elimination of the Jewish race in Europe."

Whether the Jews would have fared any better under a different diplomatic or war scenario is impossible to say; what seems clear is they could not have done much worse. From the perspective of the Holocaust, the Allied assault on Europe resembles a gigantic, unsuccessful hostage rescue mission in which the terrorists shoot their prisoners as the doors are broken down. The four years it took to storm Hitler's Fortress Europe, coupled with our repeated calls for "unconditional surrender" of the Axis, all but ensured the final outcome.

Of course, the Allies were probably powerless to stop Hitler from taking his perverted "revenge" on the Jews once total war was underway. Even so, the West rebuffed Himmler's attempts to negotiate the release of a million Jewish hostages to neutral Spain and Portugal late in the war — though the terms and reliability of the negotiator were admittedly suspect. And the Allies refused to bomb the rail lines leading to Auschwitz and other death camps, which would have slowed the killings. The only moral victory possible in retrospect would have been to allow a massive Jewish emigration to the West and Palestine during the 1930's and beyond (not that Buchanan recommends this in his book!)

The European Gameboard in 1939

Buchanan's argument against the war is actually weakest where he makes his strongest stand — based on realpolitik and the layout of dominoes on the gameboard of Europe in 1939. He is correct in that Hitler's life ambition was always oriented to the East: to gain *lebensraum* ("living space") for a Greater Germany in Eastern Europe, and to smash Soviet Russia and Communism in the process. Many in the West viewed Hitler favorably out of simple self-interest. After all, Communism called for world revolution while Hitler's goals were primarily regional (and in a region other than theirs). Given that the Communists wound up murdering more people than the Fascists by any count, one might fairly question why the West began the war to free Poland from Hitler, only to end it by handing Poland over to Stalin, in the process creating a world more dangerous than ever.

To suspend disbelief in Buchanan's hands-off-Hitler sce-

nario, we might imagine the anti-interventionist Herbert Hoover defeating Franklin Roosevelt in 1932 and being sworn in for his second term within a month of Hitler taking power in Germany. Unlike Roosevelt, who talked a neutral game while provoking the Axis in every way possible, we imagine Hoover (and his anti-interventionist successors) sticking to his guns (so to speak) and maintaining genuine neutrality throughout any European or Asian crises to come. England chooses the anti-Communist line and France cannot fight alone, thus giving Hitler his free hand in Poland. The West also acknowledges its genuine inability to help Poland — painfully borne out in the war that actually ensued.

What then? With Hitler getting the Buchanan green light from the West all along, there would have been no Nazi-Soviet nonaggression pact in 1939; the battle lines would have been literally drawn in the East. Most likely Hitler would have clashed with the Russians in 1940, the year he actually overran France. The Germans were keenly aware they had gotten a jump on the rest of the world in modern rearmament; they believed everyone else was catching up and were always

and leave Russia alone. With no U.S. intervention in the Far East (also part of Buchanan's program) the Japanese would most likely have attacked Stalin in the rear and helped carve up Russia in concert with the Germans, creating an Axis Empire from the Rhine to the Pacific.

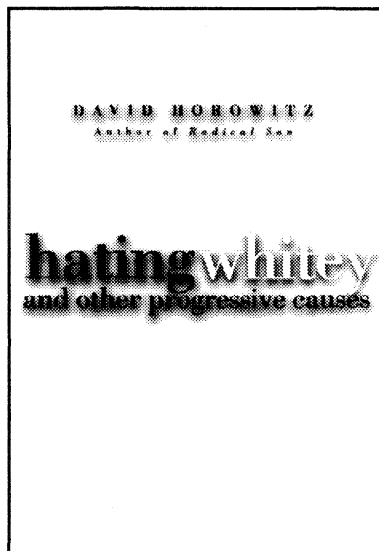
This is where Buchanan thinks the Germans would have stopped, and it is not an impossible outcome. Hitler was always outspoken about his goals and never showed much interest in conquering Western Europe, much less the Western Hemisphere. At the same time, it is difficult to imagine this head of a mighty German superpower, with his Eastern flank clear and the oil and other resources of Russia at his disposal, resisting the temptation to settle a score with his old adversaries from World War I, authors of the hated Versailles Treaty.

Buchanan makes the same mistake as the Hitler appeasers of pre-war Europe. In assigning reasonable, rational motives he fails to factor in the ultimate wild card of Hitler's personality.

anxious to strike sooner rather than later. Without large German occupation and defense forces tied down in the West and North Africa, without the critical extra year of breathing space the Soviets used to produce their next generation of weapons and officers (after the purges of the thirties), it is very likely the Germans would have taken Russia down in a single knockout blow, with far fewer losses than in the stale-mated blitzkrieg of 1941.

We now know from Soviet archives that Stalin had considered giving up in October 1941, even with his British ally still in the game and American intervention growing ever more likely. The trump card which saved Moscow in December of that year was the large Soviet army transferred from the Far Eastern front facing the Japanese — an army Stalin was only able to move because he had learned through a spy that Japan was going to attack the U.S.

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Although Hitler wasn't planning to colonize the West as such, he said this in his second (unpublished) book:

Germany should never forget for a moment that regardless how, and along what ways, she thinks to change her fate, France will always be her enemy, and that France can count on any combination of powers that turns against Germany.

Hitler likely would have demanded, and then grabbed for, the Alsace-Lorraine region ceded to France after World War I at Versailles. The French would have had to fight and the British would certainly have joined them, as in 1940. The military buildup Buchanan recommends for the West at this stage might have been enough in itself to provoke Hitler to strike.

The vision of a "Pax Buchanan" grows progressively weaker when Pat argues that the Allies could have stopped a hostile Hitler at this stage if they, instead of the Russians, had had the additional year or two to rearm. The Western powers were brushed aside in 1940 not for lack of arms; they were equivalent to the Germans in manpower and superior in both tanks and artillery (though short in aircraft) and in orthodox terms should have won a defensive battle. The difference was strategy. Allied military leaders neither believed in nor understood the combined-arms blitzkrieg tactics perfected by the Germans; it took several years of heavy German losses in Russia, massive American support, and great improvements in combat organization before the West could face Hitler directly on the ground. A battle-hardened German army would probably have rolled over the Allies on this single front as fast as or faster than in 1940.

With no Lend-Lease aid and no U.S.-armed convoys (two of Roosevelt's provocations bitterly opposed by the America First isolationists), England might then have been strangled by a continental German colossus with time on its side and no other distractions. More likely the British would have accepted a Hitler peace offer similar to the one spurned in 1940, when Churchill prophetically counted on either the Russians, Americans, or both, to save him — as they did.

At this point we're with Pat back inside Fortress America. In vouching for our continued safety, even with a Europe

The escalation to a war footing with France and England put the Jews in far greater immediate danger. Not only did emigration to the West become impossible under wartime conditions, public opinion in the (now) enemy countries suddenly became irrelevant.

hypothetically under Nazi rule, Buchanan cites Charles Lindbergh's 1941 testimony before the House Foreign Affairs Committee:

... the United States is not in great danger across the Atlantic Ocean ... Not a single squadron of trans-oceanic bombing planes exists anywhere in the world today ... I do not believe there is any danger of an invasion of this continent, either by sea or by air ...

Note the key word "today." Although Lindbergh was correct at the time he made the statement, history is not a collec-

tion of snapshots but an ongoing longitudinal study. Over the next two decades, Russians and Americans squared off with fleets of intercontinental jet bombers and missiles, courtesy of captured German designs (and designers). Despite the perils of the Cold War, the rough balance of forces carved out in the struggle against Germany did provide a successful deterrence, even if a lot of money was wasted in the process. By contrast, the prospect of a victorious Hitler astride the Eastern Hemisphere, with a leisurely timetable for expanding the wide German technical lead in jets, submarines, ICBMs and ground-to-air missiles, is not something most of us would want to hang our hats on.

In the end, Buchanan makes the same mistake as the Hitler appeasers of pre-war Europe. In assigning reasonable, rational motives he fails to factor in the ultimate wild card of Hitler's personality, although he admits "no one can know the mind of Hitler." Indeed. To say Hitler was driven by per-

From the perspective of the Holocaust, the Allied assault on Europe resembles a gigantic, unsuccessful four year hostage rescue mission in which the terrorists shoot their prisoners as the doors are broken down.

sonal demons is almost a comical understatement; the two are practically synonymous.

One thing we do know is that Hitler regularly risked all, and kept on risking. From his days as a decorated dispatch runner on the Western Front to the armed Beer Hall Putsch, to the early territorial grabs in Europe, the surprise attack on Russia, the declaration of war on America and the final Ardennes offensive, Hitler's actions point to a compulsive gambling problem of truly global proportions. Combine this with the German one-on-one military superiority, which tended to produce lopsided victories beyond even the Germans' expectations, and the traditional European balance of power goes out the window. In retrospect, given how well Hitler did against virtually all the other great powers combined, would any of us want to bet on our prospects for taking him on one at a time?

Upon review it seems the conventional wisdom about World War II is right after all, though not always for the reasons imagined. There is also plenty of unadulterated speculation to support either viewpoint. In this context, the public branding of Buchanan as a "Hitler lover" by the renowned historian Donald Trump and others is preposterous. In fact, no sanctioning or praise of Hitler appears anywhere in Buchanan's book — only a comparison to Stalin as roughly equivalent "monsters" who well deserved each other. But then, even finding a bookstore willing to carry *A Republic, Not an Empire* in "Free Speech" Berkeley was no mean task for the author of this article, so it appears reading the book is not a necessary prerequisite for attacking it.

All of this points up perhaps the most disturbing aspect of the current Buchanan-Hitler flap: the sorry state of our public discourse. □

In Defense of George Orwell

by David Ramsay Steele

Martin Tyrrell got it all wrong when he claimed that the author of *Nineteen Eighty-four* was an anti-Semitic, homophobic imperialist.

Martin Tyrrell (*Liberty*, January) maintains that George Orwell “was capable of the crassest anti-Semitism.” Tyrrell’s evidence is Orwell’s statement: “What is bad about Jews is that they are not only conspicuous but go out of their way to make themselves so.” Torn from its context, that sentence may seem to support Tyrrell’s charge, but once the context is restored, the charge is seen to be ludicrous.

Orwell was interested in the phenomenon of anti-Semitism and frequently referred to it. (Collected together, his writings paying serious attention to anti-Semitism would make a solid book). The quoted sentence is from his wartime diary (25th October, 1940), in which he recorded events going on in London, including those which it was difficult to mention publicly because of wartime censorship.

One of the things Orwell carefully observed and reflected upon was the response of native Londoners to the sudden influx of refugees from Europe, many of them Jewish. The quoted statement refers to the behavior of these new Jewish refugees in London at the time, and is not a universal statement about Jews in all times and places. For Orwell, what is “bad” about these continental Jews’ behavior is that it tends to arouse anti-Jewish and anti-foreign feelings among the Londoners.

Orwell was anxious to discern whether there was any growth of anti-Semitism in wartime England, partly because of his interest in the psychology of nationalism, and partly because any such growth would be a propaganda gain for Germany. Orwell was not afflicted by the acute sensitivity that makes some people unwilling to grant that individual members of groups which are victims of prejudice may be in some degree responsible, by their obnoxious behavior, for perpetuating that prejudice.

Orwell also observed and commented upon the mutual hostility between English people and American troops based in England, and did not hesitate to identify the arrogant

behavior of many of the Americans as one element in the mix. British-American hostility was another of these taboo topics, highly indicative of the popular mood, which Orwell candidly reported on in his diary. It’s obvious to anyone who knows Orwell that he wasn’t anti-American.

The above is not the only misleading claim in Martin Tyrrell’s review of John Newsinger’s book, *Orwell’s Politics*. Although I agree with Tyrrell’s overall evaluation of Newsinger’s book, I think Tyrrell’s picture of Orwell is highly inaccurate. I will not cover all Tyrrell’s misunderstandings here, but I will touch lightly on a few of them.

In another misleading use of a quotation torn from context, Tyrrell gives Orwell’s remark that “there is a very strong case for the Nazis, though not many people in this country have the courage to utter it.” What? Is Orwell a National Socialist fellow traveler?

The context of this remark (the brief essay “No, Not One”) is an attack by Orwell on pacifism, where he makes his usual points: 1. that some people can preach pacifism because they are protected by other people’s guns; 2. that to be a pacifist in England in 1941 is to be objectively pro-Nazi; 3. that one can also detect, in the writings of the pacifists of the time, that they tend to become subjectively sympathetic to Naziism; 4. that pacifists often talk as though the repression in England is just as bad as in Germany, when this is factually incorrect.

In arguing for this position (which he did many times) Orwell here uses the rhetorical device of provocatively suggesting that if you are going to be pro-Nazi, you would show more courage if you argued for National Socialism directly, instead of arguing against “war.” And it’s in this context that Orwell writes: “You can be explicitly pro-Nazi without claim-

Nazis, though not many people in this country have the courage to utter it — but [it's not true that political repression in England is as horrific as it is in Germany]." A little later in the same piece, Orwell again refers to "a strong case" for Naziism, this time explicitly stating that he doesn't agree with that strong case. Orwell is consciously using the phrase in such a way that he thinks "a strong case" can be quite wrong. Roughly, a "strong case" means an argument which would appeal strongly to a lot of people, given their current beliefs.

Orwell, who was just about as uncompromisingly anti-Nazi as anyone in the world at that time, is depicted by the

Orwell expected a war against "fascism" to unleash a democratic socialist revolution in Britain. He later frankly acknowledged how fanciful this expectation had been.

Tyrrell method of selectivity as though he had National Socialist leanings!

Tyrrell writes that "Orwell opposed not just abortion, but contraception too." Though he never went into the subject at length, Orwell often made remarks critical of those intellectuals who zealously promoted birth control for the poor. In the 1930s and 1940s it was widely believed that industrialized societies were faced by a fertility collapse, an underpopulation crisis, and Orwell shared this common opinion.

That underpopulation scare was later replaced by an overpopulation scare. A new dogma became predominant in the early 1960s, that we were facing an overpopulation crisis. We're now returning to the former view, which in my judgment has been correct all along. There never was an overpopulation crisis, but there is an under-reproduction crisis, a chronic birth dearth, in the economically most advanced populations.

I would be surprised to find that Orwell was ever opposed to people being legally free to practice birth control if they wanted to. He was hostile to missionary work in behalf of birth control as a panacea for poverty and backwardness — and he was right about that.

Orwell believed in the manly virtues, thought of homosexuality as a vice (no doubt rooted in capitalism), and was fond of calling intellectuals "pansies" if they were blatantly disingenuous or irresolute. Yes, he was wrong, but it's anachronistic to refer today to this kind of thing, said in the 1940s, as "reactionary" and a bit of an exaggeration to refer to it as "vicious." Orwell did not argue for coercive measures against homosexuals. Like many leftists, then and now, he believed in privacy and personal freedom except in "economic" affairs. To his credit, Orwell didn't like vegetarians or teetotalers either.

Orwell's support for the war was conditioned by his revulsion for both the National Socialist and Soviet regimes. Along with others at the time, Orwell sincerely believed that there was a real threat that National Socialist Germany, then allied with Socialist Russia, might invade and conquer Britain. Tyrrell may now think this belief woefully misguided, but it helped motivate Orwell to support the war. Another motive was that Orwell expected a war against "fas-

cism" to unleash a democratic socialist revolution in Britain. He later frankly acknowledged how fanciful this expectation had been.

To say that Orwell switched from pacifism to support for the war "quite simply" because of the nationalist ideology in which he had been drilled at school leaves the false impression that Orwell would have supported any war regardless of the enemy or the issues at stake.

As for Orwell's patriotism, he described in detail his growing love for England, or more precisely, for surviving fragments of the England which had begun to disappear around 1914, and the things he found to cherish were, virtually without exception, decidedly *not* those celebrated in the nationalist ideology of his school days.

Tyrrell's remarks about Orwell's attitude to the British empire are also misleading. Newsinger's characterization of Orwell as "a committed supporter of the cause of Indian independence" is the truth. Orwell was a long-time advocate of pulling out of the colonies, though he didn't understand that the empire cost Britain more than it brought in, and he therefore wrongly imagined that decolonization would make Britain poorer. His wartime views were modified by concern that parts of the British empire, including India, might become strategic assets on the Axis side.

Tyrrell quotes Orwell as reporting on the English scene to the American *Partisan Review* in 1941: "I don't believe that the ordinary man cares a damn about the totalitarianism of our economy as such. . . . I don't believe economic liberty has much appeal any longer." A somewhat distorted impression is given by omitting to mention that Orwell is here reciting back the language of questions put to him by American leftists. ("From over here, it looks as though there has been a very rapid advance towards a totalitarian war economy in the last few months . . ." and so forth.) At any rate, these are factual assertions about English working-class thinking in 1941,

Like more than 90 percent of intellectuals at the time, Orwell completely swallowed the Marxist theory that competition automatically gives way to monopoly and that therefore a free market can never be recovered.

and I don't think Martin Tyrrell can deny that they are accurate.

The influences on *Nineteen Eighty-four* have been identified pretty exhaustively by now, and it's uncontroversial that *The Road to Serfdom* was one of these, though almost certainly much slighter than other sources such as Burnham's *Managerial Revolution*, Zamiatin's *We*, Wells's *Sleeper Wakes*, Huxley's *Brave New World* (by negative example), and the contemporary influence of totalitarianism, refracted through such works as Koestler's *Darkness at Noon* and media accounts of the Moscow Trials, as well as Orwell's own experience of the Communist Party in both Spain and England. *Nineteen Eighty-four* is just packed with passages which are unmistakably the elaboration of ideas Orwell put on paper

continued on page 49

The Truth About Orwell

by Martin Tyrrell

George Orwell was a fine writer, but he was no saint.

What interested me about John Newsinger's book *Orwell's Politics* was that, in trying to claim Orwell as a far left icon, he generally fails to discuss aspects of the author which conflict with that view. Newsinger is not unique here. Orwell's various prejudices with regard to, among others, feminists, Catholics, pacifists and homosexuals are often overlooked, frequently by people on the left who would not usually overlook this kind of thing in a writer. There are exceptions, however. Bernard Crick's *George Orwell: a Life*, for example, acknowledges Orwell's "mild and conventional, but nonetheless clear anti-Semitism" and notes that he was free of it by the end of the war.

"What is bad about Jews is that they are not only conspicuous but go out of their way to make themselves so." In a review, it is not possible to quote at length but I do not think that when the quotation is returned to its context my suggestion that Orwell was capable of crass anti-Semitism becomes ludicrous. Orwell kept two wartime diaries. The first of these covers the months leading up to the war and is little more than a series of informal notes culled from the press and from conversations with friends and acquaintances. It is not included in the *Collected Essays, Journalism and Letters* published at the end of the 1960s. In this first diary, Orwell briefly notes the influx of Jewish refugees to London and the reaction that this caused among Londoners. ("Appears that German Jewish refugees are settling in great numbers in certain parts of London and buying houses which they have plenty of money to do," August 2, 1939; "Refugee problem stated to be becoming serious in London especially East End. Mosley [i.e., the British Fascist leader] said to have not greatly increased his following however.") Nothing here would suggest that, on this subject, Orwell was a particularly careful or reflective (let alone exhaustive or balanced) observer or that he intended to be one. In any collection of Orwell's writings on anti-Semitism, this impromptu research would not, I think, be among the more distinguished content.

The second wartime diary is more extensive and self-consciously literary. Orwell even tried to have it published. The diary entry I quoted in my review is from this second diary. When Orwell wrote it, there was a view that Jews were over-represented among the people unofficially using the stations of the London Underground as makeshift air-raid shelters. Orwell decided to investigate this for himself. The diary entry reports his findings. Again, he cannot be said to have been a particularly careful or reflective observer. He takes a look at just three underground stations and writes that, in his opinion, there was "a higher proportion of Jews than one would normally see in a crowd this size." It is not clear on what basis he arrives at this conclusion. Nonetheless, it is in this context that he observes "What is bad about Jews is that they are not only conspicuous but go out of their way to make themselves so" which is surely a universal statement, and hardly a very positive one. There is no indication that this remark is limited to any specific group within the wider Jewish community, even a relatively large one like the recent Jewish immigrants to London. He goes on to cite an unnamed acquaintance who holds that Jews will respect any leader who ill-treats them, then he writes:

What I do feel is that any Jew, i.e. European [Continental European?] Jew, would prefer Hitler's kind of social system to ours if it were not that he happens to persecute them. Ditto with almost any central European, e.g. the refugees. They make use of England as a sanctuary but they cannot help feeling the profoundest contempt for it. You can see this in their eyes, even when they don't say it outright. The fact is the insular outlook and the continental outlook are completely incompatible.

Prejudice can be a reaction to actual behavior. But obnoxious, or even plain bad, behavior by the members of a group which is already disliked can be exaggerated and used to confirm an existing prejudice. Or behavior might be judged more harshly when it is displayed by the members of a group which is perceived negatively than when it is displayed by the members of a more favored group. Unlike the American soldiers, Britain's Jews were a settled minority which had been the object of both discrimination (Jews were disenfranchised until the 1840s) and an enduring negative prejudice. I

Orwell at one point declares that all goods and services could easily be made as plentiful as air and water. Yet he also suggests that socialism will mean a drop in living standards due to decolonization and that this could adversely affect the electoral prospects of socialists in Britain.

think that Orwell was sometimes influenced by that prejudice and that he was influenced by it when he wrote up his diary for October 25, 1940. Orwell mentions, for example, how "A fearful Jewish woman, a regular comic paper cartoon of a Jewess, fought her way off the train at Oxford Circus, landing blows on anyone who stood in her way." But he does not say how he decided that the woman in question was Jewish and the relevance of the observation to the sentence I quoted in my review is not clear. However, I would agree with David Ramsay Steele that Orwell later wrote interesting and reflective pieces on both anti-Semitism and nationalism (the latter essay being one of his best).

Steele's assessment of Orwell's views on birth control is as charitable as his assessment of his wartime diary. For whatever reasons, Orwell favored stricter enforcement of the laws against abortion and warmed to government action that would make childlessness a greater economic burden than having children. Certain of his wartime writings (e.g. "The Art of Donald McGill") display a sour disapproval of the implied hedonism of the voluntarily childless. The people who advocated contraception in the 1930s were challenging taboo and prejudice. If they had been less zealous, they might have had less impact. And though birth control was, it is true, no panacea for backwardness and poverty, many people have appreciated it nonetheless and have been appreciative that the taboos surrounding it were broken. As for homosexuality, Orwell had no need to call for coercive measures. Such measures were already in place. True, he did not argue for these to be extended or applied more rigorously. But he did not argue for their relaxation either. Orwell's dislike of vegetarians and teetotalers (and men who wore shorts and sandals) is not quite the same. None of these lifestyle choices was officially defined as criminal or liable to prosecution or imprisonment. When Orwell describes other writers as "nancy boys" and "pansies" — the abusive terms of the day — it is not because he believes that they are "disingenuous" or "irresolute." It is because he believes that they are homosexual or considers them to be effeminate.

I assume David Ramsay Steele is being ironic when he writes that "To his credit Orwell didn't like vegetarians and teetotalers." Disliking people because they choose not to eat meat or drink alcohol is not to anyone's credit.

The left with which Orwell broke in 1939 was that faction on the left of which he had been a part — the Independent Labour Party (not the British Communist Party towards which Orwell appears to have been consistently hostile). The ILP had been skeptical of the anti-Nazi propaganda of the late 1930s, seeing this as the prelude to an aggressive imperialist war. Orwell shared this outlook. Then he became a supporter of the war. And not always reluctantly. At times, he even seems to have relished it. He is certainly critical of those advocating a negotiated settlement. Anyone, of course, can change. Positions sincerely held can be set aside in favor of positions held thereafter with equal sincerity. Orwell explicitly attributed his own change of position to an impulse arising from his school days: "The long drilling in patriotism which the middle classes go through had done its work; once England was in a serious jam it would be impossible to sabotage." This is not to imply that Orwell would have supported Britain in any war whatsoever. But it is the reason he himself gave for supporting the kind of war he had hitherto said he would not support. The sudden break between Orwell's pre-war and wartime positions when he virtually reverses many of the views he held previously has interested me for several years. The explanation Orwell himself supplies is the only one I have found in the texts available.

What is remarkable about Orwell's pre-war writings (as presented in the *Collected Essays, Journalism and Letters*) is how relatively little he has to say on the subject of Nazi Germany or the USSR. To say that the pre-war Orwell was revolted by these states is something of an exaggeration. Clearly influenced by the ILP position, Orwell seems keener to put them in perspective, trying to show parallels between the excesses of the totalitarian regimes and those of colonial states like Britain. And, on Nazi Germany, the Orwell of the late 1930s is usually a restrained critic, often seeing anti-Nazism as hypo-

Orwell favored stricter enforcement of the laws against abortion and warmed to government action that would make childlessness a greater economic burden than having children.

critical war-mongering. An argument that Orwell makes on several occasions is that fascism is simply a form of capitalism, that there is a need for a revolutionary war against capitalism in all its forms — fascist and democratic — and that a capitalist democracy engaged in a war with fascism will quickly show its incipient fascist tendencies.

It was in no way my intention to suggest that Orwell was sympathetic to Nazism in toto, which he clearly was not. But he did see merit in the economics of national socialism and was impressed by the way in which fascists mobilized public opinion by appealing to patriotism. "The Lion and the Unicorn" aspires to a patriotic socialist society but clearly not an (especially) repressive one.

Orwell at one point declares that all goods and services could easily be made as plentiful as air and water. Yet he also suggests that socialism will mean a drop in living standards due to decolonization and that this could adversely affect the electoral prospects of socialists in Britain. I think that Orwell conceived these positions separately and did not try to establish a relationship between them. The post-imperial Britain he envisages in *The Road to Wigan Pier* is, as I recall, a bleak place where people will have to work hard and subsist on a diet comprising mainly herring and potatoes. He does not propose that socialism will remedy it or that socialists might benefit from arguing that decolonization will mean short-term hardship but longer-term improvements. Overall, my impression of Orwell on socialism is that sometimes he argues that it will mean a deterioration in living standards and, sometimes, that it will mean an improvement.

I would describe Orwell as a grudging supporter of Indian independence rather than a committed one (e.g. the essay "Shooting an Elephant"). This grudging support was qualified during the war. Any independent state can become a strategic asset (a conquest, an ally, a benevolent neutral) of any other. That is in the nature of independent statehood.

I was careful not to make too great a claim for Hayek's influence on Orwell. My intention was to compare and contrast the leftist influence Newsinger exaggerates — Trotsky's — with a liberal influence he overlooks but for which I feel there is evidence. Few commentators on Orwell mention the possibility of a Hayekian influence. From memory, neither

Bernard Crick, Michael Sheldon nor Peter Davidson do but W.J. West might mention it in passing.

It is clear enough from "The Lion and the Unicorn" that Orwell favored — albeit briefly — what he saw as the totalitarian turn in the British economy. In his commentaries for *Partisan Review*, he was not reporting dispassionately. In no way do I "despise" his move away from this position. Quite the opposite. And I readily concur that Orwell's best output was produced in the late 1940s. But it was, in my opinion, produced in reaction to the kinds of politics he had previously endorsed in, for example, "The Lion and the Unicorn." It is clear what the Orwell of *Nineteen Eighty-four* is against, but not so clear what he is for. One can be a political spent force and still manage to produce enduring works of literature, though Orwell left no substantial work in progress. Likewise, one can be a political spent force, only to revive with an interesting new political position. Perhaps Orwell would have done so. And perhaps not. We can only speculate, then speculate again as to what that position might have been. Orwell's early death just when many on the left were facing tough Cold War choices means that he can be claimed by many different political positions as someone who would, in the longer term, have joined them. Had he lived this might not have been as possible. We would have seen how he responded to the events of the 1950s.

But I fully agree. It is, indeed, *Nineteen Eighty-four*, not 1984. Like David Ramsay Steele, I am apparently one of the few to whom this matters. □

Steele, "In Defense of George Orwell" from page 46

before the appearance of *The Road to Serfdom*.

Like more than 90 percent of intellectuals at the time, Orwell completely swallowed the Marxist theory that competition automatically gives way to monopoly and that therefore a free market can never be recovered. This is why Orwell and others could essentially agree with Hayek's argument about the totalitarian implications of central planning, without entertaining the notion that the trend towards central planning could be reversed.

In the last few years of his life, Orwell came to recognize that there was a close connection between capitalism and freedom of thought, but since he was also convinced that capitalism was doomed, this recognition merely made him try to think of substitutes for private ownership, ways of somehow safeguarding freedom of thought under socialism.

Tyrrell repeatedly finds discontinuities and inconsistencies in Orwell's thinking which are not really there, or if there, are common to nearly all socialists. For example, to say that Orwell "broke with the left" in September 1939 is a deceptive half-truth. Virtually all leftists who supported vigorous prosecution of the war against Hitler wanted a Churchill government.

Orwell broke with the pro-Stalin left, which was then close to its height as a proportion of the left. But until the Nazi-Soviet pact, which was extremely troubling to leftists, the Communists had been the most militant of anti-Nazis and the Nazis the most militant of anti-Communists. Calling for a Churchill government was a Communist demand before the pact, and after Hitler attacked Russia, the Communists and Conservatives became the closest of allies, with the Communists using their union influence to break strikes and

the Conservatives helping the Communists go after suspected "Trots."

Tyrrell dismisses as "contradictory" Orwell's maintaining simultaneously (1) that all commodities could be made plentiful and (2) that loss of India would lead to a precipitous drop in British living standards. Orwell shared the socialist view that capitalism was extremely wasteful, therefore the introduction of socialism would lead to a great expansion of output. He also shared the "imperialist exploitation" view that British living standards were augmented by exploitation of the colonies, therefore loss of the colonies, given a continuation of capitalism, would drastically cut British workers' wages. Now, I think these two positions, each of them typical of the 1940s left, are *both false*. But they are not in any way contradictory.

There's an insinuation in Tyrrell's remarks that is downright mystifying. He thinks it was good for Orwell's reputation that he died when he did. "Politically, the Orwell of the late 1940s is a spent force." It's almost as though Tyrrell despises Orwell for his departures from socialist orthodoxy.

Orwell's influence, his persuasiveness, the quality of his writing, and the perceptiveness of his analysis of culture and politics grew from strength to strength, year by year. His lungs were a spent force, because of tuberculosis. His mind and his will were more potent than ever at the end. In the last seven years of his life he wrote, as well as many riveting short pieces, the two most widely read political novels of the century, and he showed no sign of running out of ideas.

Finally, something which may strike some people as frivolous, but it matters to a few of us. The title of Orwell's last book, tolling like the strokes of a great plague-warning bell, is *Nineteen Eighty-four*, and absolutely not 1984. □

Vindication

by Tracey Rosenberg

Anna refolded the letter along its creases and nestled it back into the envelope. As she pulled her hand away, the diamond of her engagement ring scratched her chin. She winced and half-slapped at it.

From the kitchen, David's whistling ceased. The floorboards shifted: down the hall, into the tiny foyer, through the door of her office.

"No," she said, holding up the envelope. "Again, no."

"Oh, Anna." David clasped her shoulders. His hands smelled lightly of oregano.

"I knew this would happen. I should have transferred after the master's." She dropped the envelope, resting her head on her fists as David began kneading her shoulders and the back of her neck. "But that would have been far too easy. I had to prove I could stay at a state-funded institution and keep my principles intact. . . ."

"I thought you had personal reasons for not transferring," David said in a tone of utter flatness.

She shifted forward, twisting out of his grasp. The bulletin board above her desk was ringed by yellow Post-Its inscribed with bibliographic references. In its center, a miniature print of Mary Wollstonecraft shared a corner thumbtack with a postcard acknowledging receipt of the application. Anna pried the tack away with her thumbnail, then jammed the postcard into the rejection letter's envelope.

"Shortlisted two years in a row," she muttered, smoothing the ragged edge where she had torn the envelope open. "If I were such a bad candidate, why didn't they just tell me to go to hell in the first round?"

David took a step back. "I've left the dumplings to simmer. They're ready any time you want them. You really should eat. I'll be back right after the GSI meeting —"

"Oh, damn it!"

Her arm lashed out. A Wollstonecraft biography thumped to the floor, and a sheaf of red-inked essays cascaded in a fan on top of it.

David remained motionless.

"Can you please stay home tonight?" Anna half-turned towards him. "God, you know how much this meant to me. I'll have to stay on at the bookstore and scramble to pick up enough work. Hell, I can kiss my research trip to France goodbye. . . ." She struggled to keep her voice level. Her hands twisted in her lap. "You've been incredibly supportive. I can't tell you how much I appreciate everything you've done. Maybe I shouldn't have put all my hopes on this one scholarship, but after the phone interview went so well. . . ."

"I understand. I'll come back the minute I can. But I have to attend this meeting. The entire graduate school is voting on whether or not to strike. You should be there —"

"I have no reason to be there. I'm not a teaching assistant, and even if I were I wouldn't protest against state budget cuts." She leaned over and gathered the essays back into their manila folder. "I told you it doesn't bother me if you take government money, but you know perfectly well what I think about it."

The essays had to be returned to the tutoring center, and another three or four dozen would be waiting for her, hours of grading at minimum wage . . . she pushed the folder to the back of her desk and dropped the biography on top of it.

"Anna, I know you wanted this scholarship. I can't tell you why you didn't get it. You have a major publication and your research is within the foundation's range; sometimes committees are simply insane." David half-folded his arms and rubbed his hands along the sleeves of his gray sweater. "But you knew the risks when you won the Lambeth Fellowship: you might not be able to complete your doctorate without resorting to loans or teaching work. There are too many graduate students and not enough private funding. God knows I've been having a hard enough time, and I'm squeezing every last penny out of my lender. You've been killing yourself with editing and the bookstore and tutoring, and it's only been eight months. Do you really want to go on like that for another four years?"

Anna slumped down in her chair, twisting her fingers. The diamond of her engagement ring flashed coldly. "We agreed not to have this argument again."

"Am I supposed to watch you run yourself into the ground, without protesting?"

"Since it's my choice, yes. I won't take government funding. It's immoral, it rewards mediocrity —"

"I've asked you not to use that phrase." David's voice edged over the desktop.

"You know I don't mean you." She brushed her hair

You're ruining your life and your career. Yes, you have principles. I have never suggested that you discard them — I've only asked you to take other factors into account. Unless you can create some libertarian utopia, you won't be able to live without interacting with government money.

down over her forehead, toying absently with a snarl of curls.

"You're ruining your life and your career," he said bluntly. "Yes, you have principles. I have never suggested that you discard them — I've only asked you to take other factors into account. Unless you can create some libertarian utopia, you won't be able to live without interacting with government money. Taking a loan to survive graduate school isn't a sin. You pay taxes, for crying out loud."

"And you know how I feel about it," she muttered.

"You pay, what, less than two thousand dollars a year? If you teach two sections of freshman comp, with the tuition waiver thrown in you won't need much more than that in loans. Meanwhile, I've offered a hundred times to cover your half of the rent."

Anna laughed bitterly. "Terrific. I get to compromise my principles and be a kept woman."

A cool breeze edged through the half-open window. Papers rustled on the edges of her bookshelves.

The floorboards creaked indignantly as David left the room.

Anna pulled open the bottom drawer of her filing cabinet and shoved the envelope down into the REJECTION file. As she flipped through the pages of her only pending application, an essay prize worth three hundred dollars, water gushed in the kitchen, followed by the cool slam of the freezer.

She was sorting through unread essays on female thinkers in the Enlightenment when the chain on the front door rattled. A few moments later the door closed and the bolt slammed home.

Her office settled into the impending dusk. She listlessly stretched her arms and stared at the bookshelves stacked double and triple, the green spines of Virago reprints, the piles of plastic-wrapped photocopies she'd ordered from the British Library during her snatched trip to England the summer before — on a plane ticket she still hadn't fully paid off. She'd budgeted some of the first stipend installment to clear that debt . . .

Yanking the file drawer open, she pulled out the envelope and tore the letter free.

Dear Ms. Ward, Thank you for your recent application. We regret to inform you that we were unable to select you as a scholarship winner in this year's competition. Because we operate without an endowment, the funding for this program is limited. . . .

They hadn't even bothered to rephrase the wording from one year to the next. Just because they were the only private foundation that offered fellowships for doctoral candidates writing theses on neglected feminist philosophers, did that mean a humanities major on a summer internship couldn't change one stupid paragraph?

She turned the letter over and wrote:

— Tell bookstore I'm keeping the job — Ditto ESL coordinator — Place ads for private tutoring — campus paper, English dept. broadsheet, bulletin boards — Talk to department head about postponing general exams.

In the encroaching darkness, she could hardly read the final words as she scribbled them below the second crease. Her engagement ring was no more than a shadow over her finger; the bookshelves were featureless monoliths. Even Mary Wollstonecraft's dainty white mob cap was swallowed up in gloom.

"Spare me." Anna dropped her pen. "You have no excuse to feel sorry for yourself. Think about Mary." Wollstonecraft had truly struggled; not even her most virulent detractors could deny that. She suffered the personal constriction of being a poor companion to a wealthy woman; she attempted suicide twice after a passionate relationship disintegrated, leaving her to care for an illegitimate child. After her tragically early death from a subsequent pregnancy, her intellectual legacy had been nearly obliterated — her own husband, attempting to immortalize her in his memoirs, depicted her as a stereotypical female, an emotion-driven romantic. Instead of being viewed as one of the great thinkers of the Enlightenment, she was condemned.

Anna shivered violently. So much anguish, personal and scholastic; and for what? So that two hundred years later a graduate student could lead an equally miserable life, reducing herself to the fragments of what she might have accomplished — only this time, choosing voluntarily to do so?

Her heart began to pound. Her mind was melting from hours of reading freshman composition essays, inventorying fiction, skimming incomprehensible texts in order to write cogent reviews. On her breaks at the bookstore she devoured selections from the list of required texts for her general exams, but even as she forced herself to concentrate, the tantalizing hope of the fellowship slithered between her eyes and the words: if they offer support, you won't need to waste your time here. You can devote yourself to Wollstonecraft. It won't matter what David thinks. You'll prove you were right. You won't need to be afraid . . .

Anna pushed herself back from the desk. The envelope tumbled to the ground. She grabbed her jacket and hurried to the door.

* * *

"I don't really think they'll capitulate; the fact of the matter is their budget is being cut, and we're simply another line-item to be squeezed. But I think we have useful strategies, and in any case, as long as we're making noise, the

administration can't ignore us — not without consequences." David dipped the ladle into the pot. "Do you want another dumpling, or only broth?"

"Broth is fine," she murmured. The heel of her hand felt warm against her forehead, as though the soup had raised her internal temperature.

"Here, take the last dumpling. These are certainly some of my better ones, if I do say so myself." David placed the bowl in front of Anna and practically danced back to the stove. "I managed the spices correctly, after a hundred attempts. Oh, I meant to ask. . . ." He turned the ladle over in his hand, frowning at it. "Would it bother you if a few of the other GSI's came over some night this week? We need to discuss strike logistics. I can schedule it on a night you're at the bookstore."

"Why? I'm walking the picket line just like the rest of you." She dipped the curve of the spoon in and out of the soup. The liquid gathered and broke apart across its back. "Or am I? Did voting in favor of the strike absolve me of having to prove myself?"

"Of course — Anna, of course." David slid into the seat across from her, his face tilted in concern. "You're more than welcome to take an active role in this. I only thought you might not want to. . . ."

"Be reminded of it?" She let the spoon fall into the bowl. "I should get some reading done. Since I don't have to postpone my general exams, I need to study for them."

In her office, she grabbed the top book from the stack piled on the edge of the desk. After a few minutes spent glancing through pages she'd already read, she dropped the book and tucked her arms against her chest. Mary

*So much anguish, personal and scholastic;
and for what? So that two hundred years later
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life, reducing herself to the fragments of
what she might have accomplished — only this
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Wollstonecraft placidly watched her circular path as she paced.

Anna stopped in front of the portrait, but instead of staring at it she closed her eyes to the bulletin board, to the desk, to the fallen envelope sitting under her chair, to the filing cabinet with its lowest drawer ajar and the REJECTION file sticking up. She stood for several moments, her heart thumping madly, her skin twitching.

Everything began to drop away, even the sound of her breathing. The fear went last, and slowly — the clinging, morbid tendrils. She felt them scream as they uncurled, spider legs slick with philia. As she stood quietly, calming, they softly laid themselves aside and vanished.

She opened her eyes and nodded at Mary.

In the kitchen, David was wiping down the counter. The soup pot rested upside-down in the drying rack, with the ladle and spoons and bowls surrounding it like an uneasy crown.

"I can't do it," Anna said.

David stared at her. The yellow sponge continued its circular motions as though he were not controlling it.

"I know my life would be ten times easier if I did, but I can't."

"But you said . . . you came to the meeting —"

"I was terrified tonight. All I could see was the way Mary Wollstonecraft struggled all her life, because she had no choice about it. I bolted for safety because — for a moment — I thought that she would have done the same thing, if she'd only had the chance. But it isn't safety after all. It's just a different type of fear. And since that's true, I might as well stick with my own, because at least I can be honest with myself."

She pressed her fingertips to the table and began drumming them softly.

"It's funny, but I'm not even ashamed of myself. Fear does strange things to people. It makes them grab for security because they're afraid they can't succeed on their own. Sometimes they can't — because society tells them they can't; God knows Mary learned that the hard way. But I can. So if I can't fund my way through graduate school with private money, I'll . . ."

"Give up everything you've been working for?" David squeezed the sponge. Dreary water plummeted into the sink.

"Oh no. I'll write this thesis. But I'll have to change how I'm doing things. I can suspend my status this year, work full-time and save money. Maybe I'll even apply for the fellowship again — though I won't set all my hopes on it this time around. If things don't start looking better within six months, I'll make arrangements to transfer to one of the private schools I was looking into."

"That won't guarantee you can survive without loans."

"I'll find a school with its own fellowships, or private loans. Or I'll drop to part-time status and work all the way through."

David shook his head. "This is going too far. You told me once that you felt you had to write about Mary Wollstonecraft, that something was driving you. Now you're saying you're willing to take twice as long, and go through a hell of a lot of hassle, and risk giving it up altogether — you can't pretend that isn't a possibility — at the very least you're going to skewer your job chances, taking twice as long to write your thesis as anyone else."

"I think she'd understand. She knew how hard it was for women to work on their own, without being supported by a man."

David dropped the sponge and stared down into the sink.

"We should talk about the rest of it another time."

He turned away, pulled a plastic bowl out of a cupboard, and began pouring the remaining broth into it. "The rest of it?"

She smiled wanly. "Let's face it, David. We're not entirely arguing about loans."

When she walked back into her office, Mary Wollstonecraft smiled at her from over the desk.

Anna sat down before the portrait, staring deep into the mysterious eyes, twisting her hands in front of her. When she stood up again, smiling fully, her hands were bare, and her heart light. □

Reviews

Real Federalism: Why It Matters, How It Could Happen, Michael S. Greve. AEI Press, 1999, 200 pages.

The Law and the "Leave-Us-Alone" Coalition

Gene Healy

Libertarians and conservatives who favor a radically decentralized politics are often given to despair. Understandably so: in *fin de siècle* America it seems that no concern is too localized or parochial to escape the juggernaut of centralization. Where teenage smoking and yuppie angst over suburban sprawl are fit subjects for national legislation, what hope can there be for restoring the federalism of the Old Republic?

In *Real Federalism*, Michael Greve suggests that all is not lost. Greve, executive director of the libertarian public-interest law firm the Center for Individual Rights [full disclosure: I worked briefly as a summer law clerk for CIR], counters the funeral dirge for the Tenth Amendment with a cautious note of optimism. He argues that two developments have created the preconditions for a more decentralized politics. The first is the current composition of the Supreme Court, four and a half members of which flirt with serious decentralization. The second is the emergence of a loose and shifting, but nonetheless discernible constituency

opposed to federal coercion: the "Leave-Us-Alone Coalition."

The Cases

The heart of Greve's book is an analysis of the former phenomenon: the accession of a Supreme Court near-majority that is haltingly, tentatively testing the waters for a radical shift of power to the states. Over four chapters, Greve examines several comparatively recent decisions evidencing that trend: *U.S. v. Lopez*, *City of Boerne v. Flores*, *Printz v. U.S.*, and *Seminole Tribe v. Florida*. These cases, suggests Greve, could be the start of something big.

In *Lopez* and *Boerne*, the Court struck down acts of Congress — the Gun-Free School Zones Act and the Religious Freedom Restoration Act, respectively — for having traduced the bounds of Congress's enumerated powers. In *Printz*, a 5–4 majority led by Justice Scalia struck down provisions of the Brady Act which ordered state law enforcement officials to carry out federally imposed duties. *Printz*'s invigoration of the Tenth Amendment was matched by *Seminole Tribe*'s revitalization of the Eleventh. *Seminole Tribe* used that amendment to hold that private citizens may not sue states in federal court, except under civil rights statutes which reveal a clear

congressional intent to abrogate sovereign immunity.

Throughout these cases, there's a tension between what Greve calls "sovereignty-centered federalism" and "enumerated-powers federalism." Is the Court trying to reestablish Constitutional limits on federal power, or is it merely carving out immunity from federal coercion for the states *qua* states? (*Lopez* and *Boerne* might suggest the former, *Printz* and *Seminole Tribe* the latter.) As Greve has noted elsewhere, the Court's federalism jurisprudence, with few exceptions, "take[s] for granted Congress's constitutional authority to legislate practically anything — and proceed[s] to grant state governments exemptions from many of those laws." He argues that the Court's focus on state sovereignty, as opposed to constraints on federal power, has allowed Congress to consume the core of federalism, leaving only the rind. "To advance a

The restoration of pre-1937 enumerated powers jurisprudence will depend on more than convincing five members of the Court to make it so.

federalism that is worth having," Greve maintains, "the Supreme Court must move from protecting the states to limiting Congress."

It is just possible, Greve suggests, that an enumerated-powers federalism will burst forth from the cocoon of the Court's new states'-rights jurisprudence. *Lopez* hinted that the Court might be willing to take back some of the virtually unlimited power Congress has seized under the Commerce Clause. *Boerne* clamped down on Congress's attempts to redefine constitutional rights via the enforcement clause of the Fourteenth

Amendment. And even *Printz*, more of a "sovereignty-centered" case at first blush, suggests a possible reinvigoration of enumerated-powers constraints. As Greve notes, Scalia's majority opinion holds out the promise of a Necessary and Proper Clause with teeth, a hope that's been moribund since Chief Justice Marshall rejected such a challenge to the Second Bank of the United States in *McCulloch v. Maryland* (1819).

The Constituency

But the restoration of pre-1937 enumerated powers jurisprudence will depend on more than convincing five members of the Court to make it so. Justice Brennan is said to have remarked "With five votes you can do anything around here"; but it has never been as simple as that. The Court has no Archimedean lever. Ultimately, it needs political support to overturn the enactments of temporary legislative majorities.

That is where Greve's analysis of the "Leave Us Alone" Coalition comes in. "LUAC," for lack of a better acronym, consists of "loosely connected,

Greve suggests that an enumerated-powers federalism will burst forth from the cocoon of the Court's new states'-rights jurisprudence.

partially overlapping grass-roots constituencies — property rights advocates, the term limits movement, home school and school choice organizations, right-to-life groups, gun owners . . . small business owners, and others." This disparate coalition was instrumental in the Republican takeover of the House in 1994. Greve puts forth the tantalizing prospect that the LUAC and the Court could begin — may already have begun — a "virtuous cycle" of cooperation. In the scenario he sketches, the LUAC can provide the Court with political support; in turn, the Court can reward the

LUAC with decisions ceding more autonomy to the states and the people. As the two reinforce each other, Greve suggests, our politics can shift to a more decentralized equilibrium.

Greve's approach here is promising, because he steps away from abstract analysis of legal doctrine and thinks seriously about the political preconditions for federalism's revival. Unfortunately, the discussion of the contours of the LUAC is all too brief. The reader is left unsure of the potential strength and permanence of the coalition. Does it possess the numbers and intensity of preference to permanently reshift the political landscape, or is it a mere think-tanker's construct, the product of wishful thinking? The genesis of the term, "Leave-Us-Alone Coalition" might suggest the latter. It was coined by Grover Norquist, a Republican strategist who seems at times to have drunk too deeply at the well of Reaganite optimism. Before the 1998 mid-term elections that nearly cost the G.O.P. the House, Norquist was predicting massive Republican gains. Greve might have strengthened his case for moderate optimism by producing more polling data and political science research on the strength of the LUAC.

In addition, *Real Federalism* might have benefited in some areas from a longer historical view. For instance, Greve writes that "in the twentieth century at least, the battle cry of 'states' rights' has consistently sounded in the defense of statist, majoritarian schemes (most notoriously, Jim Crow) and never in the defense of a federalism of limited government." "Never"? Here Greve paints with too broad a brush. Opposition to *Brown v. Board of Education* and the Civil Rights Act of 1964 was too often rooted in populism and prejudice, but a principled defense of "a federalism of limited government" was equally central. Chapter Four of Barry Goldwater's *The Conscience of a Conservative* makes that abundantly clear. In that chapter, Goldwater expressed his distaste for segregated schools, but argued that "the Constitution does not permit any interference whatsoever by the federal government in the field of education. . . . Let us, through persuasion and edu-

cation, seek to improve institutions we deem defective. But let us, in doing so, respect the orderly processes of the law. Any other course enthrones tyrants and dooms freedom."

Furthermore, as Greve's "twentieth-century" qualifier suggests, the full history of states' rights includes many occasions on which states' righters stood in opposition to the tyranny of the majority. Several such instances that come to mind include: Jefferson and Madison's Kentucky and Virginia

The Court's focus on state sovereignty, as opposed to constraints on federal power, has allowed Congress to consume the core of federalism, leaving only the rind.

Resolutions, offered in opposition to the despotic Alien and Sedition Acts; Calhoun and South Carolina's resistance to a federal revenue system based on expropriating the Southern planters to protect Northern industry; and the Northern states' resistance to *Dred Scott* and the abominable Fugitive Slave Act of 1850. (This history was chronicled by another principled opponent of *Brown*, James Jackson Kilpatrick, in his out-of-print classic *The Sovereign States*.)

The Prospect

In Greve's vision, the Supreme Court ushers in a return to pre-New Deal federalism. Other supporters of real federalism have seen the Supreme Court as federalism's most determined enemy. Thomas Jefferson described the Court as "an irresponsible body . . . working like gravity by night and by day, gaining a little today and a little tomorrow, and advancing its noiseless step like a thief, over the field of jurisdiction, until all shall be usurped from the States, and the government of all be consolidated into one." Greve is aware of the Court's centralizing tendencies — its essentially nationalist and elitist orientation — but suggests

that, with the right political preconditions, they can be overcome. Is Greve's proposal realistic? Perhaps a better question is, does anyone else have a better idea? As Greve puts it, "there is no point to thinking about real federalism unless one can imagine some scenario that leads from here to there." Having indulged themselves in secessionist fantasies and (justified) lamentations over the illegitimacy of the Regime, hard-core decentralists are ill-positioned to charge Greve with quixotism. The scenario Greve sketches could happen. He does not

claim that it inevitably will.

Real Federalism is elegantly written and cogently argued. Even if, like me, you're given to millennial pessimism, you may find it largely convincing. And the pessimists have been wrong before. Most recently, we awoke on the morning of January First to find civilization (such as it is) and our liberties (such as they are) intact. Maybe we're wrong, too, about America's inevitable slide into centralized tyranny. Take a few hours away from redecorating your concrete bunker, and give *Real Federalism* a read. □

***The Dutch Republic: Its Rise, Greatness and Fall, 1477-1806*, by Jonathan I. Israel. Oxford University Press, 1995, 1,231 pages.**

Dutch Retreat

Brien Bartels

The Dutch are my personal favorites in the contest for Most Libertarian Culture. They have a congenial policy toward illicit drugs, and a regulated tolerance toward prostitution and assisted suicide. The Dutch barely have a standing military, and their policy of allowing homosexuals and long-haired kids into that establishment indicates just how seriously they take it.

There is also the Dutch mastery of trade. Recently a participant in a roundtable of futurists in *The Wall Street Journal* referred to them as "historically, the world's greatest traders." *The Economist* forecasts that the Netherlands will be the best place in the world to do business after the turn of the century, in terms of market potential and political environment, displacing Hong Kong.

I have always believed that the current congenial atmosphere in the Netherlands must have something to

do with the reputed libertarian outlook of the Dutch Republic in its Golden Age, roughly from 1588 to 1672. This was the tiny country that founded a world-wide trading empire to rival that of the British, that sheltered Descartes and Spinoza, that accepted the English Pilgrims on the way to Plymouth, and that provided Thomas Hobbes with a publisher. Besides, I have always been looking for confirmation of my own prejudice about those of us in the libertarian movement who are of Dutch descent. As my nutty Dutch aunt might say, everything is "in the blood." An enclave of Protestants, martyrs, refugees both religious and political, and canny businessmen could give rise, over time and after a certain amount of in-breeding, to a genetic strain of intransigent free-thinkers.

So I was delighted to find Jonathan Israel's *The Dutch Republic: Its Rise, Greatness and Fall, 1477-1806*. This entry in the *Oxford History of Early Modern Europe* winds out to an intimidating 1,231 pages. But Israel's book is

far more readable than the equally hefty *An Embarrassment of Riches: An Interpretation of Dutch Culture in the Golden Age*, by Simon Schama. The opening chapters of Schama's book consist in large part of captions for indecipherable engravings — the decorations of the author's scattered musings. A quick scan of the books in print at Amazon.com shows that most comparable books are either long out of print or vastly more expensive than this paperback re-issue.

Israel traces a complex political story in clear, relatively engaging fashion, despite what I imagine is an English academic's compulsion to overuse parentheticals and subordinate clauses. Israel also commits the sin of never translating French quotations into English. More importantly, however, he shows a pretty good understanding of economics, unlike many "progressive" scribblers who call themselves historians.

And yet . . . I can't recommend *The Dutch Republic* to many people except graduate history students and writers contemplating historical novels. The book is too vast and detailed, and it rarely gives its actors the descriptive flesh that someone like Barbara Tuchman would have given them. Still, it offers clues for the reader who would learn how advanced, free societies get that way, as well as some details that contest folkloric understandings of Dutch society.

Israel doesn't break it down this way, but there are four main themes in the story of the Dutch. First, factionalism. The Netherlands, which at the outset of the period included the area of modern Holland, Belgium, Luxembourg, and some German territories, were continuously riven by factions based on class or religious confession. Catholic versus crypto-Protestant in the 1520s. Calvinist versus everybody else, thereafter. Republicans versus Orangists.

Faction was apparent in every phase of history, and so was the strangely subdued manner in which ideological battles were fought. It was mostly a matter of propaganda, which rarely burst out into fighting or resulted in executions. The people of the early Netherlands seemed to value

their skins more than their causes — which leads to the second major theme, dissimulation.

If you were a Protestant or a humanist in Catholic, Hapsburg Low Countries, you obediently went to mass and practiced your real faith secretly. Dissimulation was the fortress of William the Silent, Prince of Orange, proponent of freedom of conscience in religion and architect of the revolt against the Hapsburgs that culminated in 1588. The crypto-Lutheran William was actually quite loquacious, Israel assures us; he got his sobriquet ("the Silent") by concealing what was really on his mind. The Dutch humanists, living under the direct control of the Catholic Hapsburgs, not the restless German princes who sheltered Luther, had to keep their Protestant lights hidden under a bushel. In fact the Inquisition of the Emperor Charles V took its first kill in Brussels, burning a pair of Augustinian monks in the town square. This repression, Israel writes, compelled "the country's intellectual elites to draw a veil of concealment over their religious beliefs, discussions, and reading, creating a duality, a gulf between conviction and practice, which shattered and traumatized the spiritual world of the Netherlands. The divorce of appearance from reality, and prevalence of subterfuge, hypocrisy, and pretense, quickly pervaded every corner of Low Countries life" (83).

The third major theme of the Dutch existence is trade. While Flanders was famous for its textiles throughout the middle ages, Holland, the province most exposed to the North Sea, went heavily into the more prosaic economic niche of long-distance bulk freight. While Swedish timber, Spanish salt, and grain from Denmark and Riga weren't worth nearly as much pound for pound as the cloth of Holland's Flemish neighbors, the freight haulers of Holland evolved the cheapest and fastest bulk transport system in Europe. Holland and its satellite provinces sat astride the Rhine, a major outlet for goods from the European interior. Although frequently cut off by the region's wars, the barge traffic of the Rhine provided the Dutch with customs revenue and eventually gave

them an array of "rich trades" to re-export.

As the nexus of many trade routes and steward of the North Sea herring fishery, Holland became an entrepot, achieving unprecedented economic synergies. Trade dispersed wealth widely among the republic's citizens. The hot Hollandish economy suffered chronic labor shortages and paid the highest wages in northern Europe, inviting immigration and creating an urbanized middle class, almost any member of which could invest in a small share of a trading ship. Dispersed wealth was one of the keys to the stability of the republic, even during the frequent hard times caused by war.

This brings us to the fourth theme — war, learned the hard way. Enemies frequently besieged the republic. The

The only people who really talked about Dutch freedom were visiting foreign gentlemen, who often hated the fact that ordinary men, and even women, would speak to them in public as if they were equals.

Dutch infantryman was never a match for the Hapsburg Spanish soldiers, or for the French under Louis XIV, or for the Prussians, or the revolutionary French. Nor were Dutch warships equal to the more massive British fleet. The Dutch survived behind the natural barriers formed by rivers and polders, by innovations in fortification and tactics, and, despite the faction of the republic, by uniting at critical moments to achieve some stunning upset that would keep the republic in existence a little longer.

As Israel's book shows, other, commonly supposed themes of Dutch history may not have been so powerful. Toleration of different faiths was not achieved until the eighteenth century, when the rest of Europe was already flirting with the Enlightenment. "Descartes complained," Israel tells us,

"that the United Provinces were not as 'free' as he had originally supposed" (677). The only people who really talked about Dutch freedom were visiting foreign gentlemen, who often hated the fact that ordinary men, and even women, would speak to them in public as if they were equals. Tolerance was actually, Israel says, "an ambivalent semi-tolerance," a "partial toleration seething with tension, theological and political, both within, and between, the principal church blocs and between these and their dissident offshoots" (676).

The Private Empires

Some comment must be made on the East India and West Indies Companies. During the 1500s and 1600s, the ports of Europe opened and closed from year to year because of the strategic whims of kings. Traders who made their boodle by re-exporting Eastern spices from Portuguese entrepôts to northern Europe found themselves in a dilemma: if the English privateers didn't get them one day, the Spanish might close one of their vital ports the next. In response, a courageous group of Dutch investors funded their own expedition to Asia, and their success made Holland a center for ventures to the Spice Islands of Indonesia.

Private companies proliferated, profits fell, and soon the United East India Company (VOC was the Dutch acronym) incorporated, with a directorship constitutionally divided among the main cities of the North. The less successful West Indies Company formed later. The companies had their own armies and navies, staffed primarily with Protestant Swedes, Balts, and Germans, and they bludgeoned into India, Ceylon, Indonesia, and Brazil. Dutch toleration, such as it was, extended to the Hindu and Tamil subjects of the companies' managers, but less to the Muslims of the East, and of course still less to the African slaves the WIC shipped to its plantations in Brazil and the Caribbean isles.

But by the 1700s, the Portuguese had retaken their outposts in Brazil, the French and British had beaten the Dutch in China, especially in the tea

trade, and the Dutch overseas empire, like so much of the Netherlands at that time, simply fell apart. Even Holland was de-urbanizing and assuming a more typically European density. Second-generation regents subsisted on the interest of government bonds, the products of innumerable wars, while unemployed artisans survived in the tatters of a civic welfare system. The Jews, the Huguenots, the proto-

A republic gone rotten can't be brought back to health by force of arms and pamphleteering alone. The future of this American republic depends on us to find the "something else" that was lost in the twilight of the Dutch republic.

capitalists, moved on to greener pastures — Surinam, Curacao, London. And despite the role that the Netherlands played as an arsenal for the American revolutionaries, the republic was on the downward slope.

But what caused this? Was it too much of a good thing? Too much freedom? Money? Tolerance? Probably not, since those amenities coexisted with centuries of conflict between states and in the state, and structural changes in power and wealth in Europe. This dissipated the Netherlands' economic advantages, leading to economic decline and finally concentration of power in the hands of the Orangists, who, as Israel describes, were the beneficiaries of continuing uncertainty and anxiety in the deflating Netherlands. That surrender, not freedom running riot, marked the real end of the Dutch experiment.

The People in Arms

One interesting spasm took place in the 1780s, in the aftermath of the American revolt. This is a story with particular relevance to the modern day "militia" movement and other obstacles to the New World Order.

In 1781, a Baron van der Capellen distributed an anonymous pamphlet blaming the collapse of Dutch freedom

on the Orange regime, which two hundred years earlier had handed too much political power to provincial rulers at the expense of town councils, guilds, and militias. The solution was for the people to arm themselves, choose their own militia officers and representatives, and begin to agitate for democracy. Catholics, Mennonites, Lutherans, and Jews should be included in political life, not merely kept as "tolerated" dissenters, barred from militia and government.

Thus began the Patriot revolt of the middle class against the Orangist elite and its lower-class supporters. Israel refers to "a form of national feeling more akin to the liberal nationalism of the early nineteenth-century Europe than any sense of identity which prevailed in the United Provinces during the Golden age" (1101). Once again the Dutch were on the leading edge of a wave.

But the wave broke. The Patriots were crushed by neighboring monarchies, and by 1806 the Netherlands were a satellite of revolutionary and then of Bonapartist France, while Britain became heir to its overseas possessions. The story follows the classic arc of tragedy.

There may be a lesson here for our own Patriots, the militias, but it is not a comforting one for those remnants. A republic gone rotten can't be brought back to health by force of arms and pamphleteering alone. The future of this American republic depends on us to find the "something else" that was lost in the twilight of the Dutch republic.

This, and the whole of Israel's narrative, is a great story if you have the time to devote to its telling, but it doesn't explain how this country with its unique heritage evolved a constitution whose articles include two very different ideas: "Everyone shall have the right to the inviolability of his person" (Article 11) — and also: "It shall be the concern of the authorities to secure the means of subsistence of the population and to achieve the distribution of wealth" (Article 20).

There are clues as to how we all declined from golden age to omnipotent state in this book, but no final explanations. □

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Presidential Campaign Songs: 1789-1996, sung by Oscar Brand.
Compact disk, 69 minutes. Smithsonian Folkways Recordings, 1999.

Battle Hymns of the Republicans (and Democrats)

Stephen Cox

This is a presidential election year, and I am very much afraid that the readers of this journal will waste it in unprofitable and unpleasant activities, such as listening to candidates' speeches, compiling lists of mendacities and absurdities, demanding to know whether friends and acquaintances "actually believe that crap," wistfully attempting to find new friends and acquaintances, damning the ignorance of the electorate, and damning the impotence of oneself.

You've done that before, and what did it get you?

This year, you should try something new. Cultivate an attitude of Olympian detachment toward the electoral process; better still, learn to have fun with it. In either case, you can start by taking the long view of history. These songs will help you. Here is all the idiocy of the past 200 years of electoral politics, presented in irresistibly attractive musical form.

If you buy this album, you won't wake up in the morning with Al Gore's environmental policies on your mind. You'll wake up singing a battle-cry from 1856:

There's right and wrong in parties,
 And the right is on our side,
 So mount the Fillmore wagon,
 And through the nation ride!

Wagon? Why is it a wagon? Well, because there was a popular song called "Wait for the Wagon" —

Then come with me, sweet Phyllis,
 My dear, my lovely bride,

We'll jump into the wagon,
 And all take a ride —

and that song had a really good tune. It was a little hard to get the wagon into a campaign song, but the job got done:

The Union is our wagon,
 The people are its springs,
 And every true American
 For Millard Fillmore sings.

(refrain:)

Wait for the wagon,
 The Millard Fillmore wagon,
 Wait for the wagon,
 And we'll all take a ride!

But that's not all. We learn still more about the wagon:

Our wagon is a noble one,
 'Twas made in '76,
 'Twas driven by George
 Washington
 Through stormy politics.

(refrain:)

Wait for the wagon,
 The Millard Fillmore wagon, etc.

What fun! I can hardly stop. Of course, some of the songs are less light-hearted and high-minded than that. A lot of them, in fact, are downright mean; but that's fun, too:

Let the Democrat named Hill
 All his evil venom spill,
 Yet he'll taste the bitter pill:
 Roosevelt the cry!

That's Theodore Roosevelt's campaign of 1904. Hill wasn't Roosevelt's opponent; his opponent was, as you remember, Alton B. Parker. Hill was presumably a New York politician named David Bennett Hill . . . but who

cares? He's already spilled his evil venom.

Here's an even more amusing item — from 1840, when William Henry Harrison and John Tyler (a.k.a. Tippecanoe and Tyler, Too) ran successfully on the Whig ticket. Their campaign propaganda associated Harrison with log cabins, hard cider, and military brilliance. Democrats replied in this way (the tune is "Rockabye, Baby"):

Rockabye, baby,
 Daddy's a Whig;
 When he comes home,
 Hard cider he'll swig;
 When he has swug,
 He'll fall in a stew,
 And down will come Tyler
 And Tippecanoe.

Rockabye, baby,
 When you awake,
 You will discover
 Tip is a fake.
 Far from the battle,
 War-cry and drum,
 He sits in his cabin
 A-drinking bad rum.

That having been said, we can now look on the bright side:

Rockabye, baby,
 Never you cry;
 You need not fear
 Old Tip and his Ty.
 What they would ruin,
 Van Buren will fix;
 Van's a magician,
 They are but tricks.

These songs offer a lively solution to every problem, even the most politically vexing. The friends of James K. Polk, the dark-horse Democrat of the 1844 campaign, knew that few people out in the hinterland had ever dreamed of his existence, let alone backed him for president, while everyone had heard of his great opponent, Henry Clay. Well, what could be done? When all else fails, try honesty:

His choice occasioned
 some surprise;
 Good Democrats rolled
 up their eyes,
 All asking, tell us, who is he?
 James K. Polk from Tennessee!

Well! That's good enough for us.

Hark! The people, rising, say,
 He's the man to cope with Clay!

Ah ha! such a nominee!
James K. Polk from Tennessee!

I love the way the nation is always
rising up and demanding, en masse,
that its hero be elected:

Who has heard the great
commotion, motion, motion,

All the country through?
It is the ball a-rollin' on,
For Tippecanoe and Tyler, too,
For Tippecanoe and Tyler, too.

Throughout the land there's
such a cry,
And we all know the reason why.
[It's Zachary Taylor!]

"Grant, Grant, Grant!" the
country's calling!

McKinley is the magic name
That sweeps the country through!

Hear the call throughout the land:
Come and proudly take your stand,
Now uphold your chieftain's hand!
Roosevelt the cry!

And now, in the year 2000, you too
can "swell the throng and join the
song." If you buy this album, and lis-
ten to it, and sing along with it, you
will no longer be a lonely misfit, nurs-
ing in pathetic secrecy your political
wounds and grievances. Oh no! You
will be part of a great national move-
ment. What great movement, move-
ment, movement? Any movement
whose tune you like! And there are a
lot of good tunes in this album.

Nothing, of course, is perfect —
except the Millard Fillmore Wagon.
Honesty compels me to admit that the
album has some defects. It omits some
songs that you might expect to be
included. You will seek in vain for
"Happy Days Are Here Again," or
"We Are Coming, Father Abram" (not,
strictly speaking, a campaign song, but
close enough), or "Old Abe Lincoln
Came Out of the Wilderness (Down in
Illinois)." These are irreparable losses.

They are certainly not repaired by
two songs that have been added to the
end: a song from the Wallace
Progressive Party campaign of 1948,
falsely suggesting that the two major
parties are really the same, and a dumb
song about all the presidents in order
of their accession to office. These are
unfortunate additions. The liner notes
are also unfortunate. They refrain from
telling you much of anything that you

really want to know about the songs,
contenting themselves with tiresome
and not especially accurate remarks
about American history.

I'm not entirely happy, either, with
the version of a 1960 campaign song
that is presented here. As I remember,
this catchy little number began,

We're walking down to Washington
To shake hands with John F. Kennedy;
We're walking down to Washington
Like we used to do.

But the way this album has it,

We're marching down to Washington
The way they used to do.

Now, who is "they," if "they" ain't
us? Besides, up until the late 1960s,
Americans preferred to "walk," not
"march." That was a good habit, worth
preserving in song.

Another thing is: some of the songs
in this album are just plain bad, really
bad, no matter how you look at them.
By a not very subtle or unpredictable
irony, the worst of them is "Why Not
the Best?," a song in honor of (you

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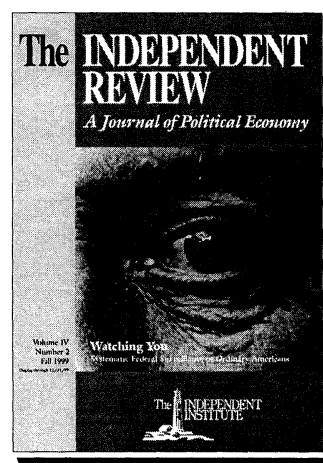
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guessed it!) Jimmy Carter. The liner notes bravely pretend that this is "a fetching country music campaign song," but its countriness is disgustingly faux. This lugubrious ditty may be the only song in American history

that is worse than "Mr. Piano Man." It starts, "I heard a young man speaking out / Just the other day." The "young man" is Jimmy Carter (age at election, 52). It ends, "We need Jimmy Carter, / We can't afford to settle for less." No, I

guess we can't.

This awful song is not to be blamed on the people who made the album; they needed to put in something from Carter, and what else could it be? Neither are they to be blamed for the tide of smarm that starts creeping over American political songs in the mid-nineteenth century, when "Lincoln and Liberty" hails the Republican candidate as "the [51-year-old] boy from Kentucky," and the "pride of Hoosierdom, too." But that song is a masterpiece of dignified emotion compared to successors like "I'm Just Wild About Harry [Truman]," "Hello, Lyndon!" (sung to the tune of "Hello, Dolly!"), and "I'm Feeling Good About America" (because of Gerald Ford). Take this away, please, and give me the malice and aggression of the early songs. Those songs knew their business, which was a bellicose and dogmatic insistence that our candidate is a giant among giants, whereas your candidate is a helpless moron who is therefore to be whipped and beaten until there is nothing left of him.

This historic change in attitudes is a problem with America, not with this album; and as you recall, I'm writing to cheer you up, not to bum you out. So I'll suggest that if you have any problems with self-esteem, the few horrifyingly bad songs on the album will miraculously restore your sense of your own intellectual, aesthetic, and moral superiority. As to the rest of the album, it's sublime.

The chief singer and instrumentalist, Oscar Brand (abetted by John Foley, Jordan Brand, and Jonathan Pickow), has an unerring gift for the right arrangement and the right dramatic presentation. He sings clearly and engagingly and without apparent concessions to political correctness. (Maybe that's why the liner notes print hardly any of the lyrics.) He's never "knowing" and "contemporary," or above his material; he sings each song with the spirit that originally enlivened or convulsed it. It's hard to listen to him and not be infected with the imbecilic good spirits of these little historical artifacts. So go on, be infected. And hey, have a good year. □

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Letters, from page 38

to suburban predominance is due not primarily to bureaucratic interference or the common complaints of crime and decay, but because as people have become more prosperous, they have acquired an increased urge to live and work in a more spacious setting. Low petroleum costs and more efficient autos have encouraged this as well. In addition, businesses have begun spreading out more and the work of the factory has increased in efficiency by incorporating a more horizontal design. We should applaud such a transformation. It is the free market at work. Today, those who stand in the way of capitalism aren't the ones standing in the way of skyscrapers as much as the ones screaming bloody murder at "urban sprawl," the result of this change in the market's urban landscape. Whilst an endeavor such as Chicago's is noble, and a sign that a market must obviously still exist for phallic buildings, I would hate to see us applaud such structures whilst ignoring their dwindling market importance. Such ignorance is the area of the anti-sprawl lobby, who would bar us from moving to the suburbs or building more spacious business communities, in favor of a less desirable high-density vision of what "they" think "cities" should look like.

Mark Kratt
Clovis, Calif.

The Fine Print

In his sidebar to the January 2000 article on "The Trial of the Century", Martin Solomon stated: "In plain English, Microsoft said if you want one product, you will take another (free) with it." Obviously, Mr. Solomon has not read Microsoft's license. Otherwise, he would know you do not "buy" a Microsoft "product." You license the right to use the software under the most restrictive terms in the industry. If you don't agree to the terms, Microsoft "refuses" to license it to you.

Garnet Harris
Hagerstown, Md.

Unfit News

David Kopel's "When the NAACP Went Armed" (January) brought to mind the case of Vernon F. Dahmer Sr., a civil rights leader in Mississippi who was murdered in 1966. When nightriders attacked his home with firebombs, he grabbed his loaded shotgun (sans

trigger-lock, no doubt) and used it to hold off the attackers so that his wife and three children could escape out a back window to safety. Dahmer, a hero the likes of which cannot be found in today's NAACP, died from smoke inhalation, but his wife and children were saved.

The *New York Times* reported on this in 1998 but did not make note of a possible gun-rights angle — space limitations, no doubt.

Russell B. Garrard
Seattle, Wash.

A Strange Addiction

I hope it won't be much longer before the truth of the drug war becomes as obvious to the public at large and the media (including your publication) as it has to me. There is no profit in an end to the drug war. In short, the alternative to prohibition — legalization — will not produce the profits that the drug war does for its proponents. The drug war's proponents

have never listed victory as an objective. Presidential and politicians' boasts of "Drug free by the year 2005" or "2007" etc. are laughable. The same was boasted by past presidents and politicians about 1980, 1985 and 1990 etc. ad nauseam. The true (and hidden) objective is that it is imperative that the drug war must never be won. In that way it perpetuates itself and all the revenue it produces. Prohibition can never succeed. In over one hundred years, prohibition has never even come close to succeeding.

Our law enforcement institutions and even our very economies are now addicted — financially — to the war on drugs. For this reason two conditions will always exist with prohibition. They are contradictory yet interdependent:

1. Prohibition can't work.
2. The war on drugs must never end.

Myron Von Hollingsworth
Fort Worth, Tex.

Notes on Contributors

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Martin Tyrrell is a writer and researcher based in Europe.

Terra Incognita

USA

Interesting observation from the Vice President's daughter-advisor, Karenna, about her father's values, from the *Washington Times*:

He thought that there were horrible injustices going on in the country, and that people should be more socially conscious. And it meant something to me that I was hearing the same thing from him as I was hearing from the punk band I liked to listen to.

China

The Drug War continues on a new front, as reported in the *Los Angeles Times*:

Opium has been banned once again in China because of its harmful effect on society, but this time it's not the drug.

It's the perfume.

Fearful that the name might lead to the "spiritual pollution" of Chinese youth — and mindful of the heavy price China paid in the Opium Wars and addictions of the 19th century — the government has ordered the popular Yves Saint Laurent fragrance off the shelves of department stores across the country.

The perfume was still available in a Shanghai department store, and a Beijing saleswoman brought out two bottles from under the counter. "This is for the mature, sexy woman," she explained, before a co-worker told her to put the bottles away.

Downey, Calif.

Pathbreaking strides in water policy in the Golden State, reported in the *Bellflower (Calif.) Herald-American*:

While Caltrans spends millions of dollars to pump ground water from underneath the Glenn Anderson Freeway here, another area agency is replacing that ground water and charging the state Transportation Department for it.

Officials of the Cerritos-based Water Replenishment District of Southern California say they are mandated by state law to replace water pumped from the ground by cities and water providers.

Eau Claire, Wisconsin

A new use for an old tool, from the *Milwaukee Journal Sentinel*:

A group of advertising students at the University of Wisconsin-Eau Claire is attracting the attention of the U.S. Census Bureau with an idea to educate college students about the importance of the 2000 Census by placing stickers on condoms.

Iran

Report on what Drug Czar Barry McCaffrey's fanatical counterpart is up to in the desert wastes, from the *Teheran Times*:

Mohammad Fallah, head of Iran's Anti-Drug Campaign Headquarters, proclaimed that increasing his budget and mobilizing other countries to fight the production of narcotics in Afghanistan were among his more significant achievements.

New York

The United Nations exposes the negative aspects of private charity, reported by the *Washington Post*:

Using funds from media mogul Ted Turner's \$1 billion donation to the UN, the World Health Organization is preparing to launch a global counter-advertising campaign against the tobacco industry. The World Health Organization plans to tailor each ad to cultural sensitivities. For example, an ad featuring a cowboy with a limp cigarette that warns smoking can cause impotence will be shown in Asia, but not in the Middle East.

Pacific Palisades, Calif.

Even the Bill of Rights has its limits, from a letters-page correspondent in the *Los Angeles Times*:

"Freedom of speech should end when people embrace a philosophy and political goal that have clearly shown in the past to lead to mass murder."

England

Political corruption visits the borough of Crewkerne, reported by the *Associated Press*:

Police stormed a raucous, late-night party held in the town hall after residents complained of whoops and shrieks coming from the hall. In attendance was the mayor, and two leading members of the town's noise abatement committee. The chairman and vice chairman of the anti-noise squad resigned their positions.

USA

The smirk issue haunts presidential contender Bill Bradley, from the *Washington Post*:

"I could see the expression on his face every time Gore was speaking," said Susan Lewandowski, 39, a word processor from Hollis, N.H. "He was, like, smirking, and he was arrogant."

Raquel Perez, 42, a high school Spanish teacher from Merrimack, N.H., agreed. "I cannot stand an arrogant man," she said. "I think I counted four smirks."

Port Townsend, Washington

Renaissance men can be found in small town America. From the *Leader*:

Christopher Love, spiritual teacher, author, poet, composer and recording artist, has moved to Port Townsend, where he will continue to offer both private and group integrative healing sessions.

Love is a clinical hypnotherapist, neurolinguistic program practitioner, ordained minister, spiritual counselor, registered counselor, hypnotherapy instructor, Reiki master and teaching master in the Usai system of natural healing. He is known for a spiritual teaching known as Satsang — a Sanskrit word meaning "truth community" — as well as Shamanic spiritual healings. He is the founder and director of the Kamalatar Temple of Peace and Awakening Spirit and the Kamala Healing Center & Institute.

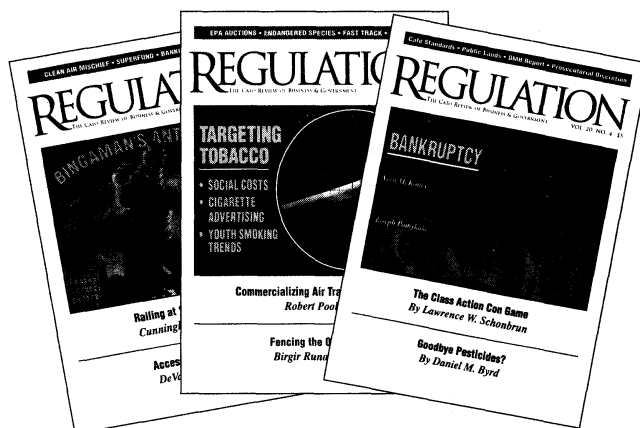
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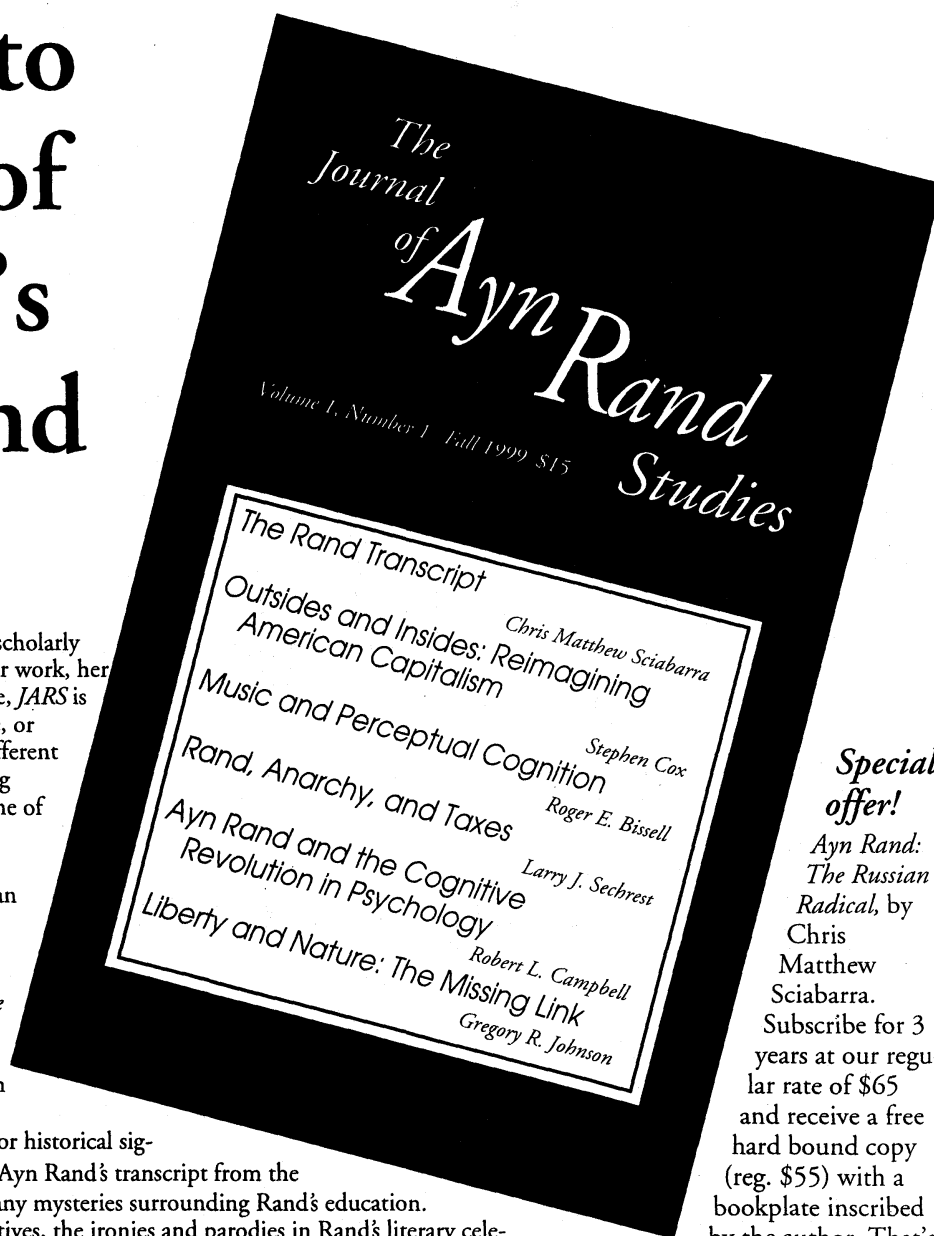
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