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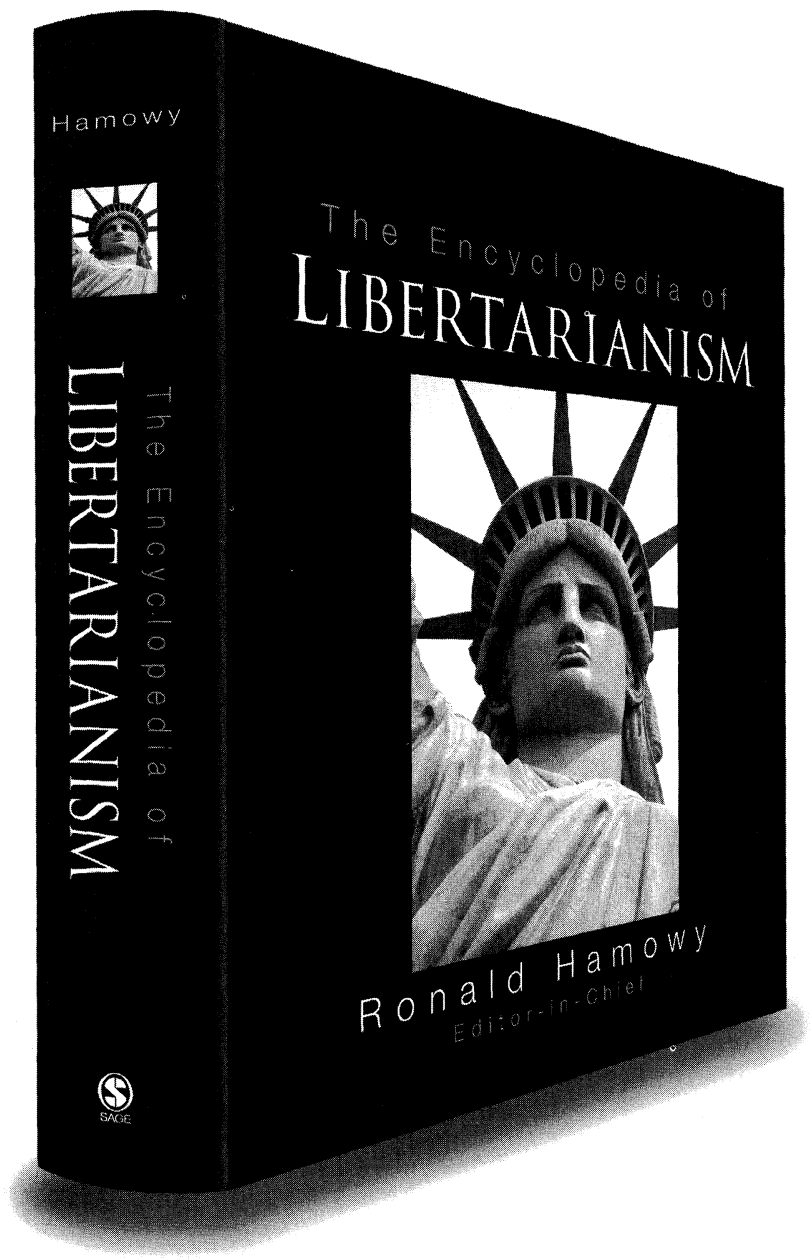

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October 2008
Volume 22, Number 9

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Letters

Inculcating Ignorance

In reference to Ross Levatter's review of Bryan Caplan's book "The Myth of the Rational Voter," Caplan made a strong case that voters' beliefs are wrong, which is worse than being ignorant. If 90% of voters were only ignorant then their votes would cancel each other out, with half of them just as likely to vote one way as the other. This would allow the voters with knowledge to prevail.

Why do so many voters hold so many wrong beliefs, especially when it comes to economics? To me the answer is obvious. I am a voter and I had all those wrong beliefs by the time I graduated from high school.

I remember in sixth grade having an epiphany. The teacher was telling us about a problem with our society that could be fixed, if only our government had enough money to do so. This particular problem could have been anything — poverty, drugs, hunger, whatever.

At that time in our history (1958), tax, at all levels, was 25% of the GNP. So, my solution (epiphany) was: "Increase taxes to 50%." This would allow our government to fix all those problems and I could live my life without having to worry about them. Beliefs such as this came from one source and one source only, my public education.

After high school, the media and my college professors continued to support my beliefs. Yes, I was aware that people who were crazy or evil held different beliefs, but they were not worthy of consideration.

Then at 3 a.m. in 1980 I accidentally heard a political TV ad by Ed Clark, LP candidate for president.

Although I disagreed with a lot of what he said, I was struck by the strong case he made for his positions. Shortly thereafter, I took the World's Smallest Political Quiz, which told me exactly which libertarian issues I did not agree with. This allowed me to study them at every opportunity, in search of flaws in the LP positions. Even though libertarian articles and books almost always had many times the better argument for their positions, it took me ten years to cast off my old wrong beliefs.

If a parent or teacher tells a young child something a hundred times, without any contrary views to clutter the message, that child will believe it to be true and will be very resistant, even as an adult, to changing that belief. So, let's give credit where credit is due: our public school system is responsible for voters having wrong views.

Clyde Garland
Bryan, Texas

Fed Waffle?

In the September Liberty, Leland Yeager writes in a note on oil speculators (Reflections): "Less often emphasized [as a factor for rising oil prices] is weakness of the currency in which oil is priced. Several years of too loose a monetary policy have been eroding the dollar's purchasing power and foreign-exchange value, besides causing other disruptions. (I don't particularly blame Ben Bernanke and his

Erratum

In our coverage of the 2008 Libertarian Party Convention ("The Battle for the Libertarian Party," August 2008), we referred to the party's LGBT caucus as "Outreach Libertarians." The LP's LGBT caucus' name is in fact "Outright Libertarians" (www.outrightusa.org). We apologize for any confusion.

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colleagues, though; for, without hindsight, I wouldn't have known how better to operate the flawed Federal Reserve system.)"

What hindsight is Dr. Yeager speaking of? Why do we have to examine the data like an empiricist when the knowledge of the end-results exists a priori?

Are we looking to blame? To some extent, because their ignorance has consequences that are criminal. What we really want is to educate the ignorant and to tear down the institutions that promulgate fallacies.

Dr. Yeager, either through blaming or educating you are in a distinguished position and, in my opinion, that requires something other than waffling.

Bruce Koerber
Cedar Rapids, Iowa

Yeager responds: I included my single sentence about Mr. Bernanke in order not to seem to be making a smartalecky claim to superior wisdom and talent. Given what he had inherited from Greenspan, the political situations that Bernanke had to deal with inside and outside the Fed, and the economic information and prospects available at the time, I am not sure that I could have done better. I do recognize that the Federal Reserve is a flawed monetary system. And I did agree with the warnings that The Economist had been giving for several years that monetary policy was dangerously loose. I do not plead guilty to waffling.

Hide Your Liberty Away

I had to smirk at Richard Vajs' letter (September), saying Liberty has gone "more and more conservative Republican."

My nephew and roommate, a huge fan of Rush Limbaugh's, used to enjoy reading Liberty as much as I. Since the election of George W. Bush, I have learned to hide my copy of Liberty to

continued on page 52

From the Editor

In July I attended the Liberty Editors Conference, an event we held in conjunction with FreedomFest, the great annual gathering of libertarians and conservatives in Las Vegas. I was glad I went.

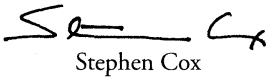
Since I've mentioned Vegas, I feel I should add that I don't gamble. It bores and confuses me. And the temperature outside was 120 degrees — either Fahrenheit or centigrade, take your pick. If you stayed outdoors, your life wouldn't be worth the price of a pair of sunglasses. But there was no lack of excitement indoors.

Friends of individual liberty often feel like soldiers in enemy territory. Yet here were hundreds of libertarians, all in the same place, all looking happy and prosperous, energetic and inspired. That was good. Even better was the lineup of speakers at the Editors Conference. Doug Casey, David Friedman, Gary Jason, Charles Murray, Bruce Ramsey, Jo Ann Skousen, Randal O'Toole, Jim Walsh — that's a group that can't be beat. I was expecting a lot, but the results exceeded my expectations. This was no mere conference palaver. I'd pay to hear these speakers, gladly — any time, any where.

Two other people I would pay to talk with me (all day, if they wanted to), Kathy Bradford and Mark Rand, managed Liberty's table at FreedomFest's main concourse. Actually, Mark and Kathy managed the whole of the Liberty Conference, but you'd never know they had any other business than to greet our friends. If you stopped at the Liberty table, you'd be certain to have a warm welcome and a great conversation. This is Our Town, wherever Mark and Kathy happen to be.

It was a great experience, meeting writers and readers who'd been friends of this journal for a long time, but whom I'd never seen — people who turned out to be even more fun than they were online. And there were so many people that raiding parties had to be mobilized to confiscate chairs from other auditoriums and move them to the Liberty room. Nobody predicted these over-the-top crowds. But yes, Liberty is much bigger than it looks up there on the middle row of the newsstand.

For Liberty,



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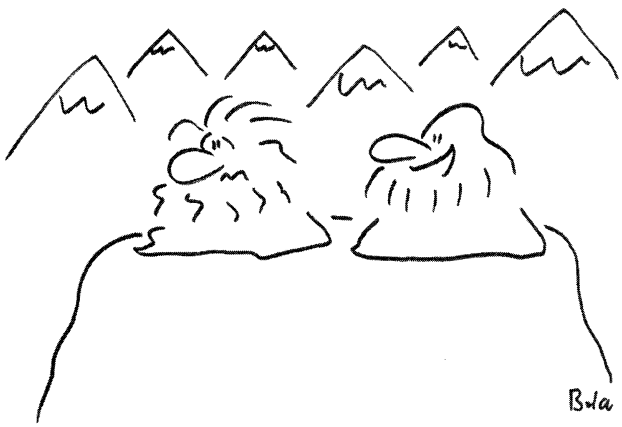
Reflections

Party prep — Whenever we throw a party here at the Slagle compound, my wife and I play a little game. We jokingly refer to our deceit as playing a round of "We don't live like that." We run around the house for a day or two, picking stuff up, trying to make our house look like it doesn't on the other 364 days. Shelves not normally dusted get the once-over with the Swiffer, and mounds of cast-offs that need to be sorted into Salvation Army piles get shuttled into the "off-limits" rooms.

I've since learned that although our names for this pastime might be different, many other couples share our dedication to the sport. Even countries do it. China has invited the world to come visit them this summer for the Olympics, and they are going out of their way to show all teh other countries a clean modern Beijing, rather than the Industrial Age concrete jungle it has become — makes you wonder what they've chucked into their off-limits rooms. — Tim Slagle

Salvia me — California has passed a law restricting access to the herb salvia divinorum, a mild euphoric about which the drug warriors are trying to create a sense of panic, which is how they increase their power. Restricting access by minors might or might not be the first step to a more general prohibition, which would be really stupid. For drug warriors, there are only benefits to prohibition, since they get the jobs and the self-righteous feeling that they are doing something to — there it is again, see Obama, the religious right, all the tinkerers with poor imperfect humanity — straighten out poor, benighted human beings who just wouldn't be able to cope without their betters telling them what they can and can't ingest or experiment with. — Alan W. Bock



"It's normal — Enlightenment freaks a *lot* of people out."

A sign of life? — To say that, so far, McCain's presidential campaign has been lackluster is an understatement of majestic proportions. McCain is currently on course to win the Bob Dole Award for Feckless Campaigning. But his appearance before the NAACP was an interesting moment.

It is obvious that the NAACP is totally in the tank for Obama, so for McCain even to show up took some moxie. But what was really fascinating was what he said. He used the occasion to urge his African-American audience to support his call for vouchers to allow students to escape their failing schools.

This is clever politics. Polls typically show strong support for school choice among Latinos and African-Americans, and Obama — who has the support of the teachers' unions, natch — has publicly opposed vouchers. — Gary Jason

Picture this — You're at home, attending to whatever sort of business you get up to on a lazy afternoon. Your mother-in-law screams; before you can see what's wrong you hear wood splitting and glass breaking, and black-clad intruders are bursting into your kitchen. A burst of gunfire and your dogs lie dead; next the gun is held to your head and for several hours you are forced to lie facedown and handcuffed beside their corpses as you are interrogated.

That's what happened to Berwyn Heights, Md., mayor Cheye Calvo, whose house was raided by the Prince George County SWAT after a large package of marijuana was delivered, addressed to his wife — a package missed by the courier for whom it was really intended; it was never supposed to reach the Calvo house. But, operating under the assumption that the mayor was ordering a fair brick of dope, and that he was likely either to constitute a lethal threat to officers (you know, the way mayors usually do) or to destroy the evidence (all 30 pounds of it), they stormed the place in a no-knock raid.

But this picture doesn't have to be Calvo's house. It could just as easily have been yours. The same things happen every single day, all over this country: Calvo's case got more attention simply because he's an elected official, and photogenic to boot. And even he couldn't get the police chief to so much as apologize for the killing of his dogs, much less pay for the damages.

Perhaps he should feel lucky. Had he or his mother-in-law reached for anything or done anything other than comply absolutely, the dogs' corpses might not have been the only ones cooling on the kitchen floor.

Perhaps you should feel lucky, too, if it hasn't happened yet to you or to someone you love. I do. — Andrew Ferguson

Little Brothers are watching you — This summer, New York Police Department Commissioner Ray Kelly announced that the NYPD was launching a formal service whereby citizens can upload video or photo evidence to a police website. "It's a fact of life," Kelly said. "Everybody has a camera in their telephones. When people can record an event taking place that helps us during an investigation, it's helpful."

Civil rights advocacy groups generally supported Kelly's announcement — as a response to several recent cases of police misconduct that bystanders had caught on video. (The best known of these involved video posted on YouTube.com of an NYPD officer shoving a bicyclist to the ground in Times Square.)

Responding to Kelly's response, the executive director of the New York Civil Liberties Union blathered on about the NYPD having "a long way to go. . . ."

But the cops aren't the only ones who have a long way to go. Citizens in New York — and everywhere else — have to get accustomed to using technology to free themselves of the glorified daycare that urban law enforcement has often become. If Big Brother is, in fact, a legion of Little Brothers, we may see everyone grow up some. And that will be good.

— Jim Walsh

Mailing it in — Washington state's new primary election system — the third in this decade — has cut the filings by Libertarian Party candidates by 95%.

Word Watch

by Stephen Cox

My town has a pretty humane way of handling jury duty. You're asked to show up at the courthouse on a certain day, but you're told that if you don't want to show up then, you can put it off for a while. Or you can come a few days early. When you sit down with the other prospective jurors in the courthouse lounge, a nice elderly judge greets you, makes some dull but kindly remarks, and says that if you're not assigned to a jury that day, you've fulfilled your duty for at least the next twelve months. After he's through, you settle down to reading, pacing, and listening to periodic messages on the PA system, each of which summons a random group of people to a courtroom, where they are questioned and perhaps "empanelled."

There is, however, one highly objectionable feature of this routine, as I noticed when I was called for jury duty in May. Maybe I'm oversensitive, or maybe I don't have enough to think about when I'm just sitting around, but I was increasingly disturbed by the announcements that came over the loudspeakers. The metallic voice kept telling John Doe and Mary Roe and 22 other people to "report" to courtroom such and such. *Report*, I thought. Why that word? Do they think they're inducting us into a boot camp? Why not ask us to *go*, *walk over*, or, if somebody wants to get pompous about it, *proceed* to Room 302? I didn't like the tone of *report*.

This year, thank God, I was not empanelled. I was never even called to *report* to one of those rooms. I was *dismissed* at 2:30 p.m. But there it was again: we weren't told that we were *free to leave* or *welcome to go home*. We were given military orders.

On my way out, I turned my Juror Satisfaction Survey Form in to the people in the jury office, and I found them unusually nice and polite. They always have been that way. Why was it, then, that their vocabulary was so reminiscent of an army, or a penal institution? Was it the mere act of sitting behind an official microphone that turned nice people into verbal martinets? Or was it their overweening desire to busy themselves and do a good job?

Then, in early summer, I started reading, really reading, the signs. In California, we have electronic billboards stationed at various points along the freeways. Sometimes they advertise "abducted" or misplaced children. Sometimes they tell you that a slowing has happened up ahead, so you can take an alternative route. Often, especially when traffic is really snarled, they decline to comment (that's government for you). But when otherwise unemployed, they generally carry what are euphemistically known as *public service messages* — messages that are revolting, once you stop accepting them as part of the highway wallpaper and start getting interested in them as actual attempts to communicate.

One of them became very common in June, because my state had enacted a law decreeing that as of July 1, no one would be permitted to use a hands-on cellphone while driving. To make sure that everyone heard about this new accomplishment of the nanny state, and heard about it a hundred times a day, the lighted signs began to preach: "July 1: Hands-Free Cellphones Only." And that wasn't enough. They had to add, "It's the Law."

I'd seen this kind of thing in other states. Usually the signs were about wearing a seatbelt, and they declared that "It's Our Law." Now, thinking it over, I couldn't decide which formula I detested more, "the law" or "our law." *The law* made the damned thing sound like the enactments of the Medes and the Persians, which once proclaimed could never be revoked, and thus were incorporated in the essential fabric of the universe. To think that some guy in a cube was sitting there punching buttons to give me the latest news about the cosmic Law, and about how I ought to respect and obey it — notice, simply because it's the Law — was enough to put my nerves on edge. But to have him get chummy and call it *our law*, when everyone knows quite well that virtually none of *us* had any part in making it — that was a contemptuous and insulting lie.

Now that I was growing more aware of my surroundings, I found even ickier things on the highway. I suddenly realized that there were signs all over the place — signs with lights, signs without lights, signs overhead, signs in the grass, signs that were new, signs that were old and rusty — and all of them said, "Click It or Ticket." *Click it or ticket. Click it or ticket.* What?

It's a coy remark, with a meaning that's far from immediately obvious. It's so far from obvious that the other day a woman called up a talk show in Los Angeles and asked what it meant. The talkers, who sympathized with her plight, told her that at first they hadn't understood what it meant either, but they'd eventually deduced that it was a cute way of saying, "Fasten your seatbelt, or you'll get a ticket." Then they said some other things, which I'm too delicate to repeat, but with which I agreed completely.

I didn't have to call a talk show to divine the meaning, but once I got it, I was really mad. I was so mad that I get mad all over again, just thinking about it. It's bad enough to see my tax money, lawfully and obediently remitted to the government, being used to lecture me about obeying the law. It's worse to see my tax money going for messages that threaten me. It's ten times

Since the 1930s, the state had a "blanket" primary. It was simple. You did not register by party. You could vote for a candidate in any party: a Democrat for legislator, a Republican for insurance commissioner and a Libertarian for governor. Voters liked it. The thought of registering by party, of publicly stamping yourself with an "R" or a "D," was an alien, East Coast, messed up idea. Most people still feel that way.

Washington's system might have gone on forever, but California adopted it, the parties there sued, and the Supreme Court dynamited it. Allowing Democrats to vote for Republicans, and vice versa, violated the parties' constitutional right to choose their nominees, the court said.

By 2006 Washington had a new system, the pick-a-party primary. Voters still didn't register by party and still got the same ballot. You could vote for the candidates of one party only. The ballot was color-coded by party, and if you voted in more than one color zone, your ballot was thrown out. There was much grumbling about this. There was also an issue of who was a "major" party and who wasn't, because the system applied only to the major ones. The minor ones got on the

worse to see those messages trying to be cute and funny at my expense. If I get a ticket for driving down the block to the grocery store without fastening my seatbelt — something that I often do, now that I've noticed those signs — I guess I'm supposed to laugh at myself. I'm supposed to say, "Gawsh, I got a *ticket*, cuz I didn't *click* it! Ain't that funny! From now on, I reckon I'm gonna have to obey that durn law!"

I mentioned the woman who called the talk show. After explaining what the sign meant, the two men and one woman who run the program began to discuss public service advertisements in general, and (thank God) they brought up the expression *busybodies*. This is an expression that my aunt, who lives in the Midwest and is 92 years old, remembers fondly. She believes it should be used more frequently today, even in her own little town, and even as applied to her contemporaries. There's plenty of occasion to use it, because America is absolutely full of busybodies.

Think of it. How many minutes, hours, days, perhaps years of your life do you spend being forced to attend to these people's words and "thoughts"? Of course, most of the damage is done by busybodies who get your attention by passing laws. But significant damage also results from busybodies who obtrude themselves on TV, radio, the roadways, and other places where they have a more or less captive audience.

My neighborhood, which is bohemian and largely gay, is infested by billboards advertising the dangers of drink, drugs ("I Lost ME on METH"), and "unprotected sex." Evidently the people who fund these ads are convinced that without them, everyone would be thoughtlessly drinking, drugging, and sexing all the time. (Hmm. Sounds interesting.) But my neighbors are far from the only targets. On a recent drive from Riverside to Indio, I found the desert road blockaded with huge signs emplaced by a sinister organization that devotes itself to advertising "the virtues." You've seen their ads: at the top, there's an appealing picture of some personality, and under it there's a message about the virtue it illustrates. We see the 95-year-old grandmother who graduated from college: this is determination. We see Helen Keller: she "perceived" despite her blindness. We see Desmond Tutu, who believes in equality. We see the Dalai Lama: "He doesn't just want peace — he works for it." Does he? I wonder. But whether he does or not, it's hard to comprehend the mentality of people who are willing to raise and spend millions of dollars to demand that I imitate the behavior of the Dalai Lama.

And these ads are conservative and mildly reticent, compared to the busybodies' other interventions. Along the same stretch of highway I was repeatedly advised that "Driving Buzzed Is Driving Drunk" (which brings up the obvious though unanswered question: why, then, do we have two different words for it?). I was also informed, with equal dogmatism, that "Animals Are Children Too," and that I should therefore "Love Them." Well, I love animals, at least some of them, but it's stupefying to consider the fact that there are people in this world who believe they can turn other people into humanitarians by equating their children with their pets. It evidently doesn't occur to them that their premise might lead to unwelcome deductions. If animals are children, then perhaps children should be treated in the same way as animals — which, unfortunately, is what some people already do.

In short, the drive from Riverside to Indio can be undertaken only if you are willing to endure insults to your intelligence that hit your windshield every 20 or 30 seconds. But it's worse on TV and radio. You can quickly avert your gaze from an obnoxious sign, but unless you're better than I am at moving from channel to channel, a large percentage of your electronic media time is going to be occupied by lectures from busybodies. The radio stations I listen to are loaded with "public service" messages about disease prevention, "heart health," "happy family life," and every other busybody cause you can think of. Television never stops lecturing me about the horrors of smoking, racism, drunken driving, and failure to vote in the next election. And half of this ad time is donated by the stations, as if they just couldn't resist the temptation to waste my time, without even making any money on it. I can understand ads for soap, cars, and get-rich-quick schemes. I cannot understand why anyone would want to interrupt my quiet enjoyment of "South Park" by gratuitous lectures about my conduct.

Further: I cannot believe that anyone, anywhere, was ever prompted to love his neighbor, give up smoking, arrange for a designated driver, or even wear a seatbelt, just because he saw a *@(#)!*# ad for it. I imagine that there are a lot of people like me, people who take pleasure in driving unprotected whenever feasible, just because the busybodies have been wasting our lives with unwanted advice on the subject. The main struggle for me, when I gave up smoking, was to repress all thoughts about busybody ads against smoking. Just recalling those ads produced an almost irresistible desire for a cigarette.

So where does this lead? I'm not sure. But the next time you come into contact with a busybody, please *use that term*. Then use it at least once a day. When you're watching TV, and the program stops for a "public service ad," remark to everyone in the vicinity, "Great! Just great! Here come the *busybodies*!" When you're going out to dinner, and you stroll past a billboard advertising morality and public health, remark, as if you were making a scientific observation, "I see that the *busybodies* are at it again." And when you get unsolicited mail demanding that you contribute to some organization that runs "public service" ads, scrawl *Busybodies*! across the thing, preferably using red nail polish, and mail it back in the busybodies' self-addressed, postpaid envelope. Never miss a chance — because, believe me, the busybodies never miss one either.

November ballot by petition. For a while the LP was considered major, and then it wasn't.

The new system was not popular with voters. The Grange, the farmers' organization that had created the original blanket primary in the 1930s by voter initiative, put an initiative on the ballot for a third system, the top-two primary. Voters approved it.

The top-two primary (which does not apply to the presidential election), gives the parties no standing at all. They can nominate candidates, have conventions, etc., but this makes no difference to the ballot. Anyone can get on the ballot and describe himself after the word "prefers." You can say, "Prefers Democrat" whether the Democratic organization even considers you one. You can say, "Prefers Libertarian," or "Prefers Salmon Yoga." That is the system that went into effect in August 2008.

See what it did to the Libertarians.

In 2000, under the blanket primary, 46 minor-party candidates filed for federal, congressional, and legislative positions in Washington. Of these, 37 were LP.

In 2004, also under the blanket primary, 49 minor-party candidates filed, of which 46 were LP.

In 2006, under the pick-a-party primary, 8 minor-party candidates filed, of which three were LP.

In 2008, under the top-two primary, 22 candidates filed "preferring" a party other than "Democrat," "Republican" or "G.O.P." Two were Libertarian. Others filed as Constitution, Green, Independent, Reform, Party of Commons, America's Third Party, Cut Taxes G.O.P., Progressive Democrat, Progressive Party and — yes — "Salmon Yoga."

The LP complains that the new system has discouraged candidates from filing, which it obviously has. One of the two candidates who did file, Ruth Bennett, is in a Seattle district where the only other candidate is the Democratic incumbent. She was not winnowed out.

It is obvious why the LP doesn't like the system. It never elects any of its declared candidates — it has never come close — but under the old blanket primary its candidates were on the final ballot. But if you think about actually selecting people for public office, it is questionable whether it makes sense to offer on the final ballot candidates who can act as spoilers.

Consider Bennett's race for governor in 2004. Running as a Libertarian, she got more than 63,000 votes. Meanwhile the Democratic and Republican candidates deadlocked, and after two recounts the Democrat, Christine Gregoire, won by 129 votes. Her victory was thus not by a majority. This year Gregoire runs against the same Republican, Dino Rossi; and for all its faults, the system will produce a winner approved by a majority of those who voted. — Bruce Ramsey

Perverse course — News and conversation about spectator sports fascinate me much less than the same about politics or even the weather. (What fills the sports pages is distinct from athletics engaged in for personal pleasure or exercise.) Still, to each his own taste.

What does annoy me is fundraising for the United States Olympic team. The games have become heavily politicized. Issues arise about whether national leaders should attend the opening ceremonies, about boycotts (as of the Moscow games in 1980), and about pressures to win even through drug violations. Further political aspects are scorekeeping of medals won by various countries and struggles among and within countries over hosting future games. Sportsmanship becomes subordinate.

Considering what the Olympics have become, do they deserve imitation? I regret fundraising for the Special Olympics or Paralympics, which structure games for intellectually or otherwise challenged participants. They encourage people to divert their energies into fields where they suffer disadvantages. The games exalt competitive sports as an exceptionally worthy activity and promote unnecessary interpersonal rivalry.

Ideally, in a psychologically and economically healthy society, people should not feel pressure to compete for status. More exactly, they should have diverse opportunities to find satisfaction in self-chosen niches, even ones as narrow as researching ancient Mesopotamia, brewing boutique beers, knowledgeably collecting old coins or cars, faithfully performing some humble but essential task, or memorizing old baseball statistics. Artificially elevating athletic performance as a criterion of self worth, even in games twisted to accommodate players whose relative strengths lie elsewhere, is profoundly perverse. — Leland Yeager

Light railroaded — High gas prices stimulated media reports that Americans are abandoning their cars and swarming to mass transit. The American Public Transportation Association (APTA) is using such reports to promote more subsidies for transit. "If only we had diverted some of the highway money to transit," William Millar, APTA's head, told The Wall Street Journal, "there is no doubt in my mind we would be using far less foreign oil."

In fact, since 1990, the federal government has diverted more than $65 billion of highway money (your gasoline taxes) to mass transit, most of it to build expensive rail lines. And what has been the result?

In the first three months of 2008, urban auto travel declined by more than 15 billion passenger miles from 2007. Urban transit, meanwhile, grew by 450 million passenger miles. In other words, transit only made up for 3% of the decline in driving. The biggest decline in driving was in March, and transit ridership in March 2008 was actually lower than in 2007. Even with tens of billions of dollars in subsidies, transit doesn't go where people need to go.

Even if more people had switched to transit, transit doesn't save energy. On average, cars use 3,445 BTUs per passenger mile, while transit uses 3,444. So people who ride transit because of high gas prices aren't saving energy; they are merely passing their energy costs onto someone else.

— Randal O'Toole

Fat chance — Lacking any sort of artistic pretensions, I have never entertained the notion of indulging in hard drugs. Yet I've always been haunted by the thought that I view fried chicken and pineapple upsidedown cake in the same way in which Miles Davis viewed black tar heroin, namely, with deep, visceral longing.

And now the kind folks who occupy the laboratories and rock the lab coats down at Tulane University have confirmed this suspicion after conducting a study discovering that obesity, instead of being strictly a metabolic condition, is more

akin to an addictive disorder. This scares me.

Not the science, mind you; I take the slogan "Better living through chemistry" as one of the guiding principles of my life, right up there with classic admonitions to beware the Ides of March and never to fry bacon while nude. Rather, I'm afraid of what misuse the information may come to in the hands the government. The U.S. is already awash in agencies that no advocate of personal liberty could support. The ATF and the DEA are enough. The last thing this nation needs is ARC, the Adipose Regulatory Commission.

The mission of the ARC would seem fairly easy to accomplish. After all, who would be easier to spot and apprehend; a hardened gun runner who (if TV has taught me anything) will undoubtedly have a facial scar and an eastern European accent, a drug kingpin hidden away in a fortified plantation replete with henchmen and nubile young women in various stages of undress, or a 350-pound man in orange hunting garments who is making his third trip of the day to Burger King?

But given the history of the War on Drugs, I can only imagine that the War on the Obese would be similarly disastrous. Not only will our kids continue to be overweight, but there will be an added mystique, similar to that which surrounds underage drinking, associated with eating greasy food. And to be honest, the day that consuming four elephant ears and half a gallon of Mr. Pibb becomes an act of youthful rebellion is the day I officially become old. — Bill Shepherd

That burns — If you ask the state to provide your food taster, be prepared for the Keystone Kops to answer the call.

Some 1,300 people in the United States have fallen sick with salmonella since June of this year. This is the basic kind of food poisoning that the Food and Drug Administration (FDA) and the Centers for Disease Control and Prevention (CDC) are supposed to prevent from becoming widespread in America. Instead, the episode has devolved into finger pointing and recrimination.

In late June, the FDA announced that the source of the salmonella was tomatoes imported from Mexico. This resulted in tomatoes being pulled from the shelves in most grocery stores and many restaurants. But, a few weeks later, the Feds admitted tomatoes weren't the problem; instead, they said, it was Mexican peppers — jalapenos and serranos. "We have a smoking gun, it appears," said Lonnie King, director of the CDC's center for food-borne illnesses. The FDA advised consumers to avoid raw peppers from Mexico and any foods that contained them.

Mexican food safety authorities didn't agree with these conclusions. They saw the Americans' efforts as an attempt to scapegoat their country. Enrique Sanchez, director of Mexico's Farm Food Quality Service, said that the salmonella sample King had called a "smoking gun" had been taken from an irrigation tank that hadn't been used for more than two months. Since that tank contained rain water, Sanchez said that roaming cattle or other factors could have contaminated the water in it.

Sanchez went further, saying that U.S. officials "lacked scientific evidence" to make their conclusions and that they had broken a confidentiality agreement by announcing findings before the investigation had been completed. He said: "We're eating this same produce in Mexico and we haven't had any problems."

He suggested that the FDA officials had confused the source of the samples. The tainted water tank had been found on a farm in the state of Hidalgo — not in Nuevo Leon, as the FDA had reported.

Mexican officials said the confusion could have stemmed from the fact that produce grown in Hidalgo (where several sources of salmonella had, in fact, been found) had been processed and packaged in Nuevo Leon. Since produce from several farms had been packaged at one plant, it was possible that tainted peppers (or tomatoes . . . or something else) had been mixed with clean produce there.

The FDA issued a statement later saying it was "surprised and disappointed" by the Mexican response.

While the bureaucrats blamed each other, U.S. customs officials were holding up fresh Mexican peppers at the border. And the number of reported salmonella cases trailed off — though no one was sure, yet, where it had originated.

— Jim Walsh

Sex, war, and spectacle — As we headed to press, three large-scale stories broke, the least important of which got the most breathless coverage. I refer of course to John Edwards' affair. About his choice in mistresses, one can only say: once an ambulance chaser, always an ambulance chaser.

More visually appealing by far was the the opening ceremony at the Summer Olympics in Beijing. China used the event to confirm two things: 1) we are now a superpower, with a clear view of how we see ourselves and the world; 2) we are opening up a bit, just don't rush us. Responsibility for the spectacle was given to director Zhang Yimou, by the same government that has in the past banned his movies and actively lobbied against his films. Zhang's program, which included giant firework footprints (later revealed to be a clever and meticulous CG "fake"),a portrait painted by human Etch-A-Sketch, and a Chinese lantern-planet, revitalized the idea of the opening ceremony, dulled by decades of incomprehensible parading and children dressed as vanishing ethnic groups. (Okay, so maybe the ceremony did still have both of those things in bulk, but the other technological marvels were worth it.)

Sadly, the show hosted by China was no match for the drama playing out in the boondock region of South Ossetia, on the Russia-Georgia border. The motivations of the actors seem to be this: the Russians want to absorb their old satellite nations, and are trying to isolate and nationalize Russian-majority populations in those states to create friction; the Georgians want to reassert control over these populations, which have been operating for years with a sort of semi-autonomy, as a precursor to joining NATO.

Russia's leaders, and Vladimir Putin in particular, will not accept NATO expansion without the buffer of the old satellites. Putin has been waiting years for a chance to really flex his muscles (crushing the Chechens was just a sort of annual workout) and Georgian president Mikheil Saakashvili has eagerly provided that chance, apparently relying on the U.S. and Britain to come bail out his country in a fight it cannot possibly win.

Our neocons, of course, are calling for war in Churchillian terms, with ringing pronouncements of support for our stalwart Georgian ally. But Georgia is no humble Poland, trying to fend off a rapacious neighbor, and Saakashvili is no people's hero. If we go to his aid — and why would he have attacked, without a firm expectation that we would join in? — this could be the first theater of a renewed Cold War. And, unlike the fight against Communism, we cannot be unambiguously certain that ours is indeed the right side.

— Andrew Ferguson

Up the Wazir — On August 3 it was reported that a United States air strike in the boondocks of the Pakistani region of South Waziristan (come on, are these names for real?) had liquidated Abu Khabab al-Masri, an al Qaeda bomb expert and trainer of the fanatics who attacked the USS Cole several years ago, killing 17 sailors.

Al Qaeda commented, in its usual pious style, "We tell the enemies of God [you'd think these people regarded everyone in the Western world as a clone of Christopher Hitchens] that God has saved those who will be even more painful for you. As Abu Khabab has gone, he left behind, with God's grace, a generation of faithful students who will make you suffer the worst torture and avenge him and his brothers."

That style alone is some of the worst torture I can imagine. What must be the mental state of those exposed to it 24/7? If you weren't crazy to start with, you'd soon start to develop the symptoms. Maybe this is why we have trouble infiltrating Islamic terrorist groups. Anyone who has to listen to that stuff as part of his professional duty probably runs off and puts a bullet in his brain.

Anyway, Abu Khabab will never test biological weapons on another dog. And in case you haven't guessed, I'm not sorry that he's gone. This, to me, is exactly the kind of foreign aid that the United States ought to give. — Stephen Cox

Mental blocks — People put up with a lot of statist nonsense because they can't imagine anything different.

Until recently, for example, a generation of Eastern Europeans had no idea what a financial market was. They couldn't imagine it. Even a few years after the fall of communism, the Poles, although pretty enthusiastic capitalists, simply could not believe that financial markets weren't rigged. In fact, they thought that "rigged" was just normal, maybe even inevitable, and not especially bad. When I was working in Poland, young, highly educated, obviously intelligent professionals in the Ministry of Finance repeatedly asked me who set the prices in the Eurobond market. My answer, "buyers and sellers," did not compute.

France, like the United States, has a mixed economy. But some economies are more mixed than others. Part of the mix in France is a very general dislike of free competition, including competition among domestic companies. (And goodness knows, they hate competition from foreign companies.) There is a law that prohibits retailers from selling below cost. There is also a law that prohibits big retailers from negotiating freely with suppliers — in other words, from hammering them on price a la Wal-Mart. Another law forbids any retailer except a pharmacy from selling over-the-counter drugs. Consequently, a mixed bag of consumer goods in France costs 30% more than the same bag right next door in Germany, a country with the same currency, the same goods, similar income levels, and no trade barriers with France.

This has a direct, substantial effect on the Frenchman's standard of living. Yet it has persisted, because that's just the way it is.

It seems always to take something special to cut back the state. I blame a lack of imagination and a natural acceptance of the status quo. Even sincere small-government conservatives regard some of the small-government policies of libertarians as unimaginable. Privately owned power plants make sense to them, but privatization of all roads seems impossible. In France, privately owned power plants were unimaginable. A bastardized, partial privatization of the French national power monopolies, EDF and GDF, is controversial.

Still, freedom sometimes catches on. The Poles were brave enough to take on revolutionary change without really knowing where it would lead. I think this is partly because their anticommunism was bolstered by strong anti-Soviet feelings. And now, thanks to leadership from President Sarkozy, there is open debate in France about the laws that hold back competition.

Most Americans, too, think of certain "basic" government functions as inevitable and unprivatizable. The post. The roads. The currency. Police forces. The courts. The primary schools. The FDA. The FBI. The IRS. Because that's just the way it is. I pray for more imagination, courageous citizens, and some good leaders. — Michael Christian

Never trust a trial lawyer — As this issue went to press, the news was breaking that former NC senator and Democrat presidential hopeful John Edwards admitted to having an extramarital affair with a sometime contract employee of his presidential campaign. A politician caught in an affair isn't news. But Edwards has always been one of the most preening, sanctimonious hucksters on the circuit — and his campaign, desperate over its failure to connect with voters, had made a big deal about the nobility of his marriage and his wife's battles with cancer. By cheating on this woman, Edwards seems to be either: 1) unaware of the meaning of the words he spoke every day on the campaign trail; or 2) totally unhinged. In either case, by splitting the votes of so-called "traditional" lefty Democrats with Hillary Clinton, Edwards effectively handed the Democrat nomination to Barack Obama. So Hillary is wronged yet again by a slick southern liar with a cheating heart. — Jim Walsh

Great to good grief — A couple of years ago, on the recommendation of two economists, I read "Good to Great," a business bestseller by Jim Collins, published in 2001. I was interested in business strategy, so it was a good fit, although you couldn't help but feel that this was mostly a followup to a previous bestseller, "Built to Last," written to keep the dollars flowing in.

Collins had a crew of people study stock returns to ferret out not just good companies but spectacular companies — ones that had "made the leap from good results to great results and sustained those results for at least fifteen years." It turns out that there aren't very many of these companies— only 11 in total. The book was about what the companies did to achieve this rarely matched performance.

There were some helpful lessons in the book (for one thing,

the CEOs tended to be unassuming fellows, not overweening tyrants). But I did wonder how the experiences of 11 companies — out of thousands — could be all that relevant to most managers (or to me).

The other thing that made me queasy was that one of the companies was a government-spawned entity. How great could that be? And the company was Fannie Mae.

We've heard a lot about Fannie Mae recently. It fell, and it fell hard. It's in the process of being rescued by the U.S. taxpayer. Its deterioration first became visible, according to Paul Gigot of The Wall Street Journal, in 2001, the year "Good to Great" was published.

Jim Collins viewed Fannie Mae (and the other stellar companies as well) as succeeding through the "hedgehog concept" — focusing on one big idea rather than trying to do a whole lot of different things. Fannie Mae's idea was that it could develop "a unique capability to assess risk in mortgage-related securities." Thus it could shift from "profit per mortgage to profit per mortgage risk level." This big idea lifted it to stratospheric heights.

Could that idea have something to do with the fact that the government was implicitly backing everything that Fannie Mae invested in?

The conclusion of this little story is wonderment, not just about Collins' misstep, but about the reaction to the latest news. To his credit, Steve Levitt ("Freakonomics") has observed on his New York Times blog that not only Fannie Mae but also Circuit City and Wells Fargo, two of Collins' other featured companies, have done deplorably since his book came out. But that's all I see about this matter on the Web. The book is still being used in seminars on business strategy and according to Levitt has been selling at 300,000 per year, in hardcover. To me, something's weird. — Jane S. Shaw

They call him Flipper — When a skater executes a triple spin over the ice, it's amazing to watch. No less acrobatic is Barack Obama's triple reverse on oil policies.

After long deriding Hillary Clinton's (and John McCain's) advocacy of a suspension of gas taxes in the face of record-high prices, now Obama proposes to give a $1,000 tax rebate to help families with high gas taxes, said rebate to be financed by higher taxes on the Evil Oil Companies, exactly as Clinton had proposed.

Obama had also opposed tapping into the Stategic Oil Reserve — another Clinton idea — but he now favors it.

Yet the most majestic flip of all had to do with offshore drilling. Obama recently bashed McCain for flipping in favor of getting rid of the congressional ban on offshore drilling; now he says he would be willing to allow it as part of a biparisan deal on energy policy. Oh, he still hates the idea of drilling offshore — it just isn't a "particularly meaningful" solution, don't you know. But he will roll with it.

What is driving all flipping are the flipping polls. The most recent Quinnipiac University survey showed that high energy prices have become the biggest election issue, and McCain's quick use of that issue has eroded Obama's lead — obviously a good reason, in Obama's mind, for reversing his ideas.

— Gary Jason

Irrational pessimism — One of my tasks at the Liberty Editors' conference at FreedomFest in Las Vegas this July was to moderate a panel on the housing and mortgage morass. I was struck by the gloom of several attendees. A man in the audience stood up and expounded. He had seen the numbers, he said. It was unarguable: America's debt was going to sink it. And one of the panelists seemed to think so too.

The one who didn't was David Friedman. Always in the past, Friedman said, when hard-money people made such dire predictions — and FreedomFest was partly a hard-money conference — the predictions turned out not to be true.

Of course that is an argument from history, not data. And yet I like it. Friedman is right about the gloominess of the gold guys. They have an ideological (and financial) interest in gloom, and they overshoot on their prognostications. I remain confident that "Helicopter Ben" Bernanke will disburse enough greenbacks to float Fannie Mae, Freddie Mac, and whatever other large logs may threaten to sink. The dollar will become a bit soggier. America will go on. We will not become Zimbabwe. — Bruce Ramsey

Don't worry, be happy — Could there be light at the end of the tunnel concerning the economy? 2008 may be remembered as the year when there wasn't a recession.

Notwithanding prognostications to the contrary, the economy grew at about a 1.5% rate during the first half of the year. That's nothing to write home about, but consider history: from the 1970s to the early 1990s, growth of 2–2.5% per year was regarded as good. The fact that current economic activity is considered a downturn indicates just how productive the national and world economies have become. Unemployment remains below 6%, which was once considered to be near the natural rate of unemployment.

For so many people around the globe, times have never been so good. The world as a whole is in the midst of the greatest economic boom ever. As Johan Norberg of the Cato Institute and others argue, the increase in economic wellbeing throughout what used to be considered the third (or developing) world has been phenomenal in recent decades. As great as economic growth in the United States, Europe, and Japan has been, it is as nothing compared to the revolutionary changes in material circumstances that billions of people throughout Asia and Latin America have experienced since the 1960s. The past 40 years have been the period of greatest economic growth in world history.

This reflector is disinclined to consider dislocations in economic activity, or temporary downturns, as anything but relatively momentary aberrations from a longer term upward trend. This is not to say that economic downturns shouldn't be thoughtfully considered, and alleviated to the greatest extent possible. They should be. But the forest of economic development should not be lost in the trees of momentary economic news. — Lanny Ebenstein

Say anything — The World Trade Organization's Doha Round of trade talks ended in failure this summer, the first time since the establishment of the generally trade-promoting GATT regime after WWII in which a round of talks failed to produce some kind of liberalization agreement. This time they couldn't even come up with a token move. Editorials lamenting this failure rang out across the land. I think, however, that the Cato Institute's Dan Ikenson has convinced me

that the death of moves toward freer trade has been exaggerated. While political leaders may denounce globalization and free trade in public, the record of recent years has shown that the countries that trade the most tend to enjoy the most economic growth. So even as India undermined the WTO talks to popular acclaim in India itself, it has liberalized both its internal and external business and trade policies and begun to enjoy growth and some measure of affluence.

It's still a major mystery to me. Free trade, which anyone who has ever taken Econ 101 or thought for more than a moment understands, is beneficial to the society that adopts it (though there may be short-term disruptions and losers, as always happens in a dynamic economy), is so easy to denounce in the political realm. Dan says, however, that some of the same politicians (maybe Barack Obama?) who demagogue against free trade and globalization privately understand that the stance is stupid populism and in action take steps to increase trade. Count on politicians to be hypocrites.

— Alan W. Bock

Mid-Libs — Pollster John Zogby's new book, "The Way We'll Be: The Zogby Report on the Transformation of the American Dream," which went on sale August 12, has interesting comments on libertarians. In some ways, Zogby finds them like moderates. One way is the simple question of who is the funniest comedian. For liberals and progressives, the answer was Richard Pryor; for conservatives, Red Skelton; for moderates, Bill Cosby. For libertarians the funniest is also Cosby.

Maybe, Zogby speculates, that is because libertarians appreciate Cosby's cultural message of self-responsibility, which, of course, they do. But Zogby sees some substance. "Libertarians and moderates are not so far apart in core beliefs," he asserts. "Together they could be a vital new political force waiting to happen, one that shuns both the God talk of the religious right and the let-government-solve-it mentality of the traditional left."

There are some issues in which I'm close to moderates: abortion and immigration. But I have trouble with the statement that libertarians and moderates "are not so far apart in core beliefs." I wish he would have argued for it more.

— Bruce Ramsey

Just us — A recent ad I saw showed two roommates accusing each other of using all the mayonnaise. A third roommate started dusting the jar for prints, while the voice-over asks: "Interested in justice?" Turns out it was not an ad for mayonnaise, but for a school that offered degrees in criminal "justice."

It made me think of how badly that career is named. People don't go into that profession with a hunger for "justice." I imagine that a person who would dust his own apartment for prints isn't really worshiping the statue with the blindfold and scales as much as he is just nosy. A lot of people are attracted to the career, not because of an altruistic pursuit of fairness, but because they love to poke around other people's apartments and rifle through their drawers, trying to find their secrets.

Many jobs considered "public service" have nothing to do with service. Politicians more often run for the respect and power than for the service. Many lawyers gravitate toward the profession, not out of an interest in the law, but because they like to argue — the long contracts that are required today for even simple tasks like installing software are testament to the constant pursuit of loopholes by a profession with a surplus of idle hands. Too many people become policemen, not because they want to clean up a community, but because they want the power of a badge and a gun.

But despite this inherent flaw, our system seems to work, for the most part. It is a division of labor, and people with talent find places to use it. Fortunately there are limits on the type of people that get hired. Whereas we try to lock up our serial killers, under some darker governments, sadistic sociopaths too are gainfully employed.

— Tim Slagle

From the couch to 1600 Penn. — I was going to write a reflection on the meaning of the Green Party's nomination of former congresswoman Cynthia McKinney as its presidential candidate. At that party's convention in Chicago, she gave a stemwinder of an acceptance speech that — for a few fleeting moments — described what ails American today in terms that any libertarian could applaud. She decried nation building, corporate welfare, and the institutional corruption of the establishment parties.

But then her eyes widened and she moved on to the solutions she proposes . . . and the berserker (who was once arrested for assaulting a Capitol Police officer who "dissed" her) began to show. McKinney seems a damaged person — a second-generation career politician whose reptilian sense of political spectacle exploits the weaknesses of her oft-exploited supporters. But she can talk. Here's a small bit from her acceptance speech:

> Even while George Bush has made himself an international climate change villain by not signing onto the Kyoto Protocol, his own scientists at the U.S. Climate Change Science Program have predicted more heat waves, intense rains, increased drought, and stronger hurricanes due to the worsening effects of climate change. . . . In a Green Party USA, health care would be provided for everyone here through a single payer, Medicare-for-all type health care system. We would have no homeless men and women sleeping on our streets and everyone who could work would have work. . . . We would have apologized for genocide against the indigenous peoples of this land and the abomination of chattel slavery. Our country would have dignity on the world stage and in every international forum. . . . At a time when the United States is under review, itself, by the United Nations for its poor record on domestic respect for human rights, particularly in the aftermath of Hurricanes Katrina and Rita, a real discussion of race and gender is needed now more than ever.

What she doesn't seem to be able — or chooses not — to do is see the similarity between statist elements of the Bush administration and the statist elements of the United Nations. The worldviews of the people who run Halliburton and administer the Kyoto Protocol are closer than she admits. Of course, objective reality means little to someone like Cynthia McKinney.

My main reflection on this? Not that McKinney is especially crazy but that the presidency seems to attract psychologically damaged aspirants. The current officeholder is a recovering alcoholic who apparently had trouble finding his place in his extended family and the world until he was well

into his fourth decade. Both of his likely successors have pasts full of Freudian drama.

The senator from Arizona attended the U.S. Naval Academy in the shadow of a father and grandfather who'd been admirals — royalty in that realm. He was tortured as a prisoner of war in a foreign land. By all accounts, he held up well in those hellish circumstances; but, upon his return to the States, he channeled his trauma into womanizing that destroyed his first marriage. And he seems an inattentive husband to this day; his current wife developed and, eventually, kicked a dependency to prescription pain pills without his notice.

The senator from Illinois was abandoned, as an infant, by his father. He wrote a book about trying to come to terms with that abandonment; his conclusion that he's done so rings hollow. Those who knew his mother say that she was a "free spirit" (a euphemism pregnant with allusions to egotism and social failure). Like many children from broken homes, he was raised at times by his grandparents. Then prep school, Columbia, Harvard. He seems the archetypal high achiever who carries the hope of a dysfunctional clan.

When was the last time a well adjusted person lived in the White House? Clinton? A posthumous child, raised by a woman who entered a series of abusive marriages, who in turn married — and then systematically humiliated — a castrating harridan. The elder Bush?

The comedian Chris Rock says that, when you're the father of a daughter, you have one job: keep her off of the stripper's pole. But that's a joke. I think a father has one job: keep his kids away from a career in politics. — Jim Walsh

White power — Nearly two decades ago, I had a girl friend who worked at MBIA, the municipal bond insurance company that had developed a highly successful racket of credit enhancement, if paid fully in advance. Nonetheless, she privately thought her bosses "dumb white boys who will screw up," as indeed they did, notwithstanding superior educations and smug self-confidence. I was reminded of her judgment when I saw a photograph reproducing the faces of 62 early Cuban guerrillas who died before Fidel took power. Nearly all of them were white; a few were brown; none were black. None. The revolutionaries advocating a society of equals, regardless of race or social class at birth, were scarcely a reflection of the Cuban population, or indeed the population of nearly every country in North or South America.

Needless to say, the survivors running Cuba since 1959 have been a bunch of white boys who have screwed up. Were Cuba merged into MBIA, no one outside would recognize any racial difference. — Richard Kostelanetz

Vox populi — Well, I've seen it all. Los Angeles has prohibited fast food restaurants in certain districts of the city — just as Mayor Bloomberg (who doubtlessly has a Ph.D. in nutrition) has banned trans fats in NY eateries. Where is the vaunted voice of the people? Why, in violation of all the tenets of freedom, do we allow government to dictate our diet?

Why aren't there mobs in the street chowing down on trans fat soaked fries? Why doesn't the joyful munching of hamburgers fill the air, daring the polizei to arrest, say, 5,000 hamburger and deep fried chicken lovers? Why not! What irritates the trans fat in my system and sets it a boiling is the supine cowardice of us victims. Where is the wrath of the people?

My theory? We poor serfs don't realize our power. We think the pols (who may next decree mandatory gastric bypass surgery for all fatties) hold all the cards. Lemme tell you that mobs in the street — not violent, just chewing and shouting against such intrusive, nonscientific, freedom stealing legislation — well, they're anathema to politicians. They're uglier than a $5 campaign contributor. Rather than face such an unpleasant spectacle, they'd take Uncle Ned, Cousin Betty, and three brothers-in-law off the health commission. History tells us that even Hitler, guarded by the Gestapo, bent his racial laws when a meager demo by 2,000 Berlin wives paraded in the streets, because their one-quarter, one-eighth, and one-sixteenth Jewish husbands were clubbed into the camps. Even the men with guns couldn't stomach a few thousand women making the regime look bad. Poisonous PR.

As some ancient Athenian philosopher must have said (or should have said), "The power of the people is lethal to tyranny." — Ted Roberts

Harvesting the wind — T. Boone Pickens came around to the editorial board of my newspaper to discuss his plan for energy independence for America. As near as I could gather, it's to move toward using more natural gas for vehicles, and using wind to power more of the electrical generating plants now powered by natural gas. He's not against more drilling for oil, but thinks the yield in the United States (offshore and ANWR) will be disappointing to those who view this as the answer. Only natural gas can give us the immediate boost we need to start weaning ourselves from the sheiks (and the Mexicans and Venezuelans).

Pickens is a smart (and extremely charming) guy, and he may well be right about natural gas as the next likely alternative. And he has invested some $58 million of his own money in a wind farm in Texas, not to mention the TV ads and all. But he also says that for his plan to work "fast enough" will require continuing tax credits for wind power and the use of eminent domain to build electrical transmission lines to get all that power from the places where there's wind to the places that need energy. The problem here is that such subsidies distort the market by concealing the true prices of various kinds of energy, without which it is impossible to determine what varieties of power generation are really more efficient.

Everyone from Barack Obama to John McCain to Boone Pickens seems to want the government to have an energy policy to guide the country along the path to energy independence. Leaving aside the fact that energy self-sufficiency is probably chimerical for the United States and more than likely not really desirable, I think the government has already done more than enough. If we want efficient energy markets, the government would do better to get out of the way than to decide in advance what the proper mix is and micromanage our way to that goal. — Alan W. Bock

These are awful; keep 'em coming — The notion that "today's children are tomorrow's leaders" is quite frightening. I came to this disheartening conclusion during the first group activity on the first day of a program on leadership and politics that I attended with other high school students this summer in Washington, D.C.

The activity was called "Community Build." When the group — about 75 students in total — entered the activity room, we found the floor divided into four rectangular sections by lines of duct tape: one very large section, one medium-size section, and two very small sections. We were divided into four groups; each group of students was assigned to one of the four sections and given a bag of materials that included construction paper, writing utensils, tape, scissors, and some hypothetical "money." We were told to build the ideal city within our section with the materials provided. We were not allowed to step outside our respective sections, and before we could "build" anything, we were required to get a permit from a board of teachers sitting at the front of the room.

I'm always skeptical about arts and crafts projects, but I had a good idea where this was going, and it actually looked promising. Sure enough, when the activity officially began, everything that I expected to happen did. Building permits were extremely hard to get, we had to make many revisions to our designs before they were approved by the board, and for the duration of the activity, teachers playing the role of police walked among the students and removed from the room anyone who happened to step outside of his rectangle. As you can imagine, with dozens of people trying to squeeze into a relatively small space, "arrests" were frequent.

As we worked on our city, I thought to myself that this was turning out to be surprisingly worthwhile; bureaucratic inefficiency, burdensome regulation — it had a strong, if unintended, libertarian undertone.

When the teachers announced that time was up, we all sat down around the "cities" and compared the different groups' work. The largest rectangle, obviously symbolizing the upper class, had a wide variety of buildings with a lot of space open and available for more. The smaller rectangle — the middle class — had some buildings and was well-developed, but was tighter and could not fit many of the buildings that the upper class could afford to build. The two tiny, poor sections had hardly any buildings and were a mess compared to the larger areas next to them.

The teachers then asked us what problems we encountered in building our cities. Some people said that the board forced them to make useless changes to their building designs before they would be permitted to construct them, others said that the board completely rejected designs for no reason at all, while others described how they were thrown into "prison" for violating rules that they never even knew existed. This is great, I thought — growing discontent and outrage over the bureaucratic nightmare that we just experienced. Now it was time for the final discussion: what should be done to fix this absurd process?

I expected to hear the obvious answers: regulate less, make permits easier to obtain, stop arresting people for frivolous violations. But for some reason, when the first student (who worked in one of the tiny rectangles) raised his hand, I felt a sinking sensation in the pit of my stomach, as if I somehow anticipated the words he would speak.

"The rich group should have given us more money," he complained. More hands shot up.

"We should have an agency specifically designed to oversee the poor neighborhoods' buildings," another said.

"The poor people couldn't build cities for themselves, so the government should help them out and build some things for them."

"The rich people have so much land in their section. Give some of it to the poor cities. This would promote equality and fairness."

"What about the environment? The board should have taken that into account."

Dumbfounded, I listened as my peers demonstrated how completely backwards their perception of society, government, and simple cause-and-effect was. Nobody seemed to comprehend that if A causes B, and we don't like B, then we shouldn't ask for more A! I was shocked to see that these future "leaders" took away all of the wrong lessons from this seemingly worthwhile activity. But I learned a lesson myself, specifically the direction in which our country is headed if these kids really do lead it someday. — Matt Varvaro

Betting on Ben —It doesn't take Karl Rove, James Carville, or the ghost of Lee Atwater to see that the cost of energy is shaping up to be the hot topic for this election season. Barack Obama seems to face the bigger challenge on this one.

To start, his Democrat colleague House Speaker Nancy Pelosi has positioned their party poorly. During the summer, she gave an interview to the politico.com news site in which she explained her opposition to increased domestic oil drilling in laughably messianic terms. Of her refusal to allow any debate on the question on the floor of the House, she said: "I'm trying to save the planet."

And then she ordered House microphones cut off when her opponents tried to discuss the matter against her will.

In the wake of the bad press that followed, Obama announced a change in his own position on domestic drilling. As president, he would allow "limited" offshore drilling, if it were part of a larger plan for developing and delivering energy to Americans. (Although, true to his style, he said that his support would have no effect — since offshore drilling doesn't supply much oil. It's a signature Obama move to support or cast votes for policies that he admits are not effective.)

This was seen as apostasy among the more radical of his environmentalist supporters; but they have nowhere to turn. Most of his core supporters considered it savvy triangulation. If he's elected president, it will be interesting to see what effect his move — essentially undermining Speaker Pelosi's hard line — will have on their relationship.

Even more convoluted is Obama's plan for a $1,000 stimulus check for each American household to be funded by a "windfall profits" tax on oil companies. According to Obama:

> This rebate will be enough to offset the increased cost of gas for a working family over the next four months. Or, if you live in a state where it gets very cold in the winter, it will be enough to cover the entire increase in your heating bills. Or you could use the rebate for any of your other bills or even to pay down debt.

These windfall profits taxes have proven ineffective — which may be why Obama likes them. They don't improve the economy much. They have little effect on oil industry

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The Next President and the Next War

by Jon Harrison

Is a Middle East conflagration on the horizon?

On June 13, Taliban fighters successfully stormed the main prison in Kandahar, Afghanistan, freeing some 1,200 inmates, at least one-third of them Taliban members. During the month of June, 46 Allied soldiers died in combat in Afghanistan, as against 31 (29 U.S.) in Iraq. It was the second straight month in which combat fatalities in Afghanistan exceeded those in Iraq.[1] On the same day as the Taliban's brazen attack on Kandahar, the outgoing U.S. commander in Afghanistan, Gen. Dan McNeill, spoke gloomily about the situation at a Pentagon press conference. The Taliban, he said, is "resurgent in the region . . . it's going to be difficult to take on this insurgent group . . . in the broader sort of way."[2] "Difficult" is an understatement, because the Taliban are operating from the safety of sanctuaries in northwest Pakistan. McNeill, by the way, had previously stated that it would require 400,000 troops to master the situation in Afghanistan,[3] an assessment that has received remarkably little media coverage in the U.S.

On June 5, Israeli forces completed major military exercises over the eastern Mediterranean. More than 100 F-15 and F-16 strike aircraft took part. Long-range refueling and search and rescue operations were practiced by the Israeli forces. The exercises were carried out some 900 miles from Israel, a distance that just happens to equal that between Israeli air bases and Iran's nuclear facility at Natanz. According to The New York Times:

> Several American officials said the Israeli exercise appeared to be an effort to develop the military's capacity to carry out long-range strikes and to demonstrate the seriousness with which Israel views Iran's nuclear program.[4]

Israeli officials were more direct. Sallai Meridor, Israel's ambassador to the U.S., stated, "Israel prefers this threat [i.e., the Iranian nuclear program] be dealt with peacefully . . . But time is running out."[5] Simultaneously, Gen. Mohammed Ali Jafari, commander of Iran's Revolutionary Guards, threatened to respond to any attack by launching missiles against Israel and blocking the Strait of Hormuz.[6] His threats were followed by Iranian missile tests carried out on July 9 and 10. The missiles fired by the Iranians, while hardly state of the

art, supposedly have ranges of up to 1,240 miles. The tremors were felt worldwide. Mohamed ElBaradei, the director of the International Atomic Energy Agency, told Al Arabiya television that an Israeli strike on Iran would "turn the Middle East [in]to a ball of fire."[7]

The Iran pot is being further stirred by the Bush administration, which in 2007 launched an expanded program of covert operations inside the country with the objective of regime change.[8] Up to now the administration, despite its obvious desire (especially on the part of the vice president)

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to strike Iran, has had its hands tied by the U.S. commitment in Iraq. With the situation there apparently improving, Bush could decide to settle accounts with the regime that, since the fall of Saddam Hussein, has been his enemy number one.

If not Iran, then perhaps Pakistan. Northwest Pakistan is not only the springboard for the resurgent Afghan insurgency; it also harbors a Pakistani Taliban that threatens Pakistan's stability[9] and a reconstituted al Qaeda that is said to be preparing fresh attacks on the U.S. homeland.[10]

Time is running out for the Bush presidency. On balance, it seems likely that Bush will hand off to his successor without having started a new war in the Middle East. Certain circumstances (including U.S. electoral politics) could change the odds in favor of war, and these will be discussed below. Whether the next president inherits a new war or not, he will certainly face critical problems in the region.

How will it all play out over the next twelve months? In part, of course, this depends on who wins the November election. A President McCain would almost certainly continue, broadly speaking, the policies of the Bush-Cheney years. That means, first, an ongoing presence in Iraq. We currently have 15 combat brigades there. By next summer, we may be down to ten or twelve. A force of that size would be sustainable over the long term, assuming the United States does not dramatically increase its commitments elsewhere. However, given the worsening situation in Afghanistan, it seems likely that the next president will be forced to escalate the war there — first by introducing more troops, and then, perhaps, by expanding it into northwest Pakistan.

Until recently, McCain had not articulated a detailed policy for Afghanistan. On July 15, however, the day after Sen. Obama called for the deployment of at least two additional combat brigades there next year, McCain came out in favor of sending three. Previously, he had maintained that our NATO allies should supply any additional troops for Afghanistan.[11]

The problem for McCain is that unless a substantial reduction of U.S. forces in Iraq happens soon, no brigades will be available for deployment to Afghanistan in early 2009. In June, Adm. Michael Mullen, Chairman of the Joint Chiefs of Staff, stated that he wanted three additional brigades for Afghanistan, but that "troop constraints" prevented such a move. If our troop strength in Iraq is reduced by another five brigades between this fall and next summer, additional forces will be available for Afghanistan. But as of this writing, candidate McCain has not committed himself to any further withdrawals from Iraq.

Regarding Iran, McCain has made it clear that he will not tolerate that nation becoming a nuclear power. Every indication is that Iran cannot be prevented from building a nuclear weapon by peaceful means. The logical consequence of this would seem to be war.

Given an ongoing, major U.S. presence in Iraq, and an expanding commitment to Afghanistan, it becomes difficult to see how an effective war against Iran could be waged, short of introducing conscription (something McCain has not proposed).

Obama has called for new directions in U.S. policy. In a July 14 New York Times op-ed piece, he reiterated his call for the withdrawal of all U.S. combat brigades on a 16-month timetable.[12] As already mentioned, he also proposed simultaneously to increase our presence in Afghanistan.

Obama's essay, it should be said, was a through-and-through political document, revealing a merely superficial understanding of the strategic and tactical issues. Why, for example, a 16-month timeframe, beyond the fact that it's probably the longest one that MoveOn.org will accept? Why only two additional brigades for Afghanistan, as opposed to the three the nation's top officer advocated?

Obama long ago called for strikes, if needed, against al Qaeda in the tribal areas of Pakistan. In addition, he has advocated opening a dialogue with Iran, although he has also said that he will not countenance that country's going nuclear. That he would actually use force against Iran to prevent this, however, seems unlikely.

The overall picture, whoever becomes president, remains endlessly complex and fascinating, though darkened by countless and ongoing human tragedies, not to mention shadows of doom. For the sake of clarity, I will examine in turn the situation on the ground in the four areas of crisis — Iraq, Afghanistan, Pakistan, and Iran.

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Iraq: Should We Stay or Should We Go?

At the moment, the picture in Iraq looks brighter than at any time since Bush declared major fighting over in May 2003. The past year has witnessed a remarkable series of ups and downs in both the military and the political situation.

Violence declined markedly in the last four months of 2007, for reasons I elucidated in an earlier essay.[13] As 2008 opened, violence flared up once more. In April, Iraqi civilian deaths again exceeded 1,000. Since then, however, violence has fallen to levels unseen since early 2004. What happened?

At the end of March, Iraqi Prime Minister Nouri al Maliki ordered and personally oversaw an Iraqi government offensive against militia and criminal elements in Basra, Iraq's second city and the key to the country's oil-rich south. The main target was the Mahdi Army of radical cleric Muqtada al Sadr, al Maliki's erstwhile ally. Poorly organized and carried out, the offensive quickly stalled. Over 1,000 government troops deserted, and al Maliki's representatives had to travel to Iran to negotiate a ceasefire with al Sadr.

But the seemingly hapless al Maliki wasn't done in by this highly unsatisfactory outcome. With a determination and nimbleness that startled virtually every observer (this writer included), he returned at once to the attack. Wisely coordinating his plans with the Americans this time, he sent his forces back into Basra, supported now by American and British airpower, intelligence, and logistical support, as well as U.S. and British special operations units. The Sadrists and criminal elements backed down before this show of force, and government troops took control of Basra by April 19.

When the initial Basra operation commenced, the Sadrists began making trouble in Baghdad, lobbing rockets and mortar rounds into the Green Zone and engaging in street battles with government forces. At the same time, they offered to negotiate with the government. Al Maliki instead chose to take on the Sadrists. Sadr City, the vast (population 2 million) section of the capital under Sadrist control, was first partitioned by an enormous blast wall set up by U.S. forces. Adopting salami-slicing tactics, Iraqi troops (again backed by U.S. ground and air power) attempted to take over Sadr City

With a determination and nimbleness that startled many observers, Maliki returned at once to the attack . . . supported now with American and British air power.

block by block. They encountered considerable resistance, and would not have succeeded to the extent they did without major help from the Americans. In any case, it never came to a final showdown. A ceasefire was signed on May 11, and nine days later Iraqi government troops completed the occupation of Sadr City.

This was followed in June by a sweep through Amara, another Sadrist stronghold, where little resistance was encountered.[14] Simultaneously, U.S. and Iraqi forces were engaged in winkling out al Qaeda fighters in the northern city of Mosul, Iraq's third largest.

Too much can be made of these successes. The Shiite government's victories over Shiite fighters in Basra and Sadr City were largely negotiated.[15] They could not have been achieved without U.S. support. As for al Qaeda, whether it is driven from Mosul or not, it continues to find havens from which to mount attacks.[16]

Critical to the Iraqi government's position is the continuation of the Sunni Awakening. Adequate forces were available for the Basra and Sadr City operations because units could be borrowed from Sunni Anbar province and elsewhere. The Sunnis are, for the moment, content to receive U.S. dollars and arms in return for remaining quiet. But Sunni-Shiite reconciliation remains a distant and perhaps unreachable goal.[17] The ongoing Helsinki talks between various Iraqi political leaders may hold out a slender thread of hope.[18]

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The Iraqi government also depends on the goodwill of Iran. A three-cornered power struggle among Iraq's Shiites, involving al Maliki's Dawa Party, the Islamic Supreme Council (ISC), and the Sadrists took a sharp turn with the scheduling of provincial elections for this fall (recently rescheduled to December). Al Maliki and the ISC joined forces to prevent an electoral victory by the Sadrists. While Dawa and the ISC both dispose of militias (the latter's is the Badr Brigade), their combined strength does not equal that of the Sadrists (the Mahdi Army). Hence al Maliki's decision to use the Iraqi Army to clear Basra — a move supported not just by the United States and Britain, but by Iran as well.

Iran gave its full political and moral support to al Maliki's move against the Sadrists in Basra — and this despite the fact that Muqtada al Sadr sits in Qom, protected from al Maliki and the Americans by the Iranians! On the other hand, it condemned the Sadr City operation and supported the May 11 ceasefire. It would seem that Iran wants to keep the Sadrists in play as a safeguard against the possibility of al Maliki's government becoming too independent and assertive. Its closest ties to Iraq's Shiite community are with members of the ISC, some of whom spent decades in exile in Iran.[19] The primary Iranian policy goal in Iraq is probably the continuation of a Shiite-dominated but weak central government.[20]

Fragile though it may be, al Maliki's newfound prestige has wrought a change in Iraq's political atmosphere. The Iraqi prime minister, formerly perceived as a milquetoast, has "made his bones" and won the respect of friend and enemy alike. He won a potentially important political victory on July 19, when Tawafiq, the largest Sunni political bloc, which had been boycotting the government for the previous eleven months, returned to the fold.[21] Al Maliki now apparently feels strong enough to stand up to the Americans.[22]

Nor are the changes confined to politicians. The Iraqi Army has gained experience and with it a modicum of cohesion.[23]

Indications are that sections of the population may be rallying to the government and the armed forces.[24] As with al Qaeda in its heyday, the Shiite extremists overplayed their hand in imposing on the populace their version of Islamic law. People in both Sadr City and Basra were clearly relieved to be liberated from the heavy hand of the militias.[25] In short, an Iraqi center may be forming, and perhaps it may hold.[26]

Still, signs of real reconciliation between sects and ethnicities are hard to find.[27] Reconstruction, despite huge oil revenues, has hardly begun. Corruption remains endemic. The wounds of the past five, indeed the past 50 years, are still raw. It is by no means clear whether we are witnessing the birth pangs of an Iraqi democracy or the preliminaries to another Lebanon.

The imperial aspects of America's Iraq policy are complicated by the Iraqi government's growing confidence.[28] After a conversation with al Maliki on July 17, President Bush accepted "a general time horizon" for a U.S. withdrawal,[29] though the administration has so far refused to be pinned down to definite numbers and definite dates.

With this concession (nebulous though it was) the Bush administration suddenly assumed the centrist position in the Iraq debate, with Obama on its left calling for a definite timetable for withdrawal, and McCain on its right opposing any timeline.[30]

McCain has been advocating a long-term U.S. presence in the country, which would entail spending tens of billions of dollars annually for years, along with some level of U.S. military involvement (100,000 troops? 50,000?) and casualties. Of course, whether U.S. voters will support such a policy remains to be seen.

Obama would enter office with a plan that would virtually end our involvement by mid-2010. His plan does call for a "residual" force to be left behind after the combat brigades are withdrawn. This would be assigned various duties, amounting in substance to protecting the president's political backside should trouble start brewing again on the ground in Iraq.[31]

On July 19, at the outset of Obama's grand tour of the Middle East and Western Europe, al Maliki came out and said that U.S. troops should leave Iraq "as soon as possible," and that Obama's 16-month timetable was "the right timeframe for withdrawal."[32] The Iraqi prime minister was clearly feeling his oats after his victories in Basra and Sadr City. The danger for both al Maliki and Obama is that the extremists will lie low until the United States withdraws, and then begin the civil war anew.

While a recrudescence of violence over the next year could lead al Maliki to embrace the McCain position,[33] Obama's plan may actually represent the most the United States can do. As everyone admits, U.S. ground forces are badly stretched and in need of a period of rest and recuperation. They are not, unfortunately, likely to get it. For it appears that forces withdrawn from Iraq will be needed in Afghanistan, to prevent a Taliban-al Qaeda victory there.

Afghanistan: Looming Defeat?

At present, we are losing the war in Afghanistan. The situation there was deteriorating even before NATO took on its "peacekeeping" role in 2006. As already noted, U.S. combat deaths in Afghanistan now exceed those suffered in Iraq. According to U.S. military sources, militant attacks in the first half of 2008 were well up over the same period a year earlier.[34] In April, the Taliban just missed assassinating Afghanistan's president, Hamid Karzai. On July 6 a massive suicide car bombing outside the Indian embassy in Kabul, the Afghan capital, killed 54 people and injured over 100.

U.S. forces are caught in a deadly day-to-day struggle with the Taliban and other militant groups,[35] all of which use the civilian population as a shield. Heavy civilian casualties and serious psychological problems for many of our troops result from this type of war.[36] Afghanistan is and remains a failed state. President Karzai — our man in Kabul — is little more than the mayor of that city (nor has he shown any qualities beyond those of a small city executive). The drug trade has grown exponentially since the Taliban's ouster. A solution, if there is one, will likely be military in nature, and not entail nation building. There appears to be little basis for the latter in this society dominated by obscurantism.

But where to find the 400,000 troops that Gen. McNeill says are needed to master the insurgency? In July, Defense Secretary Gates and the Joint Chiefs of Staff decided to reinforce Afghanistan. However, although the last of the surge brigades had just departed Iraq, none was available for immediate deployment to Afghanistan. Oddments, small units, were all that was available for quick (i.e., within weeks) deployment. The fact was that at that moment, the strategic reserve (ground forces) was empty.

Given an ongoing U.S. presence in Iraq, there is no way to reach the 400,000 figure without reintroducing conscription. The presidential candidates, of course, are mum on this. There's no quicker way to lose an election than to tell the citizenry that their kids will be compelled to fight and die in a rat hole like Afghanistan.

As already mentioned, candidate Obama has said that if elected he will deploy "at least" two additional combat brigades to Afghanistan. Admiral Mullen called for three. Neither constitutes enough boots on the ground, if McNeill's figure of 400,000 troops is to be taken seriously.

Some libertarians want to end the Afghanistan intervention. Writing for the weblog Liberty and Power (July 14), David Beito (a fellow contributing editor at Liberty) took Obama to task for advocating a reinforcement of the U.S. presence there:

> Not recognizing the contradiction [with his policy for Iraq], Obama proposes the exact opposite solution for Afghanistan. Instead of letting the Afghans take "responsibility for the security of their country," he wants to make them even more dependent on American welfare.

Ivan Eland, writing for The Independent Institute's email newsletter "The Lighthouse" (July 28), took a somewhat similar line:

> The al Qaeda that threatens the United States is in Pakistan, not Afghanistan or Iraq. Thus, the U.S. should withdraw all of its forces from Iraq and Afghanistan and concentrate on dealing with al Qaeda in Pakistan.

One is puzzled by this reasoning. There is no way to "deal with" al Qaeda in Pakistan except from our position in Afghanistan. A U.S. withdrawal from Afghanistan would

be followed by a Taliban takeover of the country. A militant-controlled Afghanistan, in addition to posing an increased threat of a new 9/11, would serve as the base for the growing Islamist campaign in Pakistan. And a militant, Islamist Pakistan possessing nuclear weapons would constitute a real danger to the United States (unlike Iran, which practices real-politik despite what Bush, Cheney, and McCain would like you to believe).

That it should be so is regrettable; but libertarian wishful thinking cannot undo 60 years of mistaken U.S. policy toward the Islamic world. The fact is that al Qaeda and the Taliban, supported by elements of the Pakistani military and security services, are aiming to establish Islamist regimes in both Afghanistan and Pakistan.[37] If we allow this to happen, we condemn ourselves to a decades-long conflict with militant Islam, a conflict that could transform our society beyond recognition, with personal liberty lost in the quest for security.

Pakistan: A Nest of Vipers

Pakistan is undoubtedly the critical area. Here militant Islam and the terrorist threat must be taken on and, if possible, defeated. The first thing to recognize is that Pakistan is, practically speaking, an enemy of the United States.[38] Undoubtedly, there are Pakistanis who are relatively pro-Western. Unquestionably, the Pakistanis have helped us hunt down some members of al Qaeda.[39] However, the average Pakistani, outside of the major urban areas, by no means wishes us well or shares our values.[40] As for the Pakistani establishment, who was it that supplied North Korea and Libya with nuclear expertise?[41] It is beyond dispute that members of the armed forces, and particularly the security services, infected with Wahabism, share the goals of al Qaeda and the Taliban. Recall that when Undersecretary of State Richard Armitage was sent to Pakistan after 9/11, his first words to the Pakistani leadership were "prepare to be bombed back to the stone age" (i.e., unless you cooperate). What friend would require such language after the slaughter of 3,000 American civilians?

Kashmir means more to the Pakistanis than their relationship with the United States. They will never sacrifice the jihadists who are fighting against both the United States in Afghanistan and India in Kashmir. At some point, the United States would do well to forego the false friendship of Pakistan, while drawing India into an ever-closer relationship.[42]

McCain has advocated a long-term U.S. presence in Iraq, which would entail spending tens of billions of dollars annually for years.

The Pakistanis, in playing the great game, may be riding a tiger that will consume them. The tribal areas of the country's northwest are under the control of the Pakistani Taliban and al Qaeda. The recently elected Pakistani government, adopting a policy first tried without success in 2006, has negotiated a series of peace deals with the militants.[43] Meanwhile, Peshawar, a city of 3 million people, is virtually besieged by militant forces.[44] On June 28, the government began an "offensive" in the North-West Frontier Province, which resulted in a few score deaths on each side. Several Taliban were arrested, including one or two mid-level commanders. The Taliban retaliated by seizing several dozen hostages, including police officers and government employees, and threatening to kill them unless their comrades were released.[45] The whole affair calls to mind the Keystone Cops, albeit with some bloodshed. The ground truth appears to be that the Pakistani government cannot cope with the militants. Indeed, as previously mentioned, the state apparatus itself is honeycombed with radical Islamists who support the goals of the Taliban.

Kashmir means more to the Pakistanis than their relationship with the U.S. They will never sacrifice the jihadists who are fighting there.

Thanks in large part to intelligence and training provided to the Taliban by members of the Pakistani security forces, attacks across the border into Afghanistan have grown more deadly.[46] The Pakistani government has refused permission for U.S. forces to cross the border and clean up the tribal areas.[47] Even if the United States could persuade Pakistan to give the green light, a cross-border campaign would not necessarily solve the problem, given limited U.S. resources, the difficult terrain, and the ability of the insurgents to blend into the populace.

Al Qaeda camps in the northwest reportedly now contain upwards of 2,000 fighters.[48] Some terrorism experts are warning that another major terrorist attack on U.S. soil is inevitable.[49] Meanwhile, high-level U.S. intelligence officers and military men regularly make the journey to Pakistan to consult with the government of our "ally." They inevitably return with promises that prove to be empty.

Apart from Obama's call to hit al Qaeda in Pakistan, no one has put forward a serious proposal to deal with the threat stemming from the tribal areas.[50] McCain's July 15 speech contained nothing but bromides. The call to send two or three additional combat brigades to Afghanistan may help stabilize the situation there, but it's unlikely to bring victory. It seems then that we will be bogged down in the area for a very long time, while waiting to see whether disaster, in the form of another 9/11, strikes us at home.

Speaking of disaster, another may be brewing in the case of Iran, to which I now turn.

Iran: Casus Belli?

It's anybody's guess what current U.S. policy toward Iran truly is. The administration's goals are clear, but how it plans to reach them remains in question. Its principal aim is to put a stop to the Iranian nuclear program. A second goal has been to curb Iranian interference in Iraq — but with the current quiet on the Iraq scene, that effort has faded somewhat into the background.

Trying to look behind the scenes, one discerns competing interests jostling for influence. The vice president and the neocons are set on regime change, by force if necessary; Defense Secretary Gates and Secretary of State Rice are advocating diplomacy and, if that fails, a ratcheting up of sanctions; the military seeks to avoid a resort to arms, given our overstretched Army and Marine Corps. The president, it appears, tacks first one way, then another. The result has been most unsatisfactory for U.S. interests.[51]

A sensible approach to Iran and the nuclear issue was laid out by former National Security Adviser Zbigniew Brzezinski and retired Gen. William Odom (a former director of the NSA) in a May 27 Washington Post op-ed.[52] Unfortunately,

The U.S. approach to the June-July round of the international talks on Iran's nuclear program baffled observers.

the administration has not followed their advice. The U.S. approach to the June-July round of the international talks on Iran's nuclear program, in which it at first held back from sending a representative, then dispatched the undersecretary of state for political affairs simply to hear Iran give its response, baffled observers.[53] On the other hand, the United States has announced plans to open an interest section in Tehran, a small but long overdue step.

At the moment, the administration seems to be counting on the threat of new sanctions to persuade the Iranians to yield on the nuclear issue. Simultaneously, it is pursuing wide-ranging covert operations inside Iran, including support for Baluchi and other Sunni separatists — a very dicey proposition indeed, given that these are hardcore Islamists.[54]

If neither talking nor attempts to destabilize the regime produce results, will this administration resort to a military attack? Almost certainly not. For two years, I have been saying and writing that there will be no U.S. attack on Iran, for the simple reason that we don't have the forces available. Airpower alone is not enough, and we certainly don't have the ground troops to spare. The military, with its hands full in Iraq and Afghanistan, wants no part of another war. With the generals and admirals opposed, I don't believe Cheney and his friends will be able to pull off a "Persian Gulf incident" in this administration's waning days, though I have no doubt they'd like to.[55] Defense Secretary Gates is known to oppose military action against Iran. So long as he remains in office, there will be no U.S. attack.

What of the Israelis? It depends in part on the course of the U.S. election. If McCain, a fervid supporter of Israel, is trailing badly in the polls as election day nears, they may choose to strike. If they do, it will be a very serious blunder, no matter how successful, tactically speaking, the operation may be. The shock waves will reverberate for years, possibly decades, with effects not just in Israel but around the world, including inside the United States. Gates is said to have told the Democratic Caucus, in an off the record talk, that if Iran is attacked "our grandchildren will be fighting jihadists."[56]

There is no foreseeable scenario under which a President Obama would order strikes to take out the Iranian nuclear facilities. Whatever the Illinois senator's shortcomings, he is smart enough to realize that deterrence can work against Iran (a point well made by Brzezinski and Odom). What Obama could do to prevent an Israeli attack on Iran remains to be seen. What McCain might do to assist one is too easily imagined.

The Choice

Which of the two presidential candidates is more likely to prevent a Middle East conflagration? Obama is short on experience but a quick learner. While his foreign policy apparatus contains all too many Clinton administration retreads, the fact that he chose Jack Reed and Chuck Hagel to accompany him to the Middle East inspires confidence. He would enter office with the goodwill of much of the Islamic world and Western Europe. This could be particularly helpful in that the war in Afghanistan will certainly expand under Bush's successor — both the tempo of the fighting and, quite possibly, its geographic extent.

The tribal areas of Pakistan, not Iraq or Iran, should be the number one national security priority for the next president. To his credit, Obama recognized this some time ago.

McCain, the old warrior, is a man of honor, though obviously not an ideal candidate from the libertarian point of view (neither, of course, is Obama). We would all be far better off today if he had been the Republican nominee in 2000. Possibly, however, his time is past. For all his vaunted national security expertise, he has been wrong about Iraq, Afghanistan, and Iran. Nor is his knowledge of the Middle East as profound as his supporters like to assert.[57] He is an old man with a bad temper — not, perhaps, the right figure to take on the responsibilities the next president will face.

Obama has a good chance of winning the election — first because voters are scared about the economy, and second because (as with John Kennedy before him) the mainstream media overwhelmingly want him for president. These factors will probably outweigh the electoral drag of his race. The

What of the Israelis? If McCain is trailing badly in polls as election day nears, they may choose to strike Iran.

danger is that, like Kennedy, he will come into office all too sure of himself. One hopes that the counsel of men like Hagel and Reed would prevent a replay of Kennedy's first year in office.

Whatever can go wrong often does. Who would be better at the helm — a young and flexible man or an old man who has known battle? In a few short weeks, America's voters will give us their answer. ❑

Notes

1. Figures for July once again revealed higher losses in Afghanistan than in Iraq. In a single Taliban attack on July 13, nine U.S. soldiers died.
2. "A Sober Assessment of Afghanistan," Washington Post, June 15, 2008.
3. McNeill interview with Susanne Koebl, Spiegel Online, Sept. 24, 2007. In June 2008 there were approximately 65,000 U.S. and allied troops in Afghanistan. According to official sources, trained Afghan army and police forces totaled about 75,000, leaving a shortfall of some 260,000 troops.
4. "U.S. Says Exercise by Israel Seemed Directed at Iran," New York Times (June 20, 2008).
5. "Bush May End Term With Iran Issue Unsettled," New York Times (June 21, 2008).
6. The Strait of Hormuz is the "chokepoint" at the entrance of the Persian Gulf. The U.S. could undoubtedly keep the strait open, though the possibility of U.S. ship losses (and therefore war with Iran) would be a constant danger. According to a Reuters dispatch of July 2, 2008, the commander of the U.S. Fifth Fleet, Vice-Adm. Kevin Cosgriff, told a conference on Gulf naval security held at Abu Dhabi that "Iran will not attempt to close the Strait of Hormuz and we will not allow them to close [it]."
7. Associated Press report, June 21, 2008.
8. See the important article by Seymour Hersh, "Preparing the Battlefield," in the July 7 issue of The New Yorker. Hersh, like Bob Woodward a celebrity *über*journalist, resembles the latter in maintaining a rather convoluted relationship with officialdom. Like Woodward again, he has sometimes been wrong about the big stories he has reported over the past 30 years. This particular piece, however, has the ring of truth.
9. See for example "Taliban Imperils Pakistani City, a Major Hub," New York Times (June 28, 2008).
10. See for example the New York Times articles "Amid Policy Disputes, Qaeda Grows in Pakistan" (June 30, 2008) and "Intelligence Chief Says Al Qaeda Improves Ability to Strike in U.S." (Feb. 6, 2008).
11. Could it be that McCain's presidential prospects were so tied to the Iraq surge that he was willing, in large part, to ignore Afghanistan? The July 15 speech (the text of which is widely available online) revealed a surprising lack of knowledge about the situation on the ground there.
12. Barack Obama, "My Plan for Iraq," New York Times (July 14, 2008).
13. See Jon Harrison, "A Successful Surge?" in the March 2008 Liberty.
14. It is this observer's opinion that the Sadrists probably blundered by not waging all-out war against the government and the Americans in 2008. Without doubt, a Tet-style offensive would have failed militarily, but the resulting chaos and bloodshed would have spelled political doom for the Bush strategy of deliberate drawdown and a long-term U.S. presence.
15. An estimated 700 Sadrists were killed in the fighting. On the other hand, The New York Times on June 21 quoted an unnamed "American defense official" as saying, "We may have wasted an opportunity in Basra to kill those that needed to be killed." This would not be the first such opportunity wasted, going back to the initial confrontation between U.S. forces and al-Sadr in 2004.
16. A suicide bombing killed 63 people in Baghdad on June 17; another in Baquba on July 15 killed 35 army recruits and wounded twice as many more. Al Qaeda in Iraq has been degraded but by no means eliminated.
17. See for example "Big Gains for Iraq Security, but Questions Linger," New York Times (June 21, 2008). For indications of reconciliation on the ground, see The New York Times articles "Iran Halts Talks With U.S. on Iraq" (May 6, 2008) and "Iraq City Has Brittle Calm and War Scars" (July 7, 2008).
18. The meetings were organized by a Tufts University trustee, which speaks volumes about the lack of imagination and diplomatic finesse in the U.S. State Department. See "Iraqi Parties, After Meetings in Finland, Agree on Principles to Guide Further Talks," New York Times (July 6, 2008).
19. For background on Iraqi Shiite Politics and the role of Iran, see Vali Nasr, "The Shia Revival," (Norton, 2006), especially 187–204 and 223–25.
20. Whether Iran supports a unitary Iraqi state (as do the Sadrists) or an autonomous Shiite south (as does the ISC) remains unclear. Perhaps the Iranians are divided or uncertain on this question. A Shiite-dominated south (and most of Iraq's oil is located in the south), would be easier to manage, it would seem. Another question is whether Iran really wants the United States out of Iraq. U.S. support for the Shiite-led government furthers rather than hinders the main thrust of Iranian policy, while the tying-down of U.S. forces in Iraq makes a U.S. attack on Iran less likely. At the same time, Iran, employing its client Hezbollah, is training Shiite fighters (including Sadrists) to kill Americans in Iraq. The multiple layers of Iranian policy are beyond the comprehension of most American voters and politicians.
21. "Sunnis End Boycott and Rejoin Iraqi Government," New York Times (July 20, 2008). At the same time, members of the Shiite United Iraqi Alliance replaced four Sadrist ministers who had been boycotting the government since May 2007.
22. See The New York Times articles "Talks With U.S. on Security Pact Are at an Impasse, the Iraqi Prime Minister Says" (June 14, 2008) and "A More Confident Iraq Becomes a Tougher Negotiating Partner for the U.S." (July 10, 2008).
23. In some parts of the country, even the Iraqi police have been dying like men. See "Iraq City Has Brittle Calm and War Scars," *op. cit.*
24. "Shiite Militia in Baghdad Sees Its Power Ebb," New York Times (July 27, 2008).
25. For Basra see "Drive in Basra by Iraqi Army Makes Gains," New York Times (May 12, 2008).
26. However, see the biting comments by Iraqis in the July 16 New York Times article, "Suicide Bombers Kill 35 Iraqi Recruits."
27. On July 28, after suicide bombers killed dozens in Kirkuk, mob violence broke out, pitting Kurds against Turkmen – this despite the fact that the bombings bore all the hallmarks of Arab al Qaeda.
28. Perhaps the most striking evidence for Iraq as imperial project was the recent awarding of no-bid contracts to Western oil companies to service Iraqi oilfields. This marked a return of the companies to Iraq after a 36-year hiatus. More importantly, it effectively cut Russia and China out of the Iraqi market. On the security side, the United States, in negotiations for a security pact, has sought the right to establish no fewer than 50 long-term bases on Iraqi soil.
29. "Bush, in Shift, Accepts Idea of Iraq Timeline," New York Times (July 19, 2008).
30. In late July, however, McCain seemed to be edging toward endorsement of a timeline for withdrawal. See "Bush and McCain Seem to Diverge in Foreign Policy," New York Times (July 26, 2008).
31. For the views of Iraqis on Obama and his plan for their country, see "In Iraq, Mixed Feelings About Obama and His Troop Proposal," New York Times (July 17, 2008). The article is an interesting snapshot of Iraqi attitudes toward the U.S. presence.
32. Maliki interview with Spiegel Online (July 19, 2008). The Bush administration was on the phone with Maliki's office almost immediately. However, claims that al-Maliki's remarks were mistranslated proved incorrect. Al-Maliki's spokesman, Ali al-Dabbagh, told reporters on July 21 "We are hoping that in 2010 that all combat troops will withdraw from Iraq."
33. To some extent, his support for Obama's position is tied to Iraqi electoral politics. Once the provincial elections are over, he could if necessary cozy up to the Americans again.
34. "Afghan Death Toll Up as Iraq's Falls," New York Times (July 2, 2008).
35. The conflict also resembles a World War III by proxy, with Pakistan, Iran, and Russia involved, as well as NATO and the various nonstate actors. On this see Ullrich Fichter, "Why NATO Troops Can't Deliver Peace in Afghanistan," Spiegel Online (May 29, 2008).
36. See the sobering article by Elizabeth Rubin, "Battle Company Is Out There" in the February 24 New York Times Magazine. A great piece of reporting.
37. See for example the Associated Press article by Jason Straziuso, "U.S. think tank: Pakistan helped Taliban insurgents" published in The Washington Post on June 9. The RAND Corp. study, "Counterinsurgency in Afghanistan," on which the article was based, can be downloaded from RAND's website. See also The New York Times articles "Pakistanis Aided Attack in Kabul" (Aug. 1, 2008) and "CIA Outlines Pakistan Links With Militants" (July 30, 2008).
38. *Ibid.* The Pakistani prime minister, Yousaf Raza Gilani, visited Washington on July 28–30. Interviewed on the PBS program "The NewsHour with Jim Lehrer" on the 29th, he denied any links between Pakistan and militants. "We would not allow that" he said. Whether Gilani is a liar or a fool remains to be seen.
39. But not the big two.
40. In contrast to Iran, where the great mass of the people are pro-Western, despite the insults they have suffered at Western hands.
41. The idea that this was some sort of rogue operation is patently absurd.
42. Unfortunately, the main supply route for U.S. forces in Afghanistan runs from the port of Karachi through Pakistan and the Khyber Pass.
43. See "Amid Policy Disputes, Qaeda Grows in Pakistan," *op. cit.*
44. Taliban Imperil Pakistani City, a Major Hub," *op. cit.*
45. See "Taliban Threaten to Kill Officials Held Hostage," New York Times (July 19, 2008).
46. "U.S. think tank: Pakistan helped Taliban insurgents," *op. cit.*
47. The Pakistanis have allowed predator strikes against some high-value targets, principally al Qaeda Arabs, but nothing more. In 2003, the Pakistani government pressured the Bush administration to halt joint U.S.-Pakistani special forces operations on Pakistani territory.
48. "Amid Policy Disputes, Qaeda Grows in Pakistan," *op. cit.*
49. *Ibid.*
50. Obama has been derided by some for "wanting to attack a U.S. ally." It is unclear whether those (like Sean Hannity) who employ this phrase simply lack understanding of the situation or are indulging in a political cheap shot.
51. Space constraints prevent any extensive exploration of the policy background here. The reader is directed to the Iran studies published by Ted Galen Carpenter of the Cato Institute, which can be found on Cato's website.
52. Zbigniew Brzezinski and William Odom, "A Sensible Path on Iran," Washington Post (May 27, 2008). Odom died three days later at his vacation home in Vermont, a great loss to supporters of sensible U.S. policies in the Middle East.
53. "Nuclear Talks With Iran End in a Deadlock," New York Times (July 20, 2008).
54. "Preparing the Battlefield," *op. cit.*
55. Cheney was undoubtedly the driving force behind the resignation in March of Adm. William Fallon, the head of Central Command, who opposed military action against Iran. But the Pentagon brass, with Bush and Cheney only months away from leaving office, was not intimidated. Fallon, by the way, reportedly referred to Gen. David Petraeus as "an ass-kissing little chickenshit."
56. Audio remarks of Seymour Hersh on newyorker.com.
57. See "McCain, Iraq War and the Threat of 'Al Qaeda,'" New York Times (April 19, 2008) and Matthew Yglesias, "McCain's Mixed-up Timeline," theatlantic.com (July 22, 2008).

Reflections, *from page 16*

practices . . . and they don't seem to influence foreign producers.

Maybe Obama's triangulation on the oil issue will work. Or maybe his personal charisma will make the matter moot. But the simple fact is that the Not In My BackYard philosophy shared by many Obama supporters has made American energy policy incoherent. No surprise there. And no surprise in the fact that high gasoline prices are one result.

— Jim Walsh

The libertarian mainstream — In case anyone missed it, Time magazine had a several-page feature on "The (Not So) Lunatic Fringe" — i.e., libertarians — in its July 21 edition. Time summarized: "The Libertarians' freedom agenda isn't kooky — it's transforming America's political landscape."

Time suggests that Libertarian presidential candidate Bob Barr could "Naderize" John McCain by pulling votes away from him in a few states. But this seems unlikely. Barr is a personally unattractive candidate, and his past positions have often hardly been libertarian. It's hard to understand why he was the LP's presidential nominee.

John McCain is the type of Republican who will energize libertarian Republicans. He's from Arizona, home of the avatar of libertarian Republicanism, Barry Goldwater. He has an independent streak that often appeals to libertarian-inclined voters. He would be more likely than any president since Ronald Reagan actually to keep domestic spending under control.

Time notes, perhaps most significantly: "It's tempting to think of Libertarianism as nothing more than old-school Republicanism, but it's always been partially left-wing, drawing from a long history of American anarchism." This element of libertarianism is little part of Barr's message. Nevertheless, Time optimistically concludes: "Libertarians are getting ready for the mainstream, and mainstream America may finally be ready for them."

— Lanny Ebenstein

Nuketoberfest — If any country can be called ideologically Green, it is Germany. Germans are the über-Greens. But a recent piece in The Wall Street Journal (July 10) indicates that the energy crisis is causing the same doubts there as it is here.

Chancellor Angela Merkel's government is a coalition of parties of differing ideological hues. To get the leftist Social Democrats on board, she agreed to continue the prior administration's policy of shutting down nuclear power plants, with the goal of eliminating nukes entirely by 2021. This plan was first enacted in 2000 by a coalition government of the Green Party and the Social Democrats.

But now conservative members of Merkel's government are pushing her to break the pledge and keep the plants on line. There seem to be three reasons motivating this reconsideration of nukes, reasons similar to the ones driving the resurrection of nuclear power here.

First, the price of energy is going through the roof. Germany's nukes provide 22% of its electricity (about the same percentage as our own), so shutting them down would hurt the economy enormously.

Second, Germany's growing dependency on Russia's natural gas is costing it geopolitically as well as economically. Russia wants to reassert hegemony over its former colonies, and this is a threat to Germany. So Germany, like us, is in the position of generously funding its potential and actual enemies.

Finally, and ironically, the German Greens have done a fabulous job of panicking people about global warming. But only nuclear power can provide energy in the amounts necessary, and in the most reliable way, while producing virtually no greenhouse gases. To replace nuclear power with coal-fired plants in the face of global warming is simply insane. And the Greens offer no other real alternative. — Gary Jason

Linguistic drift — I saw something the other day that really got me to thinking. A neighbor boy upset his older brother by calling him "special needs" (particularly because the brother is a "special needs" child). What I found curious was that I always thought of "Special Needs" as a check box on a government application, not as an insult.

"Special needs" (at least in this case) is the politically correct way of saying "mentally retarded." When I was growing up, "mentally retarded" was the politically correct way of saying "moronic." But through the mouths of mean little boys, the word "retarded" took on a whole new meaning: It became a vicious insult. Both it and its vulgar cousin "retard" became unspeakable words in polite company.

"Retarded" was originally intended as a gentle way of saying slow, or underdeveloped. It wasn't meant as a derogatory word, it was only through the mouths of boys that it took on that meaning.

There are similar words to describe what we now call "African-Americans." Originally we referred to them as "Negroes" (and that word also spun off a more vulgar cousin.) By the 1920s the appropriate word was "colored" which was the choice when the National Association for the Advancement of Colored People was founded. (Today, calling anybody "colored" is just as bad as calling them "retarded.") "Colored" became "black," and eventually "black" was considered a slur.

Perhaps the Correctniks need to review Shakespeare's quote about the name of a rose. It is not the word that is bad, but the intent behind it. You cannot remove the intent just by eliminating the word. Bigotry and hatred are emotions that run too deep to eliminate just by sending a few words down the memory hole. As the little boy next door proved, you can turn any word into an insult.

I wonder if the "geniuses" who enforce political correctness will ever figure that out?

— Tim Slagle

Casino risk flight — In early August, the Connecticut-based Mohegan Sun Indian casino announced a weak financial quarter ended June 30. Its quarterly profit was $5 million — down nearly 90% from the same period in 2007.

These days, a company reporting an off quarter isn't news. And Mohegan Sun was in better shape than many; although its profit was slim, it was still a profit.

continued on page 53

Bob Barr: Enter the Pol

by Bruce Ramsey

Cowboy boots, Hershey's Kisses, and some ambiguous answers: the Libertarian candidate for the presidency.

Bob Barr's booth at FreedomFest in Las Vegas was right next to Liberty's. Unlike the Spartan table that Liberty offered, the booth of the Libertarian Party candidate for president was bursting with pamphlets, stickers, and a bowl of candy, like bait to attract bottomfish.

I bit on a Hershey's Kiss, introduced myself to a PR woman with a large hat, and was ushered to the seat next to the candidate. Barr was wearing a blue blazer, a red tie, and brown cowboy boots. Legs crossed, he was expounding to a man about immigration.

This is one of several issues that divide libertarians — among themselves and from conservatives. Ron Paul, the libertarian candidate in the Republican primaries, had a position on immigration that tried to satisfy both sides. Paul had said that in a free-market America, he would be for free immigration; but, right now, he was for the federal government's building a fence and stopping the illegals from swarming over it.

Barr was offering a different answer, with the same dualistic quality. He was against a border fence. But "I have no problem with immigration," he said.

He was willing to let anyone in as long as he had a valid ID and could convince the border agents he was not a threat to the national security or public health.

That is a variant on open borders. But then Barr said his position was actually a toughening, because at the Tijuana crossing, Customs are under orders to "just wave 'em through" if the line gets too long, and he would have the Customs agents really check people's documents.

Later I thought about this. Much of the immigration issue is not about people who cross at Customs, but about people who cross where there are no Customs. Also, the hard nut of the problem is what to do with illegals who are already here. In outlining his position in the way he did, Barr dug a tunnel under these issues and, as Paul did, made himself sound simultaneously for and against.

Barr has done this, I think, for the same reason Paul did: because his political base is divided.

My general thought on Bob Barr is that he is less radical than Ron Paul. Consider their pasts. Paul is a congressman but he has never been in House leadership. He is an idealist.

Paul is a campaigner of the heart. He is an idealist. He believes in liberty, and his crowds adore him. Barr is not so lovable.

He believes in liberty, and his crowds adore him. They put up signs and stickers for him, organize "money bombs" for him, even hire blimps for him. Paul is a campaigner of the heart, a candidate for which one could have the sign, "R*evol*ution," with those four italicized letters in red and set in reverse — the backwards spelling of "love."

Barr is not so lovable. Yet he has been closer to power. In the army of Newt Gingrich, he led the drive to block gay marriage and impeach Bill Clinton. He has since changed some of his positions, though he offers a lawyer's explanations of why his new ones are not so radically different.

For example: he wants to repeal most of the PATRIOT Act, including the national security letters and the sneak-and-peek searches. In 2001, when he was a Republican congressman from Georgia, he voted for the PATRIOT Act. He says the reason was to get on the conference committee, which wrote the final bill. You cannot get on the committee unless you have voted for the bill, and Barr says he wanted to be on it so he could put in sunset clauses on the grants of power.

That is, he voted *for* the bill in order to *weaken* it.

Barr argues that he did more good by voting for it — and he may be right. But this argument does distinguish him from Paul, who voted against it.

Barr's answers on other issues are often close to Paul's and yet more responsive to the gravitational pull of pragmatism. For example, Iraq. Both say it was a mistake to get in, both want to get out, and both make it clear that they would not attack Iran on the present evidence. But in the crucial vote of October 2002 — essentially a declaration of war — Paul voted no and Barr voted yes.

Barr said to me, "I voted for the initial resolution. They assured us it was legitimate intelligence that the regime of Saddam Hussein posed an imminent threat to this country. As it turned out, it didn't." He adds, "What I didn't vote for was an occupation."

And now? Paul would get out. Barr said, "I would begin immediately drawing down the military and economic support."

In practice, those might amount to the same thing — and they might not. Barr's position does give more wiggle room.

Barr said, "I believe in a very robust defense. We need a very strong military." He added, "But maintaining U.S. troops in 105 countries around the world is not necessary at all." There is a duality there again, though it is a pullback position, which is bold in the context of American politics.

Consider Barr's position on drugs. He focuses on marijuana, which is the only drug for which legalization is remotely on the table. He defines it as a states' rights issue.

"I support California's right to reform its drug laws," he said, referring to the California law that allows marijuana for medical clients. "Let the people of the states make their own decisions. Federal law enforcement ought to focus on truly federal issues."

To those who believe that all laws against recreational drugs should be repealed, this may seem a namby-pamby position. But, in the world of American politics, this one is also bold. It is a constitutionalist position that has implications beyond the drug laws.

When the federal government regulated employee-employer relations in the 1930s, when it regulated racial discrimination in the 1960s, and when it limited — as it recently did — the kind of light bulbs that Americans will be allowed to buy, it acted under one small sentence in the constitution: the commerce clause.

Said Barr, "The whole notion that interstate commerce provides a nexus for everything the federal government wants to get involved in has been stretched beyond all recognition." So it has, as Justice Clarence Thomas pointed out in his concurrence in *United States* v. *Lopez* in 1995. In taking Thomas's position, Barr is being radical. But he is not quite coming out for legal cocaine.

I didn't ask Barr about the Federal Reserve; but Paul, in his campaign, had made an issue of it. Paul often attacked the existence of the Fed, and his crowds loved what he said. Sometimes he did it in a way that would make the lefties think he was a populist and the righties think he was a gold-money man (which he is). Barr didn't bring it up. I see on a blog that the radio host Glenn Beck did and Barr replied:

> If I could wave a magic wand and the Federal Reserve Bank would disappear tomorrow, I would do so. It's a group of unelected governors that are not answerable to or accountable to the people of this country and yet they wield considerable influence over the economy by basically setting rates at which banks and other financial institutions can loan money.

Barr went on to talk about the mortgage problem.

As the blogger noted, an elected Federal Reserve Board might well be worse. But most of all, to say "if I could wave a magic wand I'd do X" is to say there's no way you can do X. And there Barr is on solid ground. No president could abolish the Fed. First, it would take an act of Congress to do so,

"The notion that interstate commerce provides a nexus for everything the federal government wants to get involved in has been stretched beyond all recognition."

continued on page 32

The Calvinist Connection

by David Kopel

The roots of liberty go deep. They reach to places where modern libertarians might never expect to find them.

Many modern libertarians assume that religion and liberty are necessarily in opposition. Many modern people in general assume that religion and revolution are opposed. At times, of course, they are; but the history of the American Revolution indicates that more care is required in making this kind of judgment.

In the American colonies, the hotbed of revolution was New England, where the people were mainly Congregationalists — descendants of the mainly Calvinist English Puritans. The Presbyterians, a Calvinist sect that originated in Scotland, were also spread through the colonies, and the network of Presbyterian ministers provided links among them. The Congregationalist and Presbyterian ministers played an indispensable role in inciting the American Revolution.

To understand why they were so comfortable with revolution, it helps to look at the origins of Calvinist resistance theory, from its tentative beginnings with John Calvin himself to its full development a few decades later.

Born in 1509, Calvin was a small child in France when the Reformation began. By 1541, he had been invited to take permanent refuge in Geneva, which provided a safe haven for the rest of his life. Geneva was a walled city, constantly threatened by the Catholic Duke of Savoy and others. Pacifism was never a realistic option for Calvin, or any of the Swiss Protestants.

Calvin always believed that governments should be chosen by the people. He described the Hebrews as extremely foolish for jettisoning their free government and replacing it with a hereditary monarchy. He also came to believe that kings and princes were bound to their people by covenant, such as those that one sees in the Old Testament.

In Calvin's view, which was based on Romans 13, the covenantal duties of "inferior magistrates" (government officials, such as mayors or governors, in an intermediate level between the king and the people) required them to protect the people against oppression from above. Calvinism readily adopted the Lutheran theory of resistance by such magistrates.

In a commentary on the book of Daniel, Calvin observed that contemporary monarchs pretended to reign "by the grace of God," but the pretense was "a mere cheat" so they could "reign without control." He believed that "earthly princes depose themselves while they rise up against God," so "it

behooves us to spit upon their heads [rather] than to obey them."

The "Institutes of the Christian Religion" was Calvin's masterpiece. It was first published in 1536, and revised editions appeared until 1560. In this work, he argued that legitimate governments rule with the consent of the governed and in covenant with God and the people. Therefore, a soldier's service on behalf of a just government "doth not offend God in going to the wars, but is a holy vocation, which cannot be reproved without blaspheming of God."

Calvin believed that "earthly princes depose themselves while they rise up against God," so "it behooves us to spit upon their heads [rather] than to obey them."

When ordinary citizens are confronted with tyranny, he wrote, ordinary citizens have to suffer it. But magistrates have the duty to "curb the tyranny of kings," as had the Tribunes in ancient Rome, the Ephori in Sparta, and the Demarchs in ancient Athens.

That Calvin could support a right of resistance in theory did not mean that he thought such resistance prudent in all circumstances. At least publicly, he disagreed with the Scottish Calvinist John Knox's call for revolution against Mary Tudor, the Catholic Queen of England.

Some Reformation leaders went further. Among them was John Poynet, an Englishman who had been Bishop of Winchester during the reign of Edward VI, Mary's Anglican predecessor. When Mary came in, he fled into exile, where in 1556, he published "A Shorte Treatise of Politike Power, and of the true obedience which subjects owe to kynges and over civil governours." He asked "Whether it be lawful to depose an evil governor and kill a tyrant?" The answer was definitely "yes."

But who is a tyrant? According to Poynet, one of his characteristics is that "he spoileth and taketh awaye from them [the people] their armour and harnesse, that they shall not be hable to use any force to defende their right." Tyrannical disarmament had happened in England, where William the Conqueror "toke fro the people their weapons ad harnesse."

Poynet's ideas thus lie in the background of the Constitution's second amendment. In his "Defence of the Constitutions of Government of the United States of America," John Adams pointed to three periods of English history when intellectuals confronted tyranny and considered how governments should be constituted. According to Adams, the English reformation was the first period, when Poynet set forth "all the essential principles of liberty, which were afterward dilated on by Sidney and Locke."

Several other refugees from Queen Mary are important in the history of liberty. The Italian preacher Peter Martyr Vermigli brought Calvinism to England during the reign of Edward VI, but after Mary ascended the English throne, his position became untenable, and he fled to Zurich. In a commentary on Romans (1558) and another on Judges (1561), he argued that inferior magistrates, though not the people themselves, have a duty to overthrow a ruler who violates his covenants. The key part of the Judges commentary was reprinted in Common Places, a collection of Vermigli's works that Calvinist preachers used as a teaching resource in following decades.

Christopher Goodman was another of the English Marian refugees. In 1558, he wrote "How Superior Powers Ought to Be Obeyed by Their Subjects: And Wherein They May Lawfully By God's Word Be Disobeyed And Resisted." The subtitle was the point of the book.

Going beyond the theory of resistance under the leadership of inferior magistrates, Goodman argued that "it appertains not only to the magistrates and all other inferior officers to see that their princes are subject to God's laws, but to the common people also." While it would be better for magistrates to lead the revolution, "if it is not done by the consent and aid of the superiors, it is lawful for the people, yea, it is their duty to do it themselves." St. Paul's command in Romans 13 for Christians to be obedient to government applied only to governments that "are orderly and lawfully instituted by God." Tyrannical government came from Satan, not from God. A tyrant who violated God's laws was no longer a real ruler; he had lost his position and become a private person, who must be judged by the people. To obey a tyrant was to rebel against God — "to forsake the Laws of our God, and to continue in our wonted rebellion, by yielding to the ungodly commandments of wicked men."

Goodman (who said that Calvin had read his book and approved its contents) was the first mainstream Protestant writer to go beyond the doctrine of inferior magistrates. His book was popular with later resistance theorists such as John Knox, John Locke, and Thomas Jefferson.

French Calvinists were also important to the theory of liberty. Calvin had been very reluctant to propose the shedding of blood in resistance to tyranny, fearing the awful consequences that would flow from exercising that right under current conditions in France. But fear of violence from Catholic extremists led the French Protestants, the Huguenots, to start posting armed guards during church meetings, and organiz-

While it would be better for magistrates to lead the revolution, Goodman argued, "if it is not done by the consent and aid of the superiors, it is lawful for the people, yea, it is their duty to do it themselves."

ing church-based militias. Some of these groups vandalized or took over Catholic churches. The typical pattern of Protestant reformers was to suppress Catholic worship wherever they themselves attained sufficient local power.

That course was far from libertarian. Their self-arming was more to the point. In the Edict of St. Germain (January 1562), Catherine de Medici (head of the regency that was ruling France) granted toleration to Calvinist worship, except within walled towns. Many Catholics were outraged, and some Parisian priests warned that a government that tolerated Protestants would lose its claim to obedience from Catholics.

In March 1562, a Calvinist congregation at Vassy, France, was massacred by Catholic extremists under the leadership of the Duc de Guise. When the Duke was praised rather than admonished by the monarchy, even more Huguenots took up arms. The Presbyterian church structure was used to organize the formation of armed forces, under the supervision of Calvin's successor, Theodore Beza. Despite some initial successes, the Huguenots lost the ensuing civil war, settling for a peace that allowed Calvinist worship only in the religion's historic regions. Despite having previously opposed resistance in France, Calvin denounced the compromisers who accepted the peace terms.

More Catholic-versus-Protestant conflicts took place in France. The most horrific incident came in 1572, when thousands of Huguenots were slaughtered in the government-approved St. Bartholomew's Eve massacre. The massacre was ordered by the king, and perpetrated by Catholic mobs who used edged weapons to hack thousands of people to death. "Huguenot-hunting" became a national sport — not unlike the genocidal human-hunting in Rwanda in 1994.

The massacre radicalized many Huguenots. After fleeing to Calvinist Geneva, François Hotman, a professor of law, wrote "Francogallia" (1573). The book drew on French history to argue that France's ancient constitutional law, which was still valid according to Hotman, recognized the separation of powers and the right of the people to overthrow a bad dynasty. Like other Calvinists, Hotman was less inclined than the Catholics to rely on natural law, preferring to focus on the contractual relationship between the ruler and the people. His argument for the importance of the long-ignored Three Estates of France was consistent with Calvinist theory that sovereignty did not reside exclusively in the supreme magistrate. The king might be the ruler, but he did not possess all the sovereignty.

Like some English works that sought to revive ancient Anglo-Saxon liberties and deploy them against modern despots, "Francogallia" does not always hold up well as history, but it did inspire Calvinists with ideas about the legitimacy of resistance, and of the people's right to restore the ancient social contracts.

In 1574, Beza, one of the most influential Calvinists, published "On the Right of Magistrates over Their Subjects and the Duty of Subjects Towards their Rulers," to advance Calvin's doctrine on the rights of intermediate magistrates. His book begins by examining the nature of government. Jesus said, "The Sabbath was made for man, and not man for the Sabbath" (Mark 2:27). Beza echoed this language: "peoples were not created for the sake of rulers, but on the contrary the rulers for the sake of the people, even as the guardian is appointed for the ward, not the ward for the guardian, and the shepherd on account of the flock, not the flock on account of the shepherd."

Turning to 1 Samuel 8, where the Israelites decide to establish a monarchy, Beza found that the people and king were bound to each other by covenant. Therefore, he surmised, the people (acting through "estates" — that is, intermediate magistrates) have the right to remove the crown that they have awarded, if the king does not obey his part of the covenant.

A tyrant who violated God's laws was no longer a real ruler; he had lost his position and become a private person, who must be judged by the people.

Calvinists were much more favorable to contract theory than were the more authoritarian and submissive Lutherans. Parts of Beza's book applied pure contract law. Like many other Calvinist writers, Beza also admired the ancient Romans. He cited a famous remark of the Emperor Trajan, recorded by the historian Dio Cassius:

> [W]hen he [Trajan] was appointing Sura as military tribune and handing him the customary unsheathed dagger, he remarked: "Take this weapon which you shall draw on my behalf only if I have given a just command; but if you should learn that anything wrong is being done by me, I would have you use it for my destruction."

Beza agreed with St. Augustine that evil governors are simply a type of robbers. Just as people had an obvious right to resist highwaymen, they have a right to resist the tyranny of the state:

> Hence it comes about that the man who meets with highway robbers, by whom no one is murdered without the consent of the will of God, has the power in accordance with the authority of the laws to resist them in just self-defense which incurs no blame because no one forsooth has [received] a special command from God that he meekly allow himself to be slain by robbers. Our conviction is entirely the same about that regular defense against tyrants which we are discussing.

More than any previous resistance writer, Beza looked not only to ancient Israel and Rome, but also to more recent polities. Examining Denmark, Switzerland, Scotland, France, Poland, Venice, Spain, England, and the Holy Roman Empire, Beza found many examples of intermediate magistrates representing the people as a whole, enforcing their contract with the king, and leading armed revolution against tyranny when necessary. Beza lauded the Lutheran resistance at Magdeburg against the Holy Roman Emperor (who had been trying to wipe out the Reformation) as a perfect example of intermediate magistrates restraining an evil prince. Government, wrote

Beza, was not created by God so that people were born into servitude. Instead, "man's fundamental condition must be one of natural liberty."

Beza's anonymously published "Right of Magistrates" was reprinted in French ten times and in Latin 17 times over the following several decades. Because Beza wrote in broad, general terms, rather than discussing only the rights of Calvinists or only the situation in France, the book was used by people of various creeds in a wide variety of situations.

Government, wrote Beza, was not created by God so that people were born into servitude. Instead, "man's fundamental condition must be one of natural liberty."

Another notable resistance writer was Pierre Viret, the leading Calvinist preacher in the French-speaking part of Switzerland. Viret endorsed resistance by intermediate magistrates in his 1574 book "Remonstances aux Fideles qui Converssent entre les Papistes." In cases when "a people have an honest means of resisting . . . a tyrant by means of their legitimate magistrates," then they should follow the advice of St. Paul: "if you can gain your freedom and enjoy liberty, then avail yourself the opportunity" (1 Corinthians 7:21).

The Huguenots went to great lengths to make the case that they were acting lawfully, which is one reason why they paid such attention to contract theory. One of their major sources for the legal right of resistance was the Corpus Juris, the 6th-century compilation of Roman law that was still a major source of legal authority a millennium later.

The provisions of Corpus Juris about the proper authority of the king were analyzed to show that he was granted his authority by the people, and that a king who broke his agreement with the people — by exercising ungranted powers, or by using his powers tyrannically — was a traitor and could be resisted with force.

Roman law stated that "A person lawfully in possession has the right to use a moderate degree of force to repel any violence exerted for the purpose of depriving him of possession, if he holds it under a title which is not defective" (Code Just. 8.4.1). This text was cited by the Huguenots in the 16th century as justification for armed resistance to France's central government. The argument was that that the undisputed right of self-defense in "the case of a Christian assaulted by brigands in the forest" could be applied to national self-defense against an invader or a domestic tyrant (Pierre Fabre, "Traitte Du Quel on peut apprendre en quel cas il est permis à l'homme Chrestien de porter les armes" – "Treatise by which one can learn in what case it is permitted for a Christian man to carry arms").

A Huguenot using the pen-name Marcus Junius Brutus (the Roman senator who assassinated Julius Caesar) went further with the 1579 book "Vindiciae Contra Tyrannos" ("Vindication Against Tyrants"). "Vindiciae" was organized like a Roman Catholic scholastic treatise. Like the other Geneva writers, Brutus owed a great debt to Catholic thought on the subject of Just Revolution.

Brutus praised the heavenly merit of the Crusaders, then turned the lesson of the Crusades on its head by arguing that the oppressive Catholic kings in France were even worse than the Muslims who had been the target of the Crusades. The Muslims did not deny Christian subjects liberty of religion, but the French government did. Accordingly, resisting the French government was even more meritorious than crusading, which was even more meritorious than martyrdom.

"Vindiciae" presented four basic questions, along with objections and responses to the objections.

The first question was whether subjects must obey a ruler who commands an act that is contrary to God's law. The easy answer was "no," for Calvinists were part of a long Christian tradition against carrying out blasphemous government commands. But since disobedience could include passive resistance, the answer did not necessarily imply a right to revolution.

Question Two raised the issue of forceful resistance, in the context of a king breaking God's law and trying to destroy the church. "Vindiciae" argued that resistance was required. However, individuals lacking leadership from intermediate magistrates were not supposed to fight against the government. Individuals should fight against tyrants without title — such as a mere conqueror who had no claim to legitimacy.

Brutus acknowledged that there were cases where private individuals had fought tyrants who had legitimate title — such as Ehud in the Book of Judges. But these were special cases of direct orders from God. A person who thinks that he may be the recipient of such orders "should certainly make sure that he is not puffed up with pride, that he is not God to himself." The failed Bar Kochba rebellion in Roman-ruled Israel, and the failed Peasants War led by Thomas Müntzer "not long ago in Germany" were cited as examples of unwise rebellions led by individuals.

Question Three went beyond the traditional Lutheran-Calvinist focus on resisting kings who suppressed Protestantism, and asked the broader question of the lawfulness of resisting a king who oppressed the people. The general rightness of self-defense was obvious: "natural law teaches us to preserve and protect our life and liberty — without which life is scarcely life at all — against all force and injustice. Nature implants this in dogs against wolves . . . the more so in man against himself, if he has become a wolf to himself. So he who disputes whether it is lawful to fight back seems to be fighting nature itself."

Among differences between good and evil rulers were their treatment of weapons and self-defense. A good prince ruled according to law — "He will punish a bandit with death, but should acquit someone who killed a bandit while repelling force with force" — while a tyrant used foreign armies to protect himself from his subjects. Then "he disarms the people, and expels it from fortifications." In contrast, a lawful king relied on the nation's armed people for defense. Thus, the Old Testament kings of Canaan were "truly tyrants" because "they forbade free passage and arms."

Looking at the Old Testament, "Vindiciae" argued, in a now familiar way, that kingly rule was based on a covenant with the people. A king who ruled badly violated the covenant and lost his right to rule. While the intermediate magistrates who embodied the people are "below the king as individuals," they "are above him when taken as a body." Therefore, they had the right "to use force against a king." If a tyrant could not be otherwise expelled, it would be lawful for the magistrates "to call the people to arms, to conscript an army, and to move against him [the tyrant] with force. . . ."

Finally, Question Four inquired whether neighboring kings could rescue the subjects of a tyrant. "Vindiciae" answered "yes." Brutus used the Roman lawyer Cicero and the parable of the Good Samaritan to prove that failure to come to the aid of an innocent victim was contrary to natural law.

This question has important contemporary implications, as evident when some 21st-century Christian theologians argue that it is immoral for one nation to use military force for humanitarian intervention in another country. Brutus would have disagreed. He would also have disagreed with the argument that the king of France had no right to help the American colonies extricate themselves from British rule.

"Vindiciae" gained extremely wide influence; it was printed twelve times in Latin, and translated into English in 1581, 1648, and 1689 (the latter two being revolutionary years in England). In 1683, the despotic Stuart monarchy in England ordered the book burned.

That the Calvinists could be revolutionaries does not mean, of course, that they were anarchists. The Confessions of the various Reformed Churches continued to emphasize submission to government. (Gallican Confession [1559], article 39; Belgic Confession [1561], art. 36; Second Helvitic Confession [1566], art. 30.) Significantly, the Huguenot writers (who were collectively known as the "Tractarians") still focused on the necessity of intermediate magistrates to legitimate a revolution. The Calvinists had not yet advanced as far as the Catholics in recognizing a right of the people themselves to overthrow the government.

Still, it was the liberation theology of the Tractarians that would carry the day in Reformed thought in the coming centuries. While the early Protestant resistance writers had been mainly concerned with governments that violated religious laws, the Tractarians broadened the purely religious focus to a more inclusive vision of just government.

"He who disputes whether it is lawful to fight back seems to be fighting nature itself."

When the Dutch people rose in 1580 against Spanish domination, they drew inspiration from the Tractarians. The English who twice overthrew a dictatorial monarchy in the next century also looked to them. The Calvinists drew on Catholic sources, and the Catholics returned the favor. Catholic scholars such as Juan de Mariana and Jean Boucher adopted Tractarian principles of liberty — when French Catholics after 1584 began to worry that the Protestant Henry of Navarre was next in line for the throne.

John Adams called "Vindiciae" one of leading books by which England's and America's "present liberties have been established." For the Americans in 1776, and the Glorious Revolution in England in 1689, there was no need for the revolutionaries to worry about popular revolution that was *not* led by intermediate magistrates. The Glorious Revolution was led by many elements of the aristocracy and the two houses of Parliament. The American Revolution was led by the most legitimate intermediate magistrates of all, the state governments.

The Huguenots went to great lengths to make the case that they were acting lawfully, which is one reason why they paid such attention to contract theory.

Like Adams, we should realize that the ideas enacted in our Revolution, and passed down to us, were complex and full of intellectual precedents. Just in the Calvinist branch of these precedents we see a mobilization of powerful concepts derived from many sources — biblically based covenant theory, natural law theory, Roman law, Catholic scholasticism, and a wealth of experience with the tyrannical state. These precedents, and these concepts, have been extended in the later libertarian tradition, but their significance remains. ❑

Further reading

Philip Benedict, "Christ's Churches Purely Reformed: A Social History of Calvinism" (New Haven: Yale University Press, 2002).

Douglas F. Kelly, "The Emergence of Liberty in the Modern World: The Influence of Calvin on Five Governments form the 16th Through 18th Centuries" (Philipsburg, NJ: P&R Publishing, 1992).

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Kathleen A. Parrow, "From Defense to Resistance: Justification of Violence During the French Wars of Religion," Transactions 83, part 6 (1993).

Richard Tuck, "Natural Rights Theories: Their Origins and Development" (New York: Cambridge University Press, 1979).

David Mark Whitford, "Tyranny and Resistance: The Magdeburg Confession and the Lutheran Tradition" (St. Louis: Concordia, 2001).

Bob Barr: Enter the Pol, *from page 26*

whereas getting out of Iraq, laying off the California marijuana co-ops, etc., would not. Second, the Fed is too central to the economic workings simply to bring down. Third, there is no business constituency for abolishing it. A libertarian candidate might bring up the issue of sound money, and campaign for the Fed to act more like the Swiss. He might even express an interest in a dollar defined by real assets. But simply to say, "abolish the Fed" is not credible. Politically it is not.

Barr is taking his run seriously, and trying to keep on the right side of the credibility line. Maybe he crossed it when Glenn Beck asked him about the prospect of a Europe-like "North American Union." Some on the Right have raised an alarm that leaders of the United States, Canada, and Mexico plan to do this. I think it is a false alarm, but Barr disagreed.

"I think it's a very real possibility," he said. "It is a process they are serious about and they are moving forward with that very quietly. This is an issue that needs to be on the table. We intend to put it on the table. It is not a nut job."

That Barr had to say it's "not a nut job" shows that he knows he is on the edge of credibility here.

There were a few campaign questions. Was Barr going to be on the ballot in all 50 states? All but Oklahoma, he said — and that is a shame, because he polls higher there (10%) than anywhere except New Hampshire.

When I asked him whether he was prepared for the accusation that he may spoil John McCain's chances, Barr said:

> There is no such thing as a spoiler. If Mr. McCain loses it is because Mr. McCain loses. It's because his party did not present a vision the majority could buy into. I think it's laughingly weak for the Republican Party to be laying the groundwork for an excuse for losing.

As I scribbled this down, Liberty contributing editor David Friedman was pondering it. When Barr left, Friedman said, "That was an evasive answer."

So it was, though I hadn't thought of it that way; I had been around too many politicians to register a mental objection. Not even a journeyman politician admits that he expects to lose. Barr, who said he was at 6% nationwide, told me he "certainly could" meet the 15% hurdle used four years ago to exclude Libertarians from the presidential debates. He said his goal is to win, though "I know it is a long shot." Of course he knew he wouldn't win, and that I knew he knew, which I verified by not challenging him.

I asked him whether he expected an endorsement by Ron Paul, another question for which I didn't expect a straight answer.

"Ron Paul is a good friend," he said. "I stay in touch with him. The Libertarian Party and our campaign owe him a debt of gratitude. We need to reach out to Ron Paul supporters . . . Whether he will decide to do anything I have no idea."

That is how a professional politician talks, and a professional politician is what the Libertarians have.

If he's polling 6%, Barr can sink McCain, and if he sinks McCain he — and the LP — will at last have made a difference in the race for president. ❑

"At age 57, I ran away from Home"

Writer Jim Payne (*The Culture of Spending, Overcoming Welfare*, etc.) follows the waterways of America, living a Tom Sawyer life, getting scared, soaked, and bailed out of trouble by Samaritans he discovers along the way. His escapades span the country, from the Hudson River to the Columbia, from the Mississippi to the Florida Keys.

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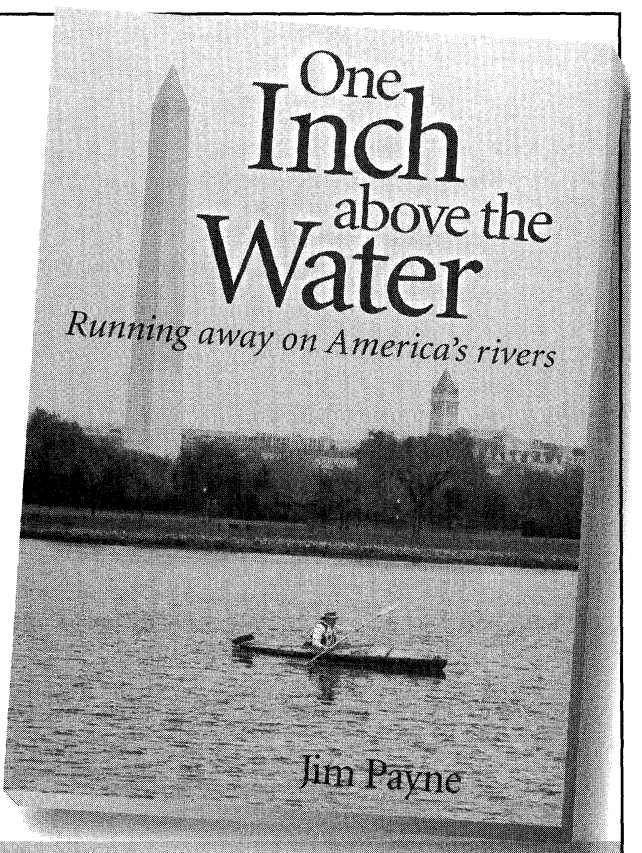

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Reviews

"The Dirty Dozen: How Twelve Supreme Court Cases Radically Expanded Government and Eroded Freedom," by Robert Levy and William Mellor. Sentinel, 2008, 302 pages.

Supreme Injustice

J. H. Huebert

The U.S. Supreme Court has done a lot of damage to liberty, interpreting government powers broadly and many constitutionally protected rights narrowly.

Cato Institute senior fellow Robert A. Levy and Institute for Justice co-founder William Mellor have catalogued some of the Court's worst offenses in their new book, "The Dirty Dozen: How Twelve Supreme Court Cases Radically Expanded Government and Eroded Freedom."

For the most part, the cases they've selected for derision are appropriate, and their discussions leave no doubts about their genuine concern for personal and economic liberty.

Which cases have they chosen? Here's the list:

- *Helvering* v. *Davis* (1937) — allowed spending for virtually any purpose under the Constitution's "General Welfare Clause."
- *Wickard* v. *Fillburn* (1942) — gave rise to Congress' almost unlimited power under the Commerce Clause.
- *Home Building & Loan Association* v. *Blaisdell* (1934) — weakened the Contract Clause, which forbids government interference with already-existing private contracts
- *Whitman* v. *American Trucking Associations, Inc.* (2001) — reflected the extreme deference the Supreme Court gives to administrative agency regulations.
- *McConnell* v. *Federal Election Commission* (2003) — upheld the McCain-Feingold restrictions on political speech against a First Amendment challenge.
- *United States* v. *Miller* (1939) — threw doubt upon gun owners' rights under the 2nd Amendment. (The recent *District of Columbia* v. *Heller* decision casts new light on this issue, of course.)
- *Korematsu* v. *United States* (1944) — approved FDR's Japanese internment camps.
- *Bennis* v. *Michigan* (1996) — approved civil asset forfeiture against the wife of a man who used his car to pick up a prostitute.
- *Kelo* v. *City of New London* (2005) — approved use of eminent domain for economic development to increase tax revenues.
- *Penn Central Transportation Co.* v. *New York* (1978) — held that a property owner wasn't entitled to compensation under the Takings Clause despite losing the right to use the airspace above its current building height.
- *United States* v. *Carolene Products* (1938) — in a footnote, essentially gave state and local governments carte blanche to restrict economic liberties.
- *Grutter* v. *Bollinger* (2003) — upheld the University of Michigan's law school's affirmative action program against an "equal protection" challenge.

In each of these cases, liberty lost and the government won in some precedent-setting way. (Except, arguably, in the affirmative-action case, as Richard Epstein points out in his foreword.)

But is that the only criterion we should use in determining whether a Supreme Court case is good or bad? Levy and Mellor apparently think so — they say that the " 'worst' cases should be defined in terms of their outcomes, not merely bad legal reasoning."

Because they're concerned more with a given case's outcome than with

its reasoning, the authors unquestioningly embrace the idea that the 14th Amendment allows federal courts to strike down laws that don't comport with liberty.

But those who value federalism may be troubled by this. Such a broad reading of the 14th Amendment centralizes power in the federal courts. No libertarian denies that it's bad for state governments, local governments, or anyone else to violate rights — but it doesn't necessarily follow that an appropriate solution to this problem is to give federal judges more power. After all, what happens after we've put the fate of our liberties in the judges' hands and they decide that the 14th Amendment contains various positive "rights" that they like even more than libertarian rights?

A benevolent dictatorship could be an extremely effective means of implementing the libertarian program, too, but presumably none of us would want that because there's no telling what the next dictator will do. Although judges don't directly command armies or police, we should be similarly wary of empowering them.*

Still, one might reasonably argue that the federalism battle was lost long ago, rightly or wrongly — and because the federal courts will go on making decisions for all of us whether we like it or not, we might as well be in those courts protecting people from the government. If states' rights are a lost cause, it makes sense to sell federal judges on liberty, using whatever arguments the judges will buy. With this much, I could agree.

But Levy and Mellor are more ambitious than that in calling for "judicial engagement" on liberty's behalf. They seem to think that restoring liberty is really only a matter of overturning a handful of bad court precedents. If we can just get in front of judges and do that — apparently through the irresistible power of our arguments and our lawyers' outstanding legal skills — we can finally achieve liberty across the land.

Such a plan is not only arrogant, it's also doomed to failure. Federal courts, after all, are the government. Judges must be appointed by the president and confirmed by the Senate. What president would choose a judge who would severely limit that president's own power? What senators would confirm a judge who won't just let them do whatever they want? To be confirmed, a would-be libertarian Supreme Court justice would either have to spend an entire academic or judicial career hiding his true views, or he would have to have a late-in-life road-to-Damascus conversion once he's already on the bench and employed by the very federal government he's expected to restrain. Unlikely.

You'd think beltway-libertarian lawyers would understand by now that they're playing in a rigged game. After all, they took *Kelo* v. *City of New London* (the eminent domain case) and *Raich* v. *Gonzalez* (the medical marijuana case) to the Supreme Court, and failed, creating terrible anti-liberty precedents that are unlikely to be reversed in our lifetimes.

As an example of success, they might point to the public outcry and state-level reforms *Kelo* prompted. At best, though, this demonstrates that the states are a better place to be fighting these battles in the first place. And, unfortunately, many states' responses have been mostly superficial — typical efforts by politicians to appear to be doing something — and are unlikely to meaningfully protect property rights.†

They'll also point to the recent *District of Columbia* v. *Heller*, in which the Supreme Court struck down the D.C. handgun ban. And, yes, it's pleasant to see protection of individual rights increase, even a little bit, even if the main beneficiaries are D.C. dwellers.

But *Heller* is likely to be a very limited victory. The decision acknowledged that lesser restrictions on the right to bear arms — registration requirements, bans on carrying guns, bans on certain types of guns — probably will pass muster. In fact, lower courts are already citing *Heller* to uphold other gun laws.

If you're not convinced that *Heller* is a mostly hollow victory, take a look at almost every case that's followed the supposedly revolutionary *United States* v. *Lopez*. That 1995 decision struck down the federal Gun-Free School Zones Act of 1990 because, the Court found, gun possession at a school does not affect interstate commerce enough to bring it under Congress' Commerce Clause power. Conservatives and libertarians understandably hailed the decision because it was the first time since the Great Depression that the Supreme Court recognized any limit on Congress' Commerce Clause power. Since *Lopez*, though, courts have gone right back to rubber-stamping their approval on just about anything Congress wants to do, as long as Congress makes some "finding" (that is, baseless assertion) that the activity they're controlling affects commerce.

It's nothing short of bizarre to think that courts would start protecting liberty because of brilliant libertarian legal arguments. To believe this, one would have to take the naive view — which, incidentally, animates much of the Cato Institute's work — that government officials are really reasonable, serious people who are just waiting to have the right ideas put in front of them. But how silly is it to think you can make the government want liberty before many or most of the people want it?

Granted, all the federal judges I've known have been genuinely nice people on a personal level — so perhaps our D.C.-based lawyers' views have been skewed by exchanging pleasantries at a few too many beltway cocktail parties.

They may be hopelessly deluded, but the rest of us should keep in mind that the important work to be done is in the realm of education, not the halls of government. When people understand and want liberty's benefits, they'll cast off their government entirely, or at least elect representatives who will respect their rights. When that happens, no bad Supreme Court precedent will stand in their way.

Until then, "The Dirty Dozen" offers a mostly decent education on the harm the Supreme Court can do — but shouldn't lead us into thinking the Court could somehow become an equivalent force for good. ❑

*Gene Healy made a strong argument against such "libertarian centralism" in various articles, including "Liberty, States' Rights, and the Most Dangerous Amendment," (Liberty, Aug. 1999), also available at http://tinyurl.com/6xdaho, and "Roger & Me" (Liberty, Feb. 2000), available at http://tinyurl.com/5qg4h2.

†The Castle Coalition provides a state-by-state breakdown at http://tinyurl.com/6lmlbl.

"The Mind of the Market: Compassionate Apes, Competitive Humans, and Other Tales From Evolutionary Economics," by Michael Shermer. Times Books/Henry Holt, 2008, 261 pages.

Darwinian Capitalism

Martin Morse Wooster

Most readers of Liberty are very familiar with the philosophical and economic arguments against the state. But what if there were a scientific case for capitalism? What if laboratory researchers could conclusively show that free markets were a better way to organize economies than the state?

That's the premise of Michael Shermer's "The Mind of the Market." Shermer is an industrious fellow: he is the publisher of Skeptic magazine, a columnist for Scientific American, the organizer of a science lecture series in Southern California, the author of nine books, and the editor of one.

Shermer is also a devoted libertarian. He explains that in the mid-1970s, while studying at Pepperdine University, he ran into psychology majors who were studying Ayn Rand's "Atlas Shrugged": "I trudged through the first hundred pages (patience was strongly advised) until the gripping mystery of the man who stopped the motor of the world swept me through the next thousand pages."

He adds, "Although I now disagree with her ethics of self-interest (science shows that in addition to being selfish, competitive and greedy, we also harbor a great capacity for altruism, cooperation, and charity), reading Rand led me to the extensive body of literature on business, markets, and economics."

Among Shermer's teachers was Andrew Galambos, the legendary libertarian whose importance was reduced by his insistence that his ideas were proprietary and could never be written down. Galambos' "towering intellect," Shermer writes, "took him to great heights of interdisciplinary creativity, but often left him and his students tangled up in contradictions, as when we all had to sign a contract promising that we would not disclose his ideas to anyone, while we were also inveigled to solicit others to enroll. ('You've got to take this great course.' 'What's it about?' 'I can't tell you.')"

Shermer combines his love of liberty with a commitment to accurate scientific reporting. The result is that "The Mind of the Market" is a book about economics for people who enjoy well-written science books but who know little about such important libertarian economists as Ludwig von Mises or Friedrich Hayek. Although Shermer is a good writer and is worth reading, he is, ultimately, not persuasive.

I'll say why. But first, I want to note that Shermer's graduate training was in psychology, and much of this book is occupied by reports about experimental economics, the field in which economists conduct experiments about human behavior. Two recent Nobel Laureates, Vernon Smith and Daniel Kahneman, are experimental economists.

And much of the research is interesting. Take, for example, the hoary idea that capitalism is a battle of the "survival of the fittest," in the sense that the strong thrive and the weak are crushed. Shermer conclusively demolishes this notion in two ways. First, he compares the corporate cultures of Enron and Google. Enron's office politics was a war of all against all. Ten percent of the workforce was sacked every six months, and survivors spent their days fighting, scheming, and manipulating to keep their jobs. Google, by contrast, believes in openness, transparency, and a nonhierarchical workforce. The result: Enron lies in ruins, in part because its leaders didn't receive accurate information from their terrified subordinates. But Google's policy of openness and playfulness has helped create one of the world's great companies.

Shermer also analyzes the work of Claremont Graduate University "neuroeconomist" Paul Zak. In the laboratory, Zak shows that subjects who choose to trust strangers produce more oxytocin in their brains, which makes them happier. Zak combines this brain research with more traditional economic analysis that shows that countries whose citizens trust each other are substantially richer than countries where suspicion rules.

There's a great deal of research in this book, and Shermer shows that people who trade with each other are happier than those who do not. He's also persuasive in showing that most of us are not cool, calculating, rational actors when we make economic decisions. For example, we tend to exaggerate the profits we receive from gambling and minimize the losses. This psychological principle is fully understood in every casino in the country.

Yet, while the research Shermer deftly summarizes suggests the advantages of a free market, the psychological findings do not prove its virtues. The limits of experimental researchers are comparable to the limits of neurologists who can show that certain portions of the brain correlate with particular emotions, but cannot derive principles of

ethics from these findings. Similarly, a philosophy of liberty cannot (and probably should not) be derived purely from brain research.

The keys to advancing liberty do not reside in the neurons and biochemicals of the human brain. They lie instead in the human mind, in the as-yet-undescribable processes that enable champions of freedom to create the arguments, and take the actions, that are necessary to check the growth of the state. ❑

"The Driver," 294 pages. "The Cinder Buggy," 357 pages. "Satan's Bushel," 207 pages. "Harangue," 258 pages.
By Garet Garrett. Ludwig von Mises Institute, 2007.

The Capitalist Fiction of Garet Garrett

Bruce Ramsey

In 2007, the Ludwig von Mises Institute reprinted the four novels written by Garet Garrett (1878–1954), one of America's leading financial journalists and a libertarian. Garrett, who for unknown reasons had renamed himself so that both parts sounded alike, was a writer of distinctive ideas and a forcefully distinctive style. I have edited three volumes of his essays published by Caxton: "Salvos Against the New Deal" (2002), "Defend America First" (2003), and "Insatiable Government" (2008). But none of his novels had been reprinted since the 1920s, and they have been difficult to find on the used-book market.

As I write, abebooks.com is offering only two Garrett novels from those years: one copy of "Harangue" (1927) at a bookstore in Vancouver, Wash., at $124.99, and one copy of "The Cinder Buggy" (1923) at a bookstore in England, at $530. No original copies of "Satan's Bushel" (1924) or "The Driver" (1922) are available at all. A determined reader can find these stories in bound copies of the Saturday Evening Post, or in the case of "Satan's Bushel," in another old magazine, called Country Gentleman. But then you have to photocopy them on 11x17 paper or read them at the library.

I'm an admirer of Garrett, and have long wanted his work to be easier to obtain. The Mises Institute reprints — photocopies of the original E.P. Dutton editions, bound in new paper covers and offered at $20–$25 — now make his novels available once more.

Garrett was famous as a journalist and essayist but not as a writer of fiction, and there are some reasons for that. Still, his work should be of interest to libertarians, particularly those who grew up on the fiction of Ayn Rand. Many thought Rand was the only novelist with capitalist heroes. Those people hadn't read Garrett. Of the four novels, one is about a railroad tycoon and another about a pioneer of the steel industry. All four have messages about the market and the essence of American capitalism.

I should note that Garrett also wrote another book, "The Blue Wound" (1921), that is ostensibly fiction. In this work, a journalist meets a time traveler who gives him a tour of human history and a look 30 years into the future. The story takes the form of a novel, but really it is an essay. And because it promotes a theme of national autarky it will not be of great interest to libertarians.

Garrett's first real novel, "The Driver," is the one libertarians tend to know about, because of the argument Justin Raimondo made in "Reclaiming the American Right" (1993). Raimondo supposed that Ayn Rand had lifted her protagonist's name "Galt" and the "Who is John Galt?" device from "The Driver." I don't know whether she did or didn't. Raimondo may be right, though Garrett does not use the "who is" device in the same way that Rand does. Both "The Driver" and "Atlas Shrugged" have to do with running railroads during an economic depression, and both suggest pro-capitalist ways in which the country might get out of the depression. But in plot, character, tone, and theme they are very different.

"The Driver" is set in 1894, a year after the great panic of '93, the harshest depression of the laissez faire era. Perhaps a quarter of the people are unemployed, and there is a thought running through the land that government should borrow money and put men to work building roads. There is also a deep resistance to that thought, and the government of President Cleveland is in principled opposition to it.

Garrett's story is narrated by a young journalist who has come from the march of Coxey's Army, a populist "petition in boots" for zero-interest government bonds. The young man has written private reports on the Coxeyites for the president of the Great Midwestern Railroad, and he has defended their good intentions. He goes to work for the railroad president, who calls him "Coxey." The road soon falls into receivership, but there is one man with an idea of how to make it go — a stock speculator named Henry Galt.

He takes over, and he saves the business. A few years later, when he is famous, he is attacked by his rivals in a stock-market raid, amidst accusations that he is a monopolist. He beats them. Then he is hauled before a committee

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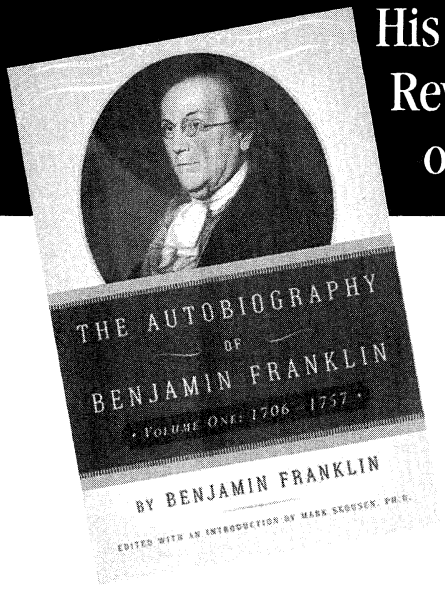

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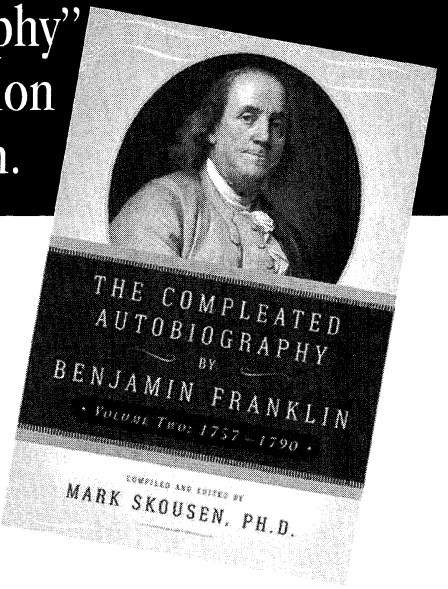

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of Congress, whose attorney grills him like this:

> "Your occupation, Mr. Galt, — you said it was what?"
>
> "Farmer."
>
> "Yes? What do you farm?"
>
> "The country."
>
> "Do you consider that a nice expression?"
>
> "Nicest I know, depending on how you take it."
>
> "Well, now, tell this Committee, please, how you farm the country, using your own expression."
>
> "I fertilize it," said Galt. "I sow and reap, improve the soil and keep adding new machinery and buildings."
>
> "What do you fertilize it with, Mr. Galt?"
>
> "Money."
>
> "And what do you sow, Mr. Galt?"
>
> "More money."
>
> "And what do you reap?"
>
> "Profit."
>
> "And what do you do with the profit, Mr. Galt?"
>
> "Sow it again."
>
> "A lovely parable, Mr. Galt. Is it not true, however, that you are also a speculator?"
>
> "Yes, that's true."
>
> "To put it plainly, is it not true that you are a gambler?"
>
> "That's part of my trade," said Galt. "Every farmer is a gambler. He gambles in weather, worms, bugs, acts of Congress and the price of his produce."

Garrett is here on familiar turf. He had grown up on a farm, and had written about farming. He had been in Wall Street and written about finance and railroad tycoons. He had advised Bernard Baruch, who, when called before Congress, famously declared his occupation as "speculator."

And Garrett uses "The Driver" to make a capitalist point about recessions. It is not the government that gets the economy out of its funk, but people like Galt who have the courage to invest. To the congressmen Galt says, "I bought Great Midwestern when it was bankrupt and people thought no railroad was worth its weight in junk." He tells them, "No railroad I've ever touched has depreciated in value."

It is a good scene, but "The Driver" is not the novel it might have been. It is weighed down by an unnecessary story about Galt's mother and two daughters, and the narrator's love interests. Garrett is not good at this sort of thing, and he doesn't do enough with it to justify including it in his story. He also underplays the drama of business. Galt's takeover of a great railroad is a chance for drama, but Garrett has him assume power by osmosis. Galt absorbs shares, befriends the CEO, concocts a plan, and then, when bankruptcy is filed, goes to the bankers and talks to them off-camera — an excellent way of depriving the story of color and interest.

And there is no real railroading in "The Driver." Compare it with "Atlas Shrugged." In that story, the heroine awakens on a train that is stopped at a broken signal. She strides along the track to the men held motionless under the false red light and issues orders that get the train moving again. In Rand's book, the heroine fights an unseen "destroyer," pleads with key employees not to quit, armwrestles with the CEO, insists on rebuilding a branch line with a new, "dangerous" kind of metal, rides the engine on its triumphal first run — and is later left on a motionless train abandoned by strikers. You feel the railroad; you feel the heroine's proprietorship over it. In Garrett's book, you don't. There the most emotion-laden thing is the stock market.

Many thought Rand was the only novelist with capitalist heroes. Those people hadn't read Garrett.

"The Driver" offers two superb historical scenes, both of which have been excerpted in this magazine: the launch of Coxey's Army ("The Paper-Money Crusade of 1894," Liberty, Aug. 2005) and the New York Subtreasury run ("Crisis of the Soft-Money Plague," Liberty, Dec. 2004). It offers a message that will be appreciated by fans of the free market. But it is not a great novel.

Garrett's second novel, "The Cinder Buggy: A Fable in Iron and Steel," tells the story of a pioneer of the steel industry who battles it out with the producers of iron. It was a battle that happened in the decades following the Civil War.

Garrett does not make the same mistake he did in "The Driver"; he doesn't ignore the look, feel, and sound of his subject. "The Cinder Buggy" gets wrapped up in the stock market only at the end, where it tells a story that Garrett covered in 1900 as a young Wall Street reporter. It tells the story well. The rest of the book has iron rails that could be bent like a hairpin, iron nails that were cut from a sheet, inventors' struggles to make pure steel, and even a scene in which an iron man is cremated in his own blast furnace. The novel personalizes turning points in industry:

> John went to Europe with a plan to form an international pool in which the nail business of the earth should be divided up . . . He returned unexpectedly and appeared one morning in Slaymaker's office.
>
> "Did you get your pool born?"
>
> "Chucked the idea," said John. "I found this." He laid on the banker's desk a bright, thin, cylindrical object.
>
> "What's that?" Slaymaker said, looking at it but not touching it.
>
> "That," said John, "is a steel wire nail. It will drive the iron nail out. It's just as good and costs much less to make. You feed steel wire into one end of a machine and nails come out at the other like wheat."
>
> Enter the steel wire nail.

The author is at his best when describing the industrial atmosphere in the world of laissez faire:

> They were free egoists, seeking profit, power, personal success, everyone attending to his own greatness. Never before in the world had the practice of individualism been so reckless, so purely dynamic, so heedless of the Devil's harvest. . . . Business as it was in the last quarter of the nineteenth century also is far away. Nothing like it can ever happen again. It was utterly lawless, free in its own elemental might, lustful and glamorous. . . .

Unlike "The Driver," "The Cinder Buggy" makes romance part of the business story: at the moment when the blast furnace is about to accept its corpse, the man in cowhide leggings and skullcap stoking the white-hot fire grabs the lone woman observing him and kisses her "once hotly on the mouth." But Garrett is only passable at telling a love story, and it is a slow-moving story. The man who kisses the woman for the first time in his life is her husband, and has been married to her for *six years*.

Garrett begins his book in the 1920s, in a Pennsylvania town he calls New Damascus. It sounds like Danville, a town that once led the nation in the production of iron rails. Clearly it is a real town Garrett visited. By starting with this town, he makes a mystery of it: why did the iron industry grow here and the steel industry did not? Why has the town become a refuge of wrought-iron craftsmen — workers who are "dogmatic, stubborn and brittle"? These are interesting questions, and they help to hook the reader. But to do them justice Garrett takes until page 83 to introduce his main character. Until then, he is talking about the character's grandfather and father.

It is not the government that gets the economy out of its funk, but people like Galt who have the courage to invest.

As a novel, "The Cinder Buggy" runs hot and cold. When Garrett describes the process of industrial creation, he is unsurpassed:

> Pittsburgh at this time was not a place prepared. It was a sign, a pregnant smudge, a state of phenomena. The great mother was undergoing a Caesarian operation. An event was bringing itself to pass. The steel age was about to be delivered.
>
> Men performed the office of obstetrics without knowing what they did. They could neither see nor understand it. They struggled blindly, falling down and getting up. Forces possessed them. Their psychic condition was that of men to whom fabulous despair and extravagant expectation were two ends of one ecstasy. They were hard, shrewd, sentimental, superstitious, romantic in friendship and conscienceless in trade. They named their blast furnaces after their wives and sweethearts . . .

I cannot dislike a writer who writes that well. But this is the strength of an essayist — and it is the descriptive parts, not the interactions of characters, that are written to the highest standard.

Garrett's third novel, "Satan's Bushel," reads like a fable, but at the end you are not sure what the moral is. A journalist — maybe Garrett — is telling a story to four men of the Chicago wheat pit. The story was passed on to him in backcountry Burma by an American with the odd name of Dreadwind. This man and his lady friend went on a three-year quest to find a tree that appeared in a vision, and they found it. The why and how of the tree are not explained; the story is the one that led up to the vision. It is Dreadwind's story. He had speculated in wheat because it was the only gambling table with unlimited stakes. And one day the meaning of his work — or its lack of meaning — struck him:

> In a week he had gone through the motions of buying and selling ten million bushels of wheat. That wheat had no reality . . . There was in all that buying and selling only the idea of wheat. Simply, he had been gambling in the price of it. Suddenly it occurred to him that he would not know wheat if he saw it.

He dropped everything to go see it. It is an odd action, in a story of odd actions. Anyway, he did it. He found himself walking through the green wheat fields of Kansas, listening to the sound of wheat — "the rhythm of phantom castanets playing just on and under the lowest pitch audible to the human ear." Then came a gust of wind:

> In that very instant he was startled by a whispering that arose everywhere at once, grew louder, came swiftly nearer, and became suddenly a prolonged hiss. It ceased abruptly as it began.

"Satan's Bushel" is alive with the sound and feel of the wheat, the farming life and the harvest. Garrett had a unique talent for description. But a novel is a story, and the story is — well, it is strange.

In his quest to understand the wheat, Dreadwind comes across a farmer trying to sell a wagonload at a grain elevator. The farmer says his wheat is No. 1 quality, and the buyer offers a No. 2 price. An old man argues on behalf of the farmer. He browbeats the buyer into accepting the wheat as No. 1, thus earning the farmer five gold dollars. Then the old man walks away.

Dreadwind finds him at a meeting at which farmers have gathered to hear a sales pitch for agricultural cooperatives. The old man stands to speak, and says something one would not expect from his earlier exhortation. He tells them that cooperation is useless, that nature's way includes "no sick religion of equality." His thought is bluntly Darwinian.

> If farmers, like elm trees, had a common fighting instinct, then every individual selfishly attending to his own profit would be working for the good of the race without thinking of it and cooperation would be what it is and should be — namely, a natural means and not an end to which you shall need to be exhorted.

Farmers are not forests. Farmers depend on markets, and markets don't allow them to set their own prices with the agreement of all others. The market even auctions off the wheat before the farmer grows it. Really it auctions off the farmer's labor, and with seemingly nonrational results. If the market wants ten bushels and he grows only nine, it pays him well for the nine; if it wants nine and he grows ten it pays him poorly for all ten. The bushel that breaks the market is "Satan's bushel."

Unlike the manufacturer, the farmer cannot fully control how much he produces. He is at the mercy of bugs, disease, and the weather. Though sympathetic to him, Garrett does not advocate a socialist farm program, either in this book, written nine years before the New Deal limited the wheat farmer's acreage, or later. He wrote many articles opposing federal intervention, before the New Deal and during it. His solution was individual: farm intelligently and avoid debt. The novel ends on such a point. But that is not the sum of it. Its message is more of absurdity, not the least of which is the old man, a Christlike figure of agricultural altruism

To Garrett, the larger fact was that socialism was an imported idea that did not suit America.

who preaches a Spencerian ethic. The book is evocative, mystical, romantic, and earthy. It has an enchanting quality that makes it easier to enjoy than to explain. Perhaps it is like the farmer, as Garrett describes him, who "belongs to a race apart. We have forgotten the language in which he thinks."

Garrett's last novel, "Harangue," is his best. The subtitle, "The Trees Said to the Brambles, Come Rule Over Us," was the title used by the Saturday Evening Post. It refers to a parable in the book of Judges (9:7–15) in which the woody plants try to elect a ruler, and none of the productive flora wants to rule over the others. The one that is willing to rule is the bramble.

"Harangue" is a novel about socialism. Garrett set it in his own time and made it about things he knew: East Coast intellectual socialists and an upper Midwest farming state. He calls the state "New Freedom," but it is obviously North Dakota, which was taken over by a socialistic group called the Nonpartisan League in 1916, when Garrett was a newspaper editor in New York.

Garrett had grown up on a farm in Iowa and by 1927 was living on a farm in New Jersey. During the farm depression of the 1920s the Saturday Evening Post sent him to North Dakota. His first story from there came with a large photo of the state grain elevator, one of the monuments of its socialist experiment. From North Dakota newspaper editors and country bankers Garrett

More Ways to Burst a Bubble

For anyone who believes the principal cause of the Great Depression was stock speculation on Wall Street, Garet Garrett's "A Bubble That Broke the World" (1932) should be an eye-opener. There was, of course, a bubble that broke on Wall Street in October 1929. This book, reprinted by the Mises Institute, which has also reprinted Garrett's novels, is about a second disaster, the foreign payments crisis of 1931, which complicated the situation considerably.

The 1920s had begun with Britain and France owing billions to America in debts from World War I, and Germany owing billions to Britain and France in war reparations. After trying to inflate their way out, the Germans borrowed their way out. They borrowed from the U.S. Treasury and by selling bonds in New York, whose bond houses resold them to small-town banks across America. The money went in a great circle: from American savers to Germany, then to Britain and France as reparations, and back to the Treasury as British and French debt repayments. Around and around — until it froze, and everyone was relieved of an obligation except the United States, which was stuck with bad loans.

Billions were also lent to South American borrowers who did not repay. And that was disastrous. Wrote Garrett:

> If we lend our credit for skyscrapers and railroads and power plants to be built in foreign countries and they turn out badly we cannot send the sheriff to seize them. Where is the State of Minas Geraes? You would not be expected to know. We loaned sixteen millions of American credit to the State of Minas Geraes, and all we know about it is that the bonds of Minas Geraes are in default. If Amarillo, Texas, had lost sixteen millions of American credit we should at least know where to go to look for it.

In "A Bubble" (which the new publisher mistakenly calls "The Bubble" on its book cover) Garrett tells the story of how these things could happen. Garrett was a financial reporter and editor during the first 15 years of the century. He was also a superb writer. In the book's first two essays, "The Cosmology of the Bubble" and "The Anatomy of the Bubble," he is at his best, showing how depressions come about through mass lending of money on projects that don't pay. Investors expect a return and get none. So they pull back. Asset values fall. Ventures that were in the black slide into the red. Horizons shrink. People adjust.

In all this there is a reversal of the streams of money. In the boom phase, money flows outward from the savers and investors. In the crash, they demand it back. Garrett shows what that does to the banks, particularly to those that used their depositors' money to buy 8% Argentine bonds.

The latter half of the book has four essays on the particulars: "On Saving Europe," which ran in the Saturday Evening Post (Oct. 17, 1931); "The Rescue of Germany" (Sept. 26, 1931); "Operating the Golden Goose" (Dec. 12, 1931); and "Book of the Debts" (March 19, 1932). The first is about the Hoover debt moratorium; the second, about the crisis that knocked Britain off the gold standard; the third, about the problem created by having a moratorium on what A can collect from B but not what B can collect from A — a problem Hoover had not taken seriously enough.

The last is an extended rebuttal to the "internationalist" claim that Britain and France had never been expected to pay their war debts back. Oh yes, they were, Garrett says. Well, it was an important point in 1932, America's last full year on the gold standard, but it is the least interesting part of the book now. Besides, the essay is too long on quotations and too short on Garrett.

The general reader will get the most out of the first 56 pages — the first two essays — and these are Garrett at his best. They contain a strong strain of nationalism, the nationalism of a man who is not about to be talked into sacrificing his country's interests, in war or peace, to a gaggle of whining foreigners:

> It had long been the darling theme of a few world minds among us that as a people we should learn to "think internationally." We never had. Then suddenly we found ourselves in the leading international part, cast there by circumstances, with no experience, no policy rationally evolved, no way of thinking about it. To "think internationally," if it had ever been defined, was a way of thinking not of ourselves alone, but of others too, as all belonging to one world. In our anxiety to overtake this idea we overran it . . .

"A Bubble That Broke the World" is quite a different explanation of the Great Depression from the one that Americans learn in high school. I recommend it highly. — Bruce Ramsey

had heard an earful about that experiment and its sponsors.

His story ran in the issue of April 12, 1924, and focused on the call for federal help. Garrett denied there was a general problem requiring a general solution. With the end of the World War I inflation had come new conditions in agriculture. Some farmers had adjusted to them and some had not. Garrett restates these observations in "Harangue":

> Success and failure divided by a road. Independence and well-being on one side; aching discontent and poor living on the other side. The same soil, the same sun, the same seed . . . The successful farmers were not necessarily more intelligent than the unsuccessful, though very often they were; invariably, however, their intelligence was practical, not imaginative, and they had besides a kind of restraining wisdom.

The nut of wisdom was not to overborrow. Many farmers had feasted on credit during World War I, when food prices, and therefore the value of farmland, were high. They borrowed to buy more land and equipment. When prices came down, borrowers were in trouble. Garrett had the bad manners to point out that they had done it to themselves.

Garrett's story brought complaints from North Dakota's conservative governor, who had followed the socialists in office and had to clean up their mess — yet who still wanted sympathy for his constituents. Garrett defended his story but promised the governor that he would return to North Dakota and write another report, which he did the following year.

North Dakota, farming, and farmers are all background to "Harangue," which is about the socialists. The state's real-life socialists were locals; the founder of the Nonpartisan League was a failed flax farmer and Socialist Party organizer named A.C. Townley. But to Garrett, the larger fact was that socialism was an imported idea that did not suit America, and specifically heartland America. In his book he personifies this by imagining the Townley character recruiting a cabal of socialists in Manhattan to be the brain trust of his revolution in the upper Midwest.

The first third of the novel introduces these brain trusters, who go by the odd, non-heartland names of Capuchin, Dwind, Semicorn, Fitzjerald, and Jael Saint-Leon. Capuchin, the Townley character, has been a promoter of failed irrigation schemes in the West, a story Garrett also covered for the Post. He is the revolution's salesman. Dwind is the economist, who will lie on a sofa amid a pile of books and rewrite the constitution of a state he does not know. Semicorn, the volcanic son of a Colorado miner, is a Wobbly and a man for whom "revolution" really means blood (which is what Garrett himself thought it meant). Semicorn will take over a newspaper and staff it with "red card" comrades in an alliance of convenience with the social democrats. Fitzjerald is the voice of honesty — really of Garrett — who diagnoses his fellow radicals' psychology, at the story's beginning, and their failure, at its end. Saint-Leon is the heiress of a Wall Street wolf who wants to do something socially redeeming with her inherited millions. She bankrolls the socialists' newspaper and state bank. Her theory is mistaken, but there is much of her father in her and she is ultimately rational about her investments.

The book follows this crew to North Dakota, whose government is already in the hands of the League. Soon it fast-forwards four years. The state enterprises have become sinkholes of the taxpayers' money, the state bank is bust, and the voters eject the socialists from office. Something like this did happen between 1916 and 1920: the Nonpartisan League governor, Lynn Frazier, was recalled, the only U.S. governor recalled in the 20th century. But Garrett's version of the story is fictional. His portrait of the League is somewhat different from the historical reality, and so is his portrait of the opposition: he has rolled the opponents into one hardheaded country banker, Anx. Plaino, who closes the loan window of his bank for the entire four years of the socialist administration.

The real Nonpartisan League fell short of revolution. It aimed at what socialistic things were possible in a U.S. state: such things as a state-owned bank (the Bank of North Dakota, saved by the conservatives and still in business), a state flour mill, etc. It implemented its program in 1919, a year of upheaval that saw Lenin and Trotsky in power in Russia, a soviet republic proclaimed in Hungary, a failed Spartacist putsch in Berlin, and a leftist-led general strike in Seattle. None of this background is in "Harangue." The story is focused on Capuchin's cabal and how they follow their ideas in a place that flirts with them but isn't really suited to them.

"Harangue" is the only novel in which Garrett disagrees politically with all the main characters, most of whom he treats with a measure of sympathy. He extends such sympathy even to the character he disagrees with most, Semicorn. To Garrett, the creed of the Wobblies is juvenile, a "romantic order" of unmarried and uncivilized men. But at least it is American; the Industrial Workers of the World is, "notwithstanding its great big name, peculiar to this country and could not have come to exist anywhere else in the world." And Semicorn is an honorable man. He follows his creed, and when it leads to his doom, he accepts it.

The farmer cannot fully control how much he produces. He is at the mercy of bugs, disease, and the weather. Though sympathetic to him, Garrett does not advocate a socialist farm program.

"Harangue" ended Garrett's career as a novelist — just as he was getting good at it. One imagines the novels he could have written about the Depression and New Deal — or the short stories, for that matter. He wrote several of these in the years before and after 1920. Still, he was a better essayist than anything else; and in 1927, when he was done with "Harangue," all his best political essays were ahead of him.

What remains are four novels of what might loosely be called capitalist fiction. They are of definite ideological interest to libertarians, and of some artistic interest. My advice: if you like politics, start with "Harangue." If you like a bit of strangeness, try "Satan's Bushel." Take it from there. ❑

"Hellboy II: The Golden Army," directed by Guillermo del Toro. Universal Pictures, 2008, 120 minutes.

The Domestication of Hellboy

Andrew Ferguson

Superhero comics are a serialized, discontinuous art form: a hero, once created and established, will typically be passed from his Olympian creator down a demiurgic chain of increasingly mediocre writers until he reaches the abyss of kitsch, at which point he languishes until he is handed over to some visionary to be "reinvented." This new version of the character shares one thing with the old: the same downward motion after the visionary jumps to another project. And the wheel turns on: comic characters are rarely so dead that they can't be revived in, at the very least, an alternate universe. (The major comic companies each maintain one highly convoluted universe that is "canonical," but routinely offer writers apocryphal universes in which they can actually experiment with something interesting.)

This is the precise formula for a successful cinematic franchise: once the first film is deemed a hit, simply bring the lead actor back for more — doesn't matter how improbable the subsequent installments get, it's the style and the allusions to earlier chapters that really matter. (And, obviously, a blockbusting catchphrase.) But superhero films are even better suited for such ventures, because there's always the possibility of killing the old to bring in the new. John McClane dies with Bruce Willis, but Batman — the whole spectrum of Batman, from Christian Bale to Adam West — lives on. Ultimately, "living on" is the quality that defines a superhero.

And that's the trouble with Hellboy as a superhero: he shouldn't live on.

Let me explain. The first film in the series was a minor miracle in that it remained largely true to its comic-book source material, the "Hellboy" series created by Mike Mignola. A stylish, gallows-humor burst of unabashed pulp, "Hellboy" told the story of a Nazi occult experiment, led by the deathless Russian madman Rasputin, gone (of course) horribly wrong: instead of bringing down the gods of Chaos to destroy life on Earth, they succeed only

Invasion of the Superheroes — In this issue some of our finest contributors review several of the superhero films released this summer.

In every mythology, from the stories of Mt. Olympus to those of Mongolia's Blue Sky Mountain, superheroes have reflected the desires and fears of the societies that created them. In the 1930s, America stood between two world wars while facing a catastrophic economic depression and the threat of a communist superpower. Popular literature responded with the creation of comic book legends such as those of Superman and Batman, superheroes who could be trusted to appear in the nick of time, assert moral rectitude, and save the day with superhuman strength. Superman in particular represented the *deus ex machina* of classic Greek drama, arriving from a different planet to fight for "truth, justice, and the American way." How could we be wrong, when Superman was on our side?

In the 1970s and '80s we suffered the effects of another bone-wearying war followed by the economic uncertainty of double-digit inflation and interest rates and the continued threat behind the Iron Curtain. Hollywood responded with the first of several installments of Superman, Batman, and the Indiana Jones franchises. Since then, military threats have never entirely left us alone, and superheroes have never entirely left the screen; every summer we find an offering of X-Men, the Fantastic Four, or one of the lone heroes — Spiderman, Batman, or the Hulk, for example.

But we have never experienced such an outpouring of comic-book characters and superheroes as we have in the line-up of movies presented this summer, with blockbuster episodes of "Iron Man," "The Incredible Hulk," "Hancock," "Batman," "Hellboy," "Wanted," "Indiana Jones," "The Mummy," and "Get Smart," (okay, that one might be a stretch), and with "The Punisher," "Watchmen," and "Spiderman 4" scheduled for release in the next few months.

What does this say about the state of angst in America? Today we are engaged in another drawn-out war and another frightening economic downturn; in the words of Bonnie Tyler from "Footloose," we appear to "need a hero . . . a white knight upon a fiery steed . . . a superman to sweep [us] off [our] feet." Enter the superheroes.

I've seen them all this summer, looking for common themes and conflicts that might help us understand today's American psyche. Judging by the movies, we don't place our first priority on superheroes immigrating from a distant planet, a la Kal-El from Krypton (Clark Kent); we prefer heroes who come from ordinary circumstances but do extraordinary things — a little like ourselves. We prefer quasi-natural explanations for their superpowers — a spider bite, a chemical spill, a nuclear reaction, or a genetic predisposition — and we want them to be reluctant men or women who are not motivated by lust or greed and would just as soon not have the responsibility of possessing super powers. (From this point of view, Hillary should have spent a little more time at the movies and a little less time

in pulling through a small, violently red child.

The child is dubbed Hellboy, but his real name is Anung un Rama, the Beast of the Apocalypse. The question of his being alive is a vexing one because it would be vastly better for humanity if he were not to exist, or were at least to die immediately: every day he lives brings him one closer to fulfilling his destiny and engulfing the world in holocaust.

If all this sounds overwrought — well, admittedly, it is. It's H.P. Lovecraft, Montague Summers, and the Thule Society all wrapped into one. But, crucially, it's all played straight-faced: Hellboy takes a punch as well as he delivers one-liners; and his jokes are as grim as the subject matter. The effect is greatly enhanced by Mignola's art, which uses the German expressionist palette — black, white, dash of primary color, and more black: a perfect match for a universe of existential heroism, in which the hero's every success is weighed against the knowledge that his existence is a greater danger than any of the black-magic beasties he kills.

When Guillermo del Toro began adapting "Hellboy," he came to it as the director of "Blade 2," a relatively straightforward sequel for the Wesley Snipes vampire vehicle. Now that he was approaching a new creative universe, he turned for help to its creator, who had never before given up any control over the Hellboy character. And the result, naturally enough, was Nazis and mad Russians and chaos gods — and an anemic haul at the box office.

When del Toro came back for the second "Hellboy," it was as the director of "Pan's Labyrinth" — a marvel of a fairy tale that catapulted him into the directorial stratosphere. This lofty perch seems to have positioned him well above a mere comic-book writer like Mignola, for in "Hellboy II" del Toro follows his own instincts as to how the franchise should proceed. And the result is elves and goblins and golden armies — and, amid a poor crop of competitors, a #1 opening.

The shift in mythological focus is accompanied by a change in look: del Toro returns to his Labyrinthine palette, where every color is oversaturated, the better to provide the patina of the fey. He alters as well the prevailing mood. In a recent interview with the Onion, Mignola said, "If I had gotten to make the exact movie I wanted to, it wouldn't have opened at number one. [Laughs.] I like stuff that's spookier." But he bowed to del Toro's sensibility in the end, telling him, "You're having so much fun, just go with it."

And del Toro did go with it, reinventing — domesticating, even — the Hellboy universe. Every character is softened, given a more human (or at least less neurotic) makeup — though I hadn't realized just how far removed it was until the Barry Manilow song came on, and Hellboy and his fish-man colleague Abe drunkenly warbled along to it while commiserating about their girl problems. Del Toro's Hellboy isn't a conflicted being stuck between humanity and demonkind: he's a big galoot in a silly get-up; i.e., a run-of-the-mill superhero. (There is one anomalous scene in which the Angel of Exposition reminds the viewers and Hellboy's girlfriend of just what Hellboy is: by that point in the film, we could be excused for forgetting.)

All this could be forgiven. After all, the only reason my disappointment is so acute is that the first film was more faithful than I expected, making this second look much worse in comparison.

demanding her entitlement as president.)

But there is an unsettling undercurrent about the superheroes that Hollywood is producing this season. The new breed of superhero still stands for "truth, justice, and the American way," but the new truth seems to be that the American way isn't really full of "justice." In fact, the new episodes released this summer focus more on the damage left by the superheroes than on the good deeds they perform — a not-so-subtle jab at America's self-imposed role as the world's policeman.

This is seen particularly in "Hancock," in which the protagonist dons an Eagle costume that is clearly designed to represent America. As the film opens he is reluctantly chasing down a carload of Chinese vandals; this is followed by an altercation with a pipsqueak French bully. But our hero is a far cry from the calm, courageous, wholesome Superman. Hancock is gluttonous, uncouth, and insensitive, leaving behind billions in damage as he carelessly polices the world. The social commentary is obvious.

The new Batman, too, has started to grate on the nerves of Gothamites who are tired of his traffic-snarling, high-speed chases and suspected corruption. If he's so good, they wonder, why does he wear a mask? Clearly he has something to hide. The title of the film, "Dark Knight," also adds a sinister twist to our need for "a white knight upon a fiery steed."

Even this summer's vacuous animated kiddie flick "Space Chimps" chastises humans in general and Americans in particular for sending space-age technology to a foreign land and corrupting its leader — though the movie leaves unchallenged the absurd proposition that the alien leader wouldn't have become a despot without the introduction of technology. Of course, it requires our simian cousins to clean up the mess made by the humans. Clearly a movie not for impressionable children, or politically impressionable adults.

Nevertheless, despite the weaknesses of this summer's films, we find ourselves cheering for the superheroes by the end. They clean up their acts and images, and we acknowledge (or are intended to acknowledge) that we may have to endure some turmoil and damage if they're going to do their jobs. We may not like the collateral damage, but we need a hero, no matter what.

Today's superhero is a maverick, an outsider, someone who thinks for himself. He recognizes that he has a responsibility thrust on him by his unique powers, but he does not want to be controlled. Like Iron Man, he is on the edge of crazy. Like Spiderman, he would prefer to leave the heroics to someone else. Like Batman, he is motivated by revenge; like the Incredible Hulk, he isn't someone you want to make angry. Today's superhero is a person who can break free from a dead-end job, figure out who the bad guys really are, garner a little revenge, and not get hurt. He is super — but curiously limited. Perhaps this is the way in which today's Americans imagine themselves.

— Jo Ann Skousen

And the movie *is* beautiful: del Toro's creatures remain the best in the biz (especially the Angel of Exposition . . . err, Death).

What can't be forgiven are the lapses in filmmaking art. Where Mignola's comics and the first movie flirted with pulp clichés, "Hellboy II" falls head over heels for them. I don't want to spoil anything for anyone, but there's precious little to spoil: when you have a monster whose main weapon is a fist attached to a chain, and there is a rotary crushing machine very prominently on display, it's not really difficult to figure out how the monster will exit the film. "Hellboy" should be smarter than that, dammit, and so should del Toro.

Even the ostensible theme of the film, that the elf prince has chosen now to renew an ancient war with humanity, because we're spending all our time building parking lots and shopping malls — I mean, really, Guillermo, is that the best you can do? And if so, then when you're depicting Hellboy killing a forest god, "the last of its kind," shouldn't there be some, I don't know, *consequences* to his action?

Del Toro's answer, obviously, is no. And for what he's fashioning, he's right: superheroes don't deal with consequences; they just come back, again and again, "living on." It's just a pity he chose "Hellboy" for his franchise, taking the series out of Mignola's universe, and planting it in a lurid, stupid shadow of his own. ❑

"The Dark Knight," directed by Christopher Nolan. Warner Brothers, 2008, 150 minutes.

Anarchy, Law, and the Joker

Jim Walsh

Comic book superheroes have become big business. The movie industry is increasingly reliant on them — this summer, studios released five major movies based on superheroes. More are coming.

Against the stereotype of sunny American exceptionalism, Batman remains the country's most popular superhero. He is a brooding, damaged character who often does the right things for the wrong reasons. He's not a welcomed figure in his beloved, crumbling Gotham City. Police and politicians don't trust him because his presence underscores their institutional corruption. Citizens aren't sure whether he's their champion or a dangerous vigilante.

In the latest movie treatment of Batman, these conflicts are portrayed in timely ways. "The Dark Knight" is an interesting hash of vivid images, sharp dialogue, and — here's the dangerous part — bits of political philosophy.

The movie includes the late Heath Ledger's critically-praised portrayal of the Joker — Batman's nemesis and one of the great villains in popular culture. Movie-industry insiders have predicted Ledger's menacing version of the Joker may win a posthumous Academy Award.

So, it makes sense to start a discussion of "The Dark Knight" with Ledger's interpretation of the Joker. It's deeper than previous ones — including Jack Nicholson's famous turn in the 1989 "Batman." Nicholson's Joker was . . . well, Nicholson. Ledger's version aims at something more. You can draw a path from the Marquis de Sade through Frederich Nietzche to this Joker.

Visually, Ledger is memorable. With smudged clown makeup and greasy, stringy hair, he looks more dangerous than most versions of the Joker. According to some media reports, Ledger and the movie's makeup designers based his look on Francis Bacon paintings; the result is just as frightening.

But an actor can take only part of the credit for creating a movie character; the screenwriter and director have a lot to do with the final result. In "The Dark Knight," director Christopher Nolan and his screenwriting partner/brother Jonathan use the Joker to explore notions of social order, chaos, anarchy, and terrorism. The results aren't always profound or consistent, but the Nolan brothers should be applauded for at least trying to add some depth to a summer blockbuster.

Their Joker calls himself an agent of chaos and uses some of the academic rhetoric of classical anarchists. In fact, he sounds enough like a graduate student that it's hard to believe he comes from the streets of a crime-ridden city. Where did he learn to talk about dialecticism and the symbiotic nature of Good and Evil? Have you ever heard a street criminal speak? Even the ruthless and supposedly "smart" ones (think John Gotti) sound excitable, egocentric, and incoherent.

Then again, you might ask whether the Nolans' Joker even is a criminal. He kills. But most of the people he kills (on-screen, anyway) are other bad guys. After that, he kills law enforcement agents in pursuit of him — arguably "soldiers" in his war against order. He has contempt for the motive of most criminals, i.e., money. He seems to embody pure evil: he influences other characters, but no one influences him. He claims to be motivated by revenge, but we never hear or see the cause. His origins are never explained; the contradictory stories that he offers about his background seem to be lies that he tells in order to mock the people around him.

And this Joker is unusual in other ways. At one point, an overwhelmed detective notes that he carries no ID, his fingerprints and DNA aren't in any

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database, and his pockets contain only "knives and lint." This sounds like an existential *hero* to me.

Some versions of Batman — both in comic books and movies — portray him as nearly mad, too. Christopher Nolan flirted with this idea in his earlier Batman movie, "Batman Begins" (2005). But in "The Dark Knight," Bruce Wayne (Christian Bale) seems to be relatively sane. He wishes he could stop being Batman but accepts that the people of Gotham City need a symbol of justice. For better or worse, Batman is it.

In the structure of the Nolans' story, the Joker serves an unusual role — a little to the side of the central protagonist-antagonist conflict. Partway through the film a third character, the villain Two Face, emerges from the ashes of Harvey Dent (Aaron Eckhart), Gotham City's ambitious and vain district attorney. This character carries a lot of dramatic and thematic cargo for the Nolans. Early on, Dent embodies Batman's best hope for retiring from his thankless work; but, later, Two Face represents the dark side of the failed hero driven mad by the thirst for revenge.

Why are psychopaths and homicidal maniacs so beloved in popular culture? Perhaps because they reject the social contract that law-abiding people grudgingly accept. The real power that the Joker, Hannibal Lecter, and various gangster rap icons share is the freedom of not being constrained by conventional social mores.

This may also explain our fascination with vigilante heroes going it alone. But one interesting point that "The Dark Knight" makes (perhaps unintentionally) is that Batman relies on a network of sympathetic supporters — police Lt. Jim Gordon (Gary Oldman); Wayne Enterprises CEO Lucius Fox (Morgan Freeman); his childhood friend Rachel Dawes (Maggie Gyllenhaal); and, of course, Bruce Wayne's loyal butler Alfred (Michael Caine) — all of whom either know or suspect his true identity. With this support, it's hard to consider Batman a lone vigilante.

What is a vigilante, anyway? The popular definition is an ordinary citizen who "takes the law into his own hands." This is a statist's take, however. In fact, the law is always in the citizens' own hands. The citizen merely loans the law to the state because the state promises to enforce it more efficiently than any individual could. If the state fails to keep its end of that bargain, the citizen is well within his rights to take the law back.

Early in "The Dark Knight," one

The Rise of the Comic Book Movie —

Looking at the hit movies released by Hollywood over the past 20 years, one is struck by the large number that are based on comic books (aka "graphic novels"). X-Men, Spiderman, Batman, Iron Man, Superman, the Transformers . . . why?

Whether you find these movies interesting or puerile, entertaining or boring, it's an interesting question. The answer seems to lie in some major changes both in the film industry and in society at large.

Let's begin with the film industry.* It's important to remember that this is a business like most, aimed at making money by providing a service or product for a market. Nothing has changed in this regard in over a hundred years of American cinema. But during the first half of Hollywood history, up to about 1950, Hollywood studios were vertically integrated companies, with a business model tied to that structure. That is, the studios produced movies internally, choosing actors, writers, directors, and so forth from employees under contract; the studios then distributed their product to theaters they often owned. The vast majority of their capitalization was actually in real estate. And from the 1920s until the 1950s, there were five major studios, built up in several cases from mergers along the way: Loews (MGM); Paramount; Warner Brothers; Fox (Twentieth Century Fox); and the short-lived RKO.

Their general business model, which I call the buffet model, was to produce a continuous flow of movies of all genres: westerns, thrillers, mysteries, "women's movies," comedies, and so forth. They also put out a lot of shorts — brief documentaries, cartoons, and the like. The idea was to target all kinds of audiences, having different kinds of tastes, and keep their theaters filled. Remember, they earned money directly from ticket sales and concessions.

In this they succeeded. In 1925, over 300 films were released — in a nation dramatically smaller in population than it is today. Between 1930 and 1940, the time of the Great Depression, the figure was over 350 a year — a movie a day. Production dropped during the war, to a low of 225 in 1945, but rebounded to over 250 by 1950. During the ensuing 25 years, however, production of new films dropped linearly, hitting about 100 in 1975 and staying fairly constant until rather recently. During this decade the number has averaged about 190 per year.

One of the biggest factors in all this was the 1948 *Paramount* decision by the U.S. Supreme Court, which viewed the major studios as an oligopoly — a small group of businesses exercising monopoly control of a market — and ruled that henceforth they could not control exhibition as well as production and distribution. Studios could produce flicks and peddle them to theaters, but not own or run the theaters. The Great Hollywood Divorce did not end the studios, of course; but by depriving them of their reliable source of income, the exhibition side, it made them change their business model. They had to focus on making money from the production side, from the widespread rental of their films to the now independent theaters. (The Court's ruling didn't help the theaters. Their number dropped by over half from 1947 to 1963.)

The new way of doing business was what I call the blockbuster model. The idea was no longer to produce a large number of movies, most making modest profit by appealing to audiences of different tastes as the movies circulated to theaters across the country over a two year period. No, it was now was to produce fewer movies and keep aiming them at a mass audience, releasing them simultaneously at theaters nationwide, hoping for huge revenues from a

*The sketch I give here is filled out by Richard Maltby, "Hollywood Cinema," Cambridge, MA: Blackwell, 2003. The figures I cite when discussing the change in the Hollywood business model come from that source.

character asks sarcastically "Who elected Batman?" to which Harvey Dent replies, "We did" — when the citizens allowed Gotham City to become so corrupt that ordinary police couldn't enforce the law. This is an interesting idea — that a marketplace for law enforcement will seek equilibrium if state agencies fail. One can assume the same would hold true when state-run education fails. Home-schoolers become a kind of superhero.

"The Dark Knight" also draws parallels between the Joker and terrorists in the real world — and the state's responses to each. Bruce Wayne and Lucius Fox develop surveillance technology that allows Batman to track cell phone users and "see" their surroundings — without their knowledge or consent. Batman needs this technology to prevent the Joker from attacking local hospitals. But, in a slap at Homeland Security bureaucracy, Fox warns him that the system concentrates too much power in the hands of one person.

Another reason for the popularity of comic books and comic book movies might be that they give their audiences the color lacking in real life. The face of statism and tyranny is unimpressive; sometimes it's not even noticeable. FDR thought Josef Stalin was a reasonable man with whom the U.S. could "do business." The 9/11 terrorists were successful, in part, because they weren't remarkable. In "The Dark Knight," the villains *look* villainous.

A few movies in the last decade have tried to handle anarchism seriously — or as seriously as popular movies can. This magazine reviewed the 2005 movie "V for Vendetta" from several perspectives and found it lacking as a reflection on the conflict between statism and liberty. But that movie — based on a graphic novel written by Alan Moore (who's also written a couple of influential Batman stories) — did reference many of the touchstones of anarchist writing. It even included a garbled version of Emma Goldstein's great quote about not wanting to be part of any revolution without dancing.

Ultimately, "V for Vendetta" suffered as a film because it focused too much on the elements of revenge in its masked hero's motivation and less on citizens' rights to think and act for themselves. A better portrayal of anarchism in a contemporary context comes in 1999's "Fight Club," based on the novel by Chuck Palahniuk. In that movie, a nameless narrator with a severe personality disorder attracts a band of followers whom he trains to disrupt the

successful competition with TV. In the '60s it was movies such as "The Sound of Music"; in the '70s, "The Godfather," "The Poseidon Adventure," and especially "Star Wars."

As the blockbuster model developed into its "Star Wars" phase, it involved not just producing a big hit in theaters (with lots of sequels) but also retaining merchandise tied to the hit. "Star Wars" earned more from merchandise sales than from ticket sales. The 1989 "Batman" earned four times as much from its merchandise as from tickets. Merchandise used to be just T-shirts and other branded items; it now includes video games and a great variety of other stuff.

Now, the audience most likely to go to a theater is often a younger one, from early teens to twenty-somethings. This is, not coincidentally, the age group most likely to buy film merchandise; it is a rare 50-year*old who is brave enough to wear a Batman T-shirt. Here we have come to the social change.

During the past few decades, the amount of reading — especially of literature — that is done by elementary and secondary students has dropped significantly. There are several interconnected reasons for this, involving the decline of the family and the mediocrity of the public schools, which have dropout rates of roughly one-quarter for white students and one-half for black and Latino students. It's no surprise that reading has suffered.

And of course, TV viewing has risen since the 1960s. A recent study reports that the average student spends 12 hours a week watching TV, and only one hour reading.†

Studios produce most of their fare for a young American audience that has a declining exposure to and appreciation of literature. To appeal to this audience, they turn to the material that young people spend their leisure on. This naturally includes comic books, video games (hence movies such as the "Lara Croft, Tomb Raider" series), and TV shows (hence the "Charlie's Angels" movies, and the current "Simpsons" and "X- Files" films).

The studios are doing exactly what their business model and their understanding of their target market dictates: trying to come up with blockbusters that appeal to a mass audience with a high number of nonreaders in it.

Where the studios see literature that does have a popular following, they are happy to produce movies based on it. "The Lord of the Rings" and "The Chronicles of Narnia" come to mind here, as does (perhaps) "Harry Potter." When Ang Lee produced "Sense and Sensibility," and it was a surprise hit, other Jane Austen books became flicks as well.

But for the foreseeable future, you will see American studios continue to produce movies based on pop culture of the lowest level of literacy. The economics of the industry and the quality of American education pretty much dictate it. And it's worth noting that both these things were pretty much dictated by government.

This is not to say that pop culture movies are all we will have from now on. To begin with, there are an increasing number of independent films that occasionally make it into wide distribution (such as Mel Gibson's "The Passion of the Christ"), and even when they receive only limited distribution, they can be rented for home viewing rather quickly. DVD sales and rentals have been a godsend for independent films.

Also, there has been a rapid spread of cinematic technology abroad. Gone are the days of grainy art flicks with low production values. What foreign producers now create has all the cinematic quality of American flicks, but often with more depth and diversity.

We are seeing the globalization of the film industry, and thank God for it. — Gary Jason

†Sandra Hofferty and John Sandberg, "How American Children Spend Their Free Time," Journal of Marriage and the Family, 63 (May 2001).

mechanisms of consumerist culture.

A consistent theme in these movies is that the voice of anarchy is either disfigured, insane or both. So, the connection of anarchy to the Joker seems a logical extension of recent cinematic lore. Still, there are some thematic problems with the Nolans' Joker. He claims to be an agent of chaos — but he stages elaborately structured heists and pranks designed to bring out the worst in people and institutions. Hardly chaos.

The main set piece of the final section of the movie is a massive prisoner's dilemma experiment involving two passenger ferries rigged to explode in the midst of their commutes (for the dull in the audience, one of the ferries is carrying, err, prisoners). To my point, the Joker has set up himself as the authority in the experiment. So, he's not an anarchist; he's just another tyrant vying for control of the masses.

Does Batman's approach to privatized law enforcement represent a libertarian perspective? Gotham City's government and law enforcement agencies can't clean up the streets, so a wealthy and politically-connected native son takes the initiative to restore equilibrium to the social contract. There are unforeseen consequences, as there always are. Batman can't prevent every crime; but he moves his city a little closer to social stability.

As others have done, the Nolans develop the theme that Batman and the Joker are similar in many ways — but that Batman has found a more constructive direction in which to channel the effects of his damaged psyche. The Joker, as the wise Alfred observes, just wants to see the world burn. This offers a crude but effective distinction between the libertarian and the anarchist.

Is there any practical effect in all of this for our beloved, crumbling republic?

In the movie, a minor character answers this question. When the Joker is trying to provoke the people aboard the two ferries to blow each other up, one of the prisoners takes the remote detonator from an indecisive warden and throws it into the water. He rejects the Joker's premise.

That's how you respond when a tyrant — or a terrorist — gives you a false choice. Who cares whether the Nolan brothers' Batman would vote for Ron Paul? Their minor characters know what's what. ❑

"Hancock," directed by Peter Berg. Columbia, 2008, 92 minutes.

Flouting Convention

Tim Slagle

Here's a topic that is rarely broached: why are superheroes expected to be altruistic? Most superheroes never think of taking payment, which never made sense to me. Granted, Bruce Wayne is a gazillionaire, but even gazillionaires have to make rent. I imagine the electric bill for the Bat Cave alone would make Al Gore shudder.

I mean, just because someone has great talents, is he expected to dole them out on command? And for free? I would think that a real life superhero would rather contract himself out, sort of like a one-man Blackwater Security.

When a city gets overrun with costumed arch villains, it should have to hire a superhero, the same way it would hire an attorney or an exterminator. There should be a retainer, and bills calculated on an hourly basis, plus ordinary expenses. Of course the city would have to initiate a proposal to the city council, and draft a resolution whether to retain the superhero. It would also need to conduct reviews of several proposals and take bids from competing superheroes. Eventually, rather than hiring a real superhero, it would probably end up with a sidekick having political connections, an incompetent wiseacre who is somehow related to the mayor.

The other option, of course, is the superhero who just doesn't want to be one, someone who is resigned to saving humanity but not terribly happy about it. Enter Hancock, a superhero who clearly doesn't like his job, a "hero" who would rather sleep off a hangover than fight crime. His drunken, antisocial behavior has made him more of a villain than a hero. We learn later that he lacks for love, and this lack has compounded itself, making him still more antisocial. (Apparently love is the only thing a superhero requires.) "Hancock" is the story of a clumsy superhero who lands in the middle of a suburban family, and finds himself.

This film breaks from the traditional superhero mold, and actually seems a little more realistic than most. Rather than a mythical comic book landscape, full of cartoonish policemen and screaming newspaper editors, Hancock has been dropped into a world we all find quite familiar. This film strays from the format for good reason: it's the only summer superhero release that wasn't based on a previous comic book (or "graphic novel," as adults who still read comic books call them).

The movie opens on Hancock (Will Smith) sleeping one off. He runs into a PR guy, Ray Embrey (Jason Bateman) who is also down on his luck. Ray has been trying to sell a new idea to

Bad Beat — The second half of this film introduces an interesting mythology behind the Hancockian super heroes. "Gods, angels, now they call us superheroes," is the explanation given for their existence through the ages. These immortal superhumans risk becoming mortal when they fall in love, a twist on the Adam and Eve story in which immortals become mortal and subject to death after coupling. By now all the immortals

corporations: the idea that they should give away their products for free. The corporations sneer at him, as any reasonable "for profit" entity should. I enjoyed seeing that these corporations were not made to look mean or cruel because of their refusals. Their protests seemed quite reasonable, and Ray was made to look like a sap for even asking.

So Ray invites Hancock over to have dinner and spend a little time with his wife Mary (Charlize Theron) and his son Aaron (Jae Head). He decides that all Hancock needs is a good PR job, and a friendship is struck. But I couldn't help wondering where Hancock gets his money. He certainly seems un-hireable, and most people seem to resent his help. It is always well intentioned, but clumsy because of his drunkenness and his disregard for other people. He is never shown doing any work for hire, yet he always seems to have a couple of bucks on him. But I guess if you've bought into the idea of a flying superhuman, this one detail isn't going to disappoint you much.

When he finally manages to conduct a successful heroic feat and act on Ray's PR suggestions, he is welcomed by the community. Eventually he learns where he came from, and his destiny. The film wraps up with Hancock willingly going back to the work he was made for, with a whole new attitude. Because (as he is told by Mary), "Fate doesn't decide anything; people get to choose."

In the very end he commits an act that would certainly infuriate most environmentalists. But as I said, this isn't the first time you have to ignore your knowledge of reality.

The special effects are incredible, and if you love big loud computer generated car crashes this is the film for you. (Although all the best effects were used in the trailers, so you've probably seen them already.) There is also a good amount of comedy, and I was surprised to find myself laughing from time to time. Judging by the uproarious laughter in the theater, kids just love this film. It's a great teen flick (for those who already know most of the bad words). If I were to choose a movie to enjoy with a teenager, this would certainly be at the top of the list. It is also great for adults who are willing to suspend reality for an hour and a half. ❑

have paired up and died off, leaving Hancock a lone man in the Garden.

This back story provides an interesting concept to ponder: in a modern age when so many choices are available to us, and when marriage limits those choices by requiring a second opinion, is marriage worth giving up one's superpowers? Hancock is reminded, "Fate doesn't decide. People get to choose." But are we happy with the consequences of our choices? — Jo Ann Skousen

"Wanted," directed by Timur Bekmambetov. Spyglass Pictures, 2008, 110 minutes.

Adrenaline for Fun and Purpose

Jo Ann Skousen

Heart-racing car chases. Hard-driving music. Bullets flying. Blood spurting. Expletives not deleted. And a story with a philosophy worth contemplating. Either you like this kind of movie or you don't.

Frankly, I don't. But I can set aside my aversion to blood and vulgarity long enough to appreciate the production values and recognize why it is popular among the class of moviegoers who do like this sort of thing.

Based on a fairly new graphic novel series by Mark Millar and J.G. Jones, "Wanted" is a film in which director Timur Bekmambetov ("Night Watch") recreates the comic book world through subtle cartoonish imagery. Outlandish characters populate this world, especially the hero's employer, Janice (Lorna Scott), and the goons who train him to become an assassin. The cartoonishly voluptuous seductress, Fox (Angelina Jolie), juts her jaw, stares contemptuously, and poses like a pole dancer, a comic-book character as two-dimensional as Jolie's acting. Characters recover from fistfights with nary a scratch — although we are provided with a scientific reason for their quick recuperation. Close-up views of posters and products provide natural cartoon balloons (which are much classier and cleverer than the old "Pow" and "Zing" of the Batman TV series). Watch for the letter U formed by a man's tooth in a particularly satisfying scene.

So who is this new superhero? Wesley Gibson (James McAvoy) is a dead-end accountant at a nondescript firm, a man without a backbone who is constantly dumped on by his employer, his girlfriend, and his best friend. Filled with rage, anxiety, and self-loathing, he has no control over his life, thus appearing to embody the angst of the average 21st century American. We're all fed up; we all wish we didn't have to take it anymore. But what can we do about issues of global size?

While buying anxiety medication at a drug store, Gibson suddenly finds himself in the middle of a shootout. Fox rescues him both from the shootout and from his malaise, explaining (after a wild car chase) that he is a chosen member of a secret assassination society whose purpose is to protect the world from evil. Joining the "guild," Gibson learns to control his anxiety attacks, embrace what makes him different, and use the adrenaline to become a superhero. Sound familiar?

With the twisted suggestion that God (or Fate, as the controller of the universe is called in this film) ought to prevent evil by assassinating potential perpetrators before they act, the guild of executioners blindly obeys its leader, Sloan (Morgan Freeman, once again

playing the Deity), who interprets otherworldly messages that are in fact a hit list. Sloan tells Wesley, "For the first time in your life, you're in control," and it does seem that way; he punches out the people who used to bully him, and he has a new sense of purpose. But the word "execute" doesn't just mean "to kill," it also means "to follow or carry out." These assassins are truly executioners, blindly following orders from their leader. Wesley is only in control so far as he has chosen to be controlled by Sloan.

Now, I have no problem with the assassination society's concept of "Kill one, save a thousand," if the one being killed is a known despot and the thousand being saved are innocent civilians. I would much prefer a system in which Hitler, Stalin, and Saddam are assassinated, while the other Germans, Russians, and Iraqis are left alone. But I do have a problem with reading tea leaves, bird entrails, or, in this case, random mistakes in a weaver's loom, to determine who is going to commit an evil act and then take him out before he can commit it. If that concept seems familiar, you're probably remembering Tom Cruise in "Minority Report."

And if you're remembering that film, you're also realizing that we don't want superheroes today who punish people for crimes they might commit tomorrow, or superheroes who won't think for themselves, blindly obeying laws that don't make sense. This film is a timely, though perhaps unintentional, reminder that blind obedience often leads to jihad, and that the greatest evil in the world could be a Machiavellian prophet who manufactures his own revelations. ❑

"The Incredible Hulk," directed by Louis Leterrier. Universal, 2008, 114 minutes.

Too Incredible

Todd Skousen

No superhero would be complete without an alter ego, a mild-mannered milquetoast or hedonistic playboy no one would suspect of being a courageous hero with super powers. This characteristic stands out in the Incredible Hulk, where the separation of two personalities is not just a method of hiding the hero's true identity but a metaphor for the transformative power of rage.

Physiologically, anger is a by-product of fear. Fear induces the secretion of adrenaline, which gives the body temporary strength to fight or flee the source of fear. Anger is the body's natural reaction to the dissipation of adrenaline after the moment of fear has passed. This is the reason we curse the driver who has just cut us off or yell at the child who has wandered away. Finding a way to induce that strength without incurring the rage that goes with it is the premise underlying the Incredible Hulk stories.

In a season when superheroes across the board have become reluctant and introspective, "The Incredible Hulk" stands supreme. He is the original reluctant hero. His alter ego and true self, Bruce Banner, spends every episode in every incarnation, from popular Marvel comic book to campy television series to major motion pictures, desperately trying to banish the beast that lurks within him.

Since his creation by Stan Lee and Jack Kirby in 1962, the Incredible Hulk has become one of the most popular superhero characters in print and on screen. And I, for one, have absolutely no idea why. Almost everything in the Hulk franchise has turned into a disappointment, except maybe the roller coaster ride at Universal Studio's Islands of Adventure. Kids watch it, but they resist it. No little boy wants to be the Hulk when playing Superheroes with his friends. Only out-of-control bully types identify with him.

Here's one reason why: the Hulk has a superpower but is not a superhero. Unlike the other superheroes, he is not the go-to guy when the community is in trouble. He has always left destruction in his path — he can't even hang onto a pair of pants. He is simply a government experiment (that alone should raise red flags) gone awry. He's a fluke that can't be controlled, reversed, or repeated.

Until this episode, that is. While Banner attempts to find a cure that will reverse his curse, U.S. General Thaddeus "Thunderbolt" Ross (William Hurt) gets hold of his serum and uses it for yet another experiment: to create a prototype for a race of super soldiers by injecting super soldier Emil Blonsky (Tim Roth) with the serum. This leads to a harrowing climactic fight scene between the two super powers, full of ripped up cars and special effects.

Despite my reservations about the Hulk franchise (awesome roller coaster notwithstanding), I had high hopes for this new film when Edward Norton signed on to play Dr. Bruce Banner, the unfortunate scientist who goes through many a dollar on new pants after each Hulk outbreak. (In one humorous scene, Banner goes to a flea market to purchase the cheapest, largest, and stretchiest pants he can find, holding them up to a big-bottomed woman for size.)

In movies like "American History X" (1998) and "Fight Club" (1999), Norton brilliantly portrayed emotionally troubled characters, capable of delivering savage beatings while struggling against both society and government. Did Hollywood at last find the perfect actor to bring out the psychological complexity of the Hulk?

In one way, yes. Norton's portrayal of Banner as a reverse hero, protecting the world by suppressing his powers, is interesting and initially satisfying. As this new version of "The Incredible Hulk" opens, we find Banner hiding out in one of the endless shantytowns of Brazil. Personally, I would think that a white doctor living in a Brazilian slum would tend to garner at least some attention, but aside from that, the opening scenes are some of the film's best. Through ju-jitsu training, Banner has learned to control his heart rate and keep the Hulk locked up inside while he works, by internet, with an anonymous scientist, trying to find an antidote.

Banner's search for a cure is violently interrupted when General Ross discovers his location and sends in a team to pick up Banner and bring him back to Washington. Ross considers him government property because his superpowers are the result of government experimentation and because of his potential use as a secret weapon. Talk about eminent domain in the extreme! This pretext alone should raise the hackles of a libertarian — or of any intelligent American.

Norton and director Louis Leterrier, who masterfully directed the action sequences of "Transporter 2" (2005), work well together in setting up an incredible chase scene through the narrow alleyways and dense rooftops of the slum. Norton captures the intensity of a man literally running for his life while trying to stay as calm as possible to keep from releasing the beast inside. Not an easy thing to do. And in the end, Banner cannot help but give in to the brute inside himself.

This is where the film, amazingly enough, becomes boring.

Although it has great psychological potential, "The Incredible Hulk" does not successfully represent repressed male aggression, which Norton's character Tyler Durden symbolized in "Fight Club," or as Robert Louis Stevenson explored in "Dr. Jekyll and Mr. Hyde" (1886). Banner and Hulk are different from Jekyll and Hyde in that Jekyll never wants to banish his brutish, animalistic nature; he simply wants to separate the two sides of his personality, to enjoy the lusts of the flesh in one incarnation while maintaining his respectable Victorian reputation in the other. He wants to live in both worlds.

By contrast, Bruce Banner does not have any deep-seated anger lurking inside that he wants to isolate and then enjoy. In fact, Banner knows this is not possible. Left unchecked, the brutish side becomes more and more powerful, or so Stevenson concludes in his novel. Banner wants to overcome his anger entirely, not just protect his wardrobe. And he definitely does not want to become a weapon for the military, either defensively or offensively.

If Leterrier had been a bit more ambitious, this Hulk could have been turned into a more complex superhero. Banner could have developed a lust for the Hulk's power in the way in which Dr. Jekyll is drawn to the hedonism of Mr. Hyde. Like his character Derek Vinyard in "American History X," Norton would have been excellent at encompassing this dark side of Banner as well as expressing the remorse and regret that should eat at him after the fact. By engaging Banner in an internal

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conflict with the acts of the Hulk, the story would have become much more engaging.

Instead, the Incredible Hulk is completely disconnected from Dr. Bruce Banner. The Hulk is simply a foreign body injected into him by the experimenters. The Hulk is a giant, brainless (and very poorly rendered) gorilla only able to yell phrases like "Hulk smash!" He's virtually invincible, so we aren't worried about his safety, but even more, he in no way continues to be Norton's Banner. Without Banner's personality, the Hulk is nothing more than badly done special effects. Yes, we root for him, but only because his opponent is even worse. That may entertain young audiences for a moment, but special effects alone rarely compensate for boring characters. Are you listening, George Lucas?

In the end, Norton's talent is wasted on this pseudo-superhero whose flawed psychology could have produced a fascinating character study along with the thrilling action sequences. That's a shame, because how rage transforms a person is important, and probably the reason that Hollywood keeps going back to the Hulk.

The Hulk remains one of the least interesting of the superheroes. Unlike Batman or the Punisher, he experiences no inner conflict about whether he is doing the right thing. The Hulk just "is," without any thought. And no one can make a winning movie out of that. Not Leterrier or Ang Lee, or even Christopher Nolan ("The Dark Knight"). So unless you are stuck waiting for an airplane, as I was when I saw the Hulk, I'd suggest just going for a ride on the Hulk roller coaster at Universal. It only takes a minute, which is about the time needed to understand the Hulk as character. ❑

Booknotes

Racism, cops, and cons — Three issues ago, Liberty ran a feature giving advice about summer reading. Maybe it's time to make some suggestions about reading for this fall.

The season can begin with a terrifically entertaining and thought-provoking book, co-edited by Steven M. Sanders and Aeon J. Skoble, entitled "The Philosophy of TV Noir" (2008, 272 pages). It's part of the University Press of Kentucky's "Philosophy of Popular Culture" series and includes chapters on "Dragnet," "The Naked City," "Secret Agent," "Miami Vice," "24," "The Sopranos," "CSI," "The X-Files," "The Prisoner," "Twin Peaks," and (this is my favorite chapter, one written by Skoble himself): "Action and Integrity in 'The Fugitive'." While reading that chapter, take a look at the original "Fugitive," with David Janssen as Dr. Richard Kimble, which is finally being issued on DVD. It's an amazing morality play from a golden age of television.

Back in 2006, I recommended in these pages a book by Douglas Den Uyl and Douglas Rasmussen, "Norms of Liberty: A Perfectionist Basis for Non-Perfectionist Politics." This year I can wholeheartedly recommend a follow-up anthology, "Reading Rasmussen and Den Uyl: Critical Essays on 'Norms of Liberty,'" which is also edited by Skoble (Lexington Books, 2008, 238 pages). The volume is packed with critically reflective essays on the Rasmussen-Den Uyl work, situating its neo-Aristotelian defense of liberty within the larger field of contemporary political philosophy.

One work I strongly recommend is John F. Welsh's "After Multiculturalism: The Politics of Race and the Dialectics of Liberty" (Lexington Books, 2007, 240 pages). It helps that Welsh uses my own dialectical-libertarian model of power relations, but even if I were not mentioned in the book, I'd praise it for its comprehensive survey of libertarian and individualist thought on race and multiculturalism. Welsh develops a fundamentally radical critique of racism that challenges the traditional left-right continuum. This kind of multidimensional analysis of racism is a welcome — and much needed — addition to the literature of liberty.

Finally, with the passing of Charlton Heston, who won a Best Actor Oscar for my all-time favorite film ("Ben-Hur"), I'd like to recommend his autobiography, "In the Arena" (Berkley Trade, 1997, 592 pages), as well as two other books authored by him: "The Actor's Life: Journals 1956–1976" (Dutton, 1978, 482 pages), and "Charlton Heston's Hollywood: 50 Years in American Film" (GT Publishing, 1998, 223 pages). These works give us a glimpse of a lost era in Hollywood, while deepening our appreciation of an actor's epic career.

— Chris Sciabarra

Letters, *from page 5*

avoid his spitting wrath over your treatment of this administration.

Keep up the good work!

Dan O'Neil

Grand Terrace, Calif.

Coase Overthrown

Regarding David Friedman's "How to Think About Pollution," I have an alternative view of who should bear the cost of economic externalities, based on the ethical foundation of individual rights. Please forgive me for this sketchy presentation but a full treatise is beyond my present inclination. An example might be best.

Suppose a given individual is the first to enter upon previously uninhabited land and begins to farm it. This individual has the right to the fruit of his own effort, unless he has previously harmed others and they have not been made whole. The produce of his farm is his by "right" to use and dispose of as he wishes. Also, no one has a prior claim to this land, by definition, and so he may use and dispose of it as he wishes. The only limitation to his prerogatives regarding the land relate to "rights" he does not possess.

So, how are his rights to the land to be defined? A further example: his neighbor invents an airplane and flies

over the farmer's land at an altitude of 5,000 feet. At this altitude the farmer's activities are unaffected. What claim could he have against the pilot? If on the other hand the farmer, in addition to farming, also engages in the hobby of kite flying and his neighbor's plane interferes with his "prior" kite flying activity, then wouldn't the farmer have a just claim against the pilot to cease and desist from flying over the farmer's land at that altitude or lower because, the farmer has the right to live his life as personally chosen so long as he doesn't interfere with another's prior rights, and over his own farm land there are no prior claims, as previously described.

In other words, "rights" have their foundation in "self ownership" and by extension in the fruits of that self ownership, provided that those fruits are not in whole or in part derived from the violation of the rights of others. Fundamentally, the boundary between one's own rights and those of others consists of the application of one's energies to previously unclaimed resources and the products of such activity. This is the ideal situation. Unfortunately, modern societies have not consistently applied this perspective to the establishment of rights and the derivation of subsidiary rights, but equity requires that this perspective be employed to re-establish just boundaries.

Howard Shafran
Shelter Island, N.Y.

Letters to the editor

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

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Reflections, *from page 24*

The striking part of the media coverage was that major outlets (like the Associated Press) passed along the casino's explanation that its poor performance was the result of what the AP, echoing management's words, described as "gamblers' extraordinary luck."

You've got to admire the pluck of Mohegan Sun management trying to spin their bad quarter into an advertisement. Mohegan Sun seemed to be inviting fools to come gamble — because it was in the midst of a historic losing streak.

Mohegan Sun's thin quarterly profit has nothing to do with luck. It has to do with a recession and some rational choices.

In 2007, middle-class guys heading out for a bachelor party at the casino were less likely to stagger up to the $25 Blackjack table and hit an 18 against the dealer's six. Casinos count on tipsy people making such stupid bets.

According to Mohegan Sun's CEO, the total wagered at table games during the weak quarter — $611 million — was actually up more than 6% from the year before. But the house only kept about 12% (some $75 million) of that, down from about 17% in 2007.

This isn't bad luck, though; it's what economists call risk flight. Take away the drunk guys cheering bad bets with their buddies and the house is left with dedicated gamblers quietly playing the odds. In fact, the serious players may be upping their bets because they're desperate to win. That's a kind of double-whammy for the casino: fewer people making dumb bets and serious players raising the size of their informed ones. That lowers the house's take.

Like many economic phenomena, risk flight happens at the margins of financial decision making — so it seems to have an unusually large effect on behavior in the short term. Large enough that the casino management hopes dullards will confuse it for luck.

Nota bene: Mohegan Sun still enjoyed a 12% advantage over its players. Walking past the gaming tables remains the smartest play. And, in that, the drunk guys at the bachelor party are acting rationally. — Jim Walsh

Cornered — The continuing evolution in public opinion about how to deal with our energy crisis is a fascinating if dizzying spectacle. After several decades of environmentalist special interest groups controlling congressional energy policy — stifling nuclear power, domestic oil drilling, domestic refining, and pretty much anything else that's practical — the public seems to be rising in anger, as it sees gas prices soar.

The issue of offshore drilling has become especially interesting. Several recent Wall Street Journal articles are illustrative.

The first (dated July 15) reports that Bush has formally lifted the federal executive ban on offshore drilling, put in place in 1992 by the Clinton administration (the same one that vetoed drilling in ANWR and killed advanced research into closed fuel cycle nuclear power). A month earlier, Bush said he would lift the ban if Congress removed its own ban, but that offer was met with derision. In essence, Pelosi and Reid replied "Drill this!" But by unilaterally rescinding the executive ban, the president put Congress on the spot.

The Democrat Congress has a dilemma; in chess parlance, Bush has forked them.The congressional ban, which has to be renewed every year, expires September 30, not long before the national elections. So either Congress ends the ban, an action that would anger a key element of the Democratic base (environmentalists), or it renews the ban, and risks angering voters in general.

And risk there is. As the second Journal article (July 17) makes clear, even Californians are rethinking their opposition. A recent poll shows that support for drilling has risen from 39% three years ago to 43% now, while opposition, during the same period, has dropped from 56% to 51%. Considering that California is a very blue state indeed, and that offshore drilling has been in disfavor since the Santa Barbara oil spill in 1969, this is a striking shift.

Also indicative of a public shift is McCain's conversion to offshore drilling. He is now making an issue of it in his presidential campaign. And a recent CNN poll showed 73% support among Americans for increased offshore exploration.

In response, a number of congressional Democrats now seem willing to consider cutting a deal with the Bush administration. These include Senators Durbin and Conrad, among others. Obama has opposed offshore drilling in the past, but

considering how quickly he's been changing his positions lately, who knows — he may yet come around. What a difference a little oil crisis makes.

Bush's action certainly had one effect — it dropped the price of oil dramatically in just a couple of days. If Congress acted in the same way, we would likely see another drop.

— Gary Jason

A. Solzhenitsyn (1918–2008), R.I.P. —

The death, on August 3, of the Russian writer Alexander Solzhenitsyn aroused remarkably little interest in the popular press. Even at Liberty headquarters, few comments have been received. But the departure of this important figure cannot be allowed to pass without notice in these pages.

In 1945, Solzhenitsyn, a soldier in Stalin's army, was arrested, tortured, and sent to a labor camp for including some sarcastic remarks about the Father of Peoples in his private correspondence. Eight years later he was exiled for life to Kazakhstan. Eventually he was permitted to return to European Russia., where he produced the manuscript, which he did not expect to see published, of "One Day in the Life of Ivan Denisovich," a novelistic account of life in the camps. Unexpectedly, the regime allowed its publication, as part of the de-Stalinization program.

Then, however, the leadership became aware that Solzhenitsyn had a great deal more to say. He was at work on the vast historical account of the Communists' ways of punishing dissenters, from Lenin to his own time — the work that became "The Gulag Archipelago." It is a work on the largest scale, a work of almost incredibly detailed and meticulous research. The cruelty of the events it narrates would be unbearable, were it not for the literary skill of the author and the transcendent importance of his subject. This work could not be published in the Soviet Union. It came out in the West, and Solzhenitsyn was accordingly banished to the West. He lived for two decades in America. Only after the fall of the Soviet Union, and when he himself was good and ready, did he come home to Russia.

After "The Gulag Archipelago," Solzhenitsyn wrote in a variety of genres, including historical fiction and polemical essays and histories. My limited reading of the fiction gives me the impression of a bad imitation of Tolstoy; my limited reading of the later nonfiction makes me think that Solzhenitsyn had a screw loose about Mother Russia and her spiritual importance.

Nevertheless . . . Maxim Shostakovich, son of the famous Soviet composer, said of Solzhenitsyn: ""He was our savior, the savior of our morals, our dignity, our consciousness." That was not hyperbole. Solzhenitsyn showed that an individual human being could know and announce the truth, that he could stand for it, no matter what; and that if he could do it, so could others. They did.

Western intellectuals ignored, diminished, or concealed the appalling nature of the Soviet tyranny. They particularly ignored the fact that the basic tenets of Soviet society — political, economic, and, if you will, theological — were such as many of them shared, though they might not possess the honesty or intelligence to recognize that fact. They revealed their hatred for bourgeois capitalist values and practices in many ways, but very notably by their long campaign to justify American communists and fellow-travelers as crusty individualists, persecuted for their failure to conform to an oppressive society. In truth, the Soviet Union, like every other socialist regime, was a vast system of mindless conformity. In this particular case socialism murdered millions, tens of millions, and tortured millions of others, as Solzhenitsyn was tortured in the gulag archipelago. Meanwhile, even members of the CIA actually worried that the Soviet slave system would manage to out-produce the decadent capitalist West.

It was Solzhenitsyn who provided the final, exhaustive evidence of the moral and practical degradation of communism and, by extension, of all collectivist societies that rule by force, as collectivists always need to do. His testimony will endure, as long as the world endures, as a monument to individual courage and a warning against the horrors that attend the demise of individualism in society.

Solzhenitsyn was a great individualist; unfortunately, he was not a libertarian. He was an eccentric Russian conservative who believed that the culture ordinarily associated with Western individualism was spiritually degraded and useless for Russia. He wanted a regime of small independent farms, local councils, economic autarky. He thought that only a strong presidency could restore Russia to her traditions. His antiquated prescriptions disappointed virtually everyone. This helps to account for the general decline of his reputation in the 20 years preceding his death.

But the major reasons why Solzhenitsyn's death wasn't noticed as it deserved to be were suggested 300 years ago, when Alexander Pope produced the following lines:

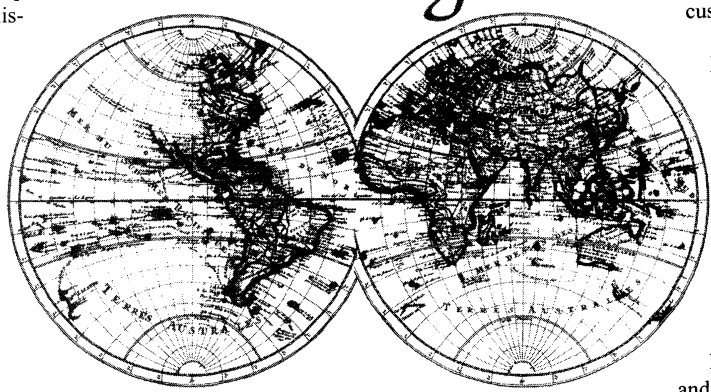
> Vice is a monster of so fearful mien
> As to be hated, needs but to be seen;
> Yet seen too oft, familiar with her face,
> We first endure, then pity, then embrace.

The monstrosity of communism grew so familiar to the West that it was first endured as an historic inevitability, then pitied as the regrettable accompaniment of a backward country's modernization, then embraced, in countless American social circles, as a giant step on humanity's journey to utopia. When you see some young "individualist" sporting a Che Guevara T-shirt, think of this. Why isn't it a Solzhenitsyn t-shirt? Because the socialist vices — intellectual arrogance, superficial sympathy for the poor, a self-deifying faith in "equality," a reflexive belief in planning, "commitment," and "leadership" (i.e., force) as the solutions to social problems — seem so much sexier, so much more dynamic, than anything Solzhenitsyn had to offer.

But Solzhenitsyn's greatest difficulty, and his greatest achievement, is mentioned in Pope's first two lines. He enabled the monster of collectivism to be seen. Once this happened, it was necessarily hated, even by some people who had loved it before. In the West, however, it tended to be hated as a foreign object, as something that need imply no criticism of the socialist premises that have permeated our own culture. Those who felt this way could go back to ignoring Solzhenitsyn, whom the end of the Soviet Union appeared to have made irrelevant. As for the people who understood Solzhenitsyn's devastating impact on their own ideas — sand there are a lot of those people in America's intellectual culture — they hated him and hoped to forget him. They still do. We should not.

— Stephen Cox

Terra Incognita



Cincinnati

Pastoral guidance, from the *Cleveland Plain Dealer*:

The Archdiocese of Cincinnati has issued a detailed list of inappropriate behaviors for priests, saying they should not kiss, tickle, or wrestle children.

The newest version of the archdiocese's Decree on Child Protection also prohibits bear hugs, lap-sitting, and piggyback rides. But it says priests may still shake children's hands, pat them on the back, and give high-fives.

Washington, D.C.

Your elected officials hard at work, in the *New Orleans Times-Picayune*:

Federal officials vastly overestimated the value of hurricane relief supplies given away earlier this year, the Federal Emergency Management Agency reported.

The General Services Administration, which manages federal property, over-counted cases of toilet paper, plastic sporks and other cutlery, by mistakenly counting a single item as being worth as much as multiple items contained in a package of goods. For example, each spork was assigned the value of an entire case, inflating the original estimated value of the supplies a thousandfold to $36 million from $36,000.

St. Louis

Innovation in the liturgy, from the *Kansas City Star*:

Two prayer services will be held at St. Louis gas stations to thank God for lower fuel prices and to ask that they continue to drop. Darrell Alexander, Midwest co-chair of the Pray at the Pump movement, says prayer gatherings will be held Monday afternoon and evening at a Mobil station west of downtown.

Participants say they plan to buy gas, pray, and then sing "We Shall Overcome" with a new verse, "We'll have lower gas prices."

Dallas

Waiting for the Man, in the *Dallas Star-Telegram*:

Police didn't have to go far to find $400,000 worth of cocaine — it was in an undercover car they'd been driving for two months.

An officer cleaning the car at a patrol station Wednesday discovered the nearly 50 pounds of cocaine carefully hidden in hydraulically controlled compartments. "These compartments have recently been more and more popular with drug operations," said Deputy Chief Julian Bernal, commander of the narcotics division.

Edinburgh, Scotland

Novel explanation for student underperformance, from *The Scotsman*:

Wikipedia and other online research sources were blamed for Scotland's falling exam pass rates. The Scottish Parent Teacher Council (SPTC) said pupils are turning to websites and internet resources that contain inaccurate or deliberately misleading information before passing it off as their own work.

Eleanor Coner, the SPTC's information officer, said: "Children are very IT-savvy, but they are rubbish at researching."

St. Petersburg, Russia

New development in judicial activism, from the *St. Petersburg Times*:

An unnamed 22-year-old executive was hoping to become only the third woman in Russia's history to bring a successful sexual harassment action against a male employer. She alleged she had been locked out of her office after she refused to have intimate relations with her 47-year-old boss.

The judge said he threw out the case not through lack of evidence but because the employer had acted gallantly rather than criminally. "If we had no sexual harassment we would have no children," the judge ruled.

Aix-les-Bains, France

Who bathes the bathers? From *The Wall Street Journal*:

Since 1860, when Napoleon III appropriated this ancient Roman spa at the foot of the Alps for his empire, the National Baths of Aix-les-Bains have been a symbol of France's cushy health-care system.

These days, however, Aix-les-Bains is in hot water. Vowing to trim the fat in France's bloated public sector, President Nicolas Sarkozy has announced 23,000 civil-service job cuts. That includes half the spa's 165 state-employed physiotherapists.

"Of course we went on strike," said Martine Claret, a 52-year-old physiotherapist who has worked at the spa since 1979 and doubles as a union representative. All the physiotherapists are paid to work full time all year, even though the resort fills up mainly in summer. The decline in business has been so bad for the therapists' morale that 27 are currently on sick leave, most of them for depression.

Seatac, Wash.

Flying the unusual skies, reported in the *Seattle Times*:

A United Airlines flight bound for San Francisco from Seattle-Tacoma International Airport Sunday evening was forced to make an emergency landing after a row of seats gave way during takeoff and slid into the row behind it, injuring one passenger.

The Federal Aviation Administration and National Transportation Safety Board are investigating the incident, which authorities called unusual.

New Delhi

The holy smell of campaign finance, from the *Times of India*:

Allies of India's ruling Congress party performed a massive goat sacrifice for the "well-being and stability" of the government to time with a confidence vote last week.

The regional Samajwadi party, which propped up the government after its left allies withdrew support, sacrificed at least 267 goats and 15 buffaloes in a prayer for the longevity of the government. Samajwadi party politician Kishore Samrite apparently spent 1.2 million rupees ($28,000) on the sacrifice that saw priests and temple devotees gifted with packets of consecrated goat meat.

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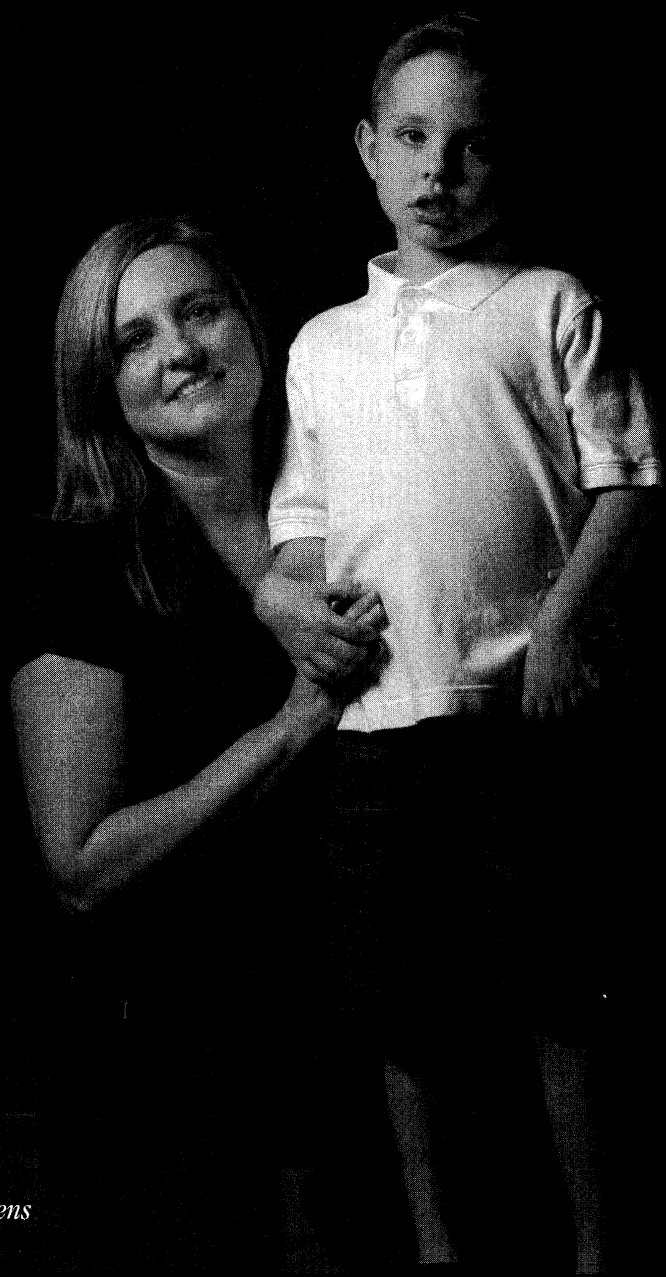
(Readers are invited to forward news clippings or other items for publication in Terra Incognita, or email to terraincognita@libertyunbound.com.)

In Arizona, parents of children with disabilities and foster parents had been set free to choose the best school, public or private, to meet our children's unique needs.

But the education establishment wants to stop us.

I am fighting for school choice because parents, not bureaucrats, know our children best.



Tana and Ryan Stephens
Maricopa, Arizona

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