

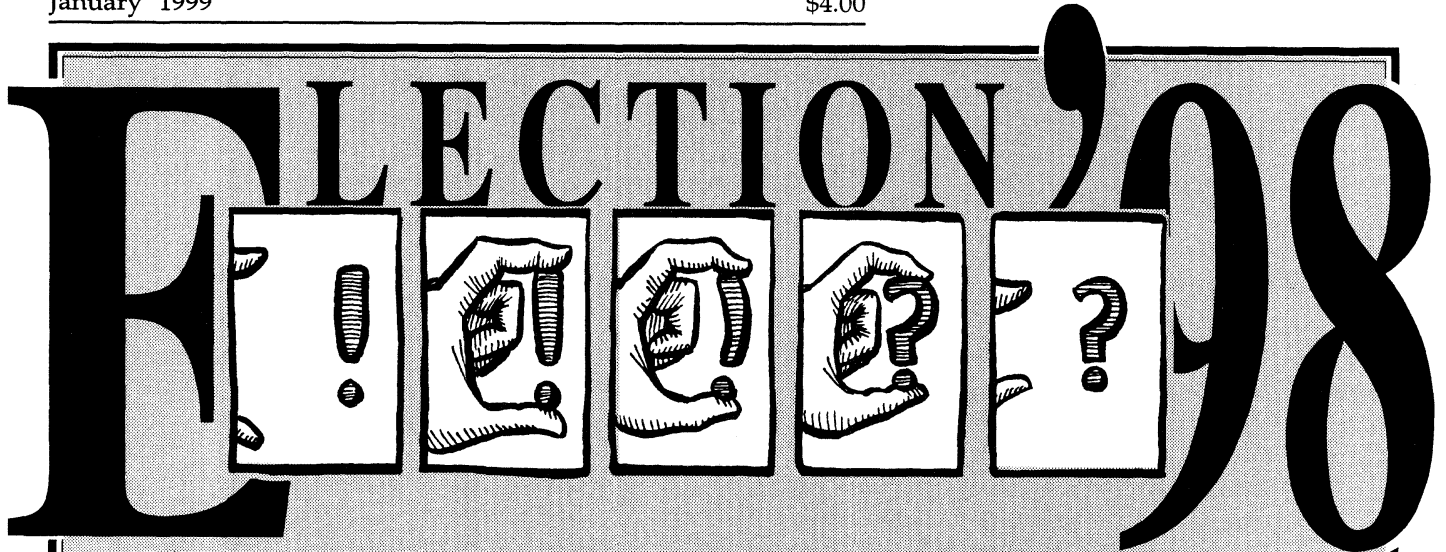
Liberty

Prelude to
Ruby Ridge
by Randy Weaver

January 1999

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ELECTION '98



The pundits had their worst election ever, the Democrats lost but beat the spread, Jesse Ventura scored big, and liberty didn't fare too badly . . . analysis by *R.W. Bradford, Harry Browne, Stephen Cox, Jonathan Ellis & others*

Girls and Guns

by Barbara Goushaw

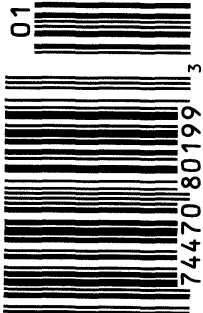
Facing up to Coercion

by Thomas S. Szasz

Whores vs. Feminists

by Wendy McElroy

Also: *Kimberly Ayn Ryan* escapes from an abusive marriage to an abusive women's "shelter"; *Terrence Campbell* stones Virtue Czar William Bennett; *Stephen Moore* blasts the GOP's budget treason . . . plus other Articles, Reviews, and Humor.



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cover art by Scott Chambers

Letters

Dictionary to the Rescue

The next time Timothy Virkkala sets out to criticize a Princeton University philosophy Ph.D. for his use of ethical terminology ("At the Altar of the Ego," September 1998), I suggest that he first consult that remarkable book known as "the dictionary."

Virkkala chides David Kelley several times for using the word "Egoism" to describe his and Ayn Rand's ethics, although oddly Virkkala offers no alternative terminology. This lack arises because there is no other proper terminology, as my *American Heritage Dictionary Third Edition* (1992) indicates:

Egoism: 1a. The doctrine that morality has its foundations in self-interest. b. The ethical belief that self-interest is the just and proper motive for all human conduct.

Self-interest: 2. Personal advantage or interest.

Admittedly, Rand was attempting to change a usage somewhat in claiming that "Selfishness" is a virtue. The dictionary gives the following definition:

Selfish: 1. Concerned chiefly or only with oneself.

Rand considered morality to be fundamentally concerned with one's own life and happiness. In this sense (and she was quite clear about it) selfishness is properly a virtue, not a vice. She argued that much of tradition's understanding of "selfishness" as excessive attention to oneself in fact arose out of the exaltation of altruistic behavior. So in a sense, the denotation of "selfish" in her usage is only somewhat different from the traditional. And of course, to the extent that her usage was unique, stipulation of a term's meaning is a common method in philosophy, so long as one makes the stipulation explicit.

However, stipulation is not David Kelley's method in *Benevolence*. Rather, his usage of ethical terms is quite within

the mainstream.

Virkkala criticizes Rand and Kelley for using the word "altruism" to describe the ethical doctrine that they oppose. The dictionary offers this guide to their meaning:

Altruism: unselfish concern for the welfare of others, selflessness.

Where "selflessness" is derived from:

Selfless: Having, exhibiting or motivated by no concern for oneself; unselfish.

Now it should be clear from this exercise that the ethical doctrine of altruism can be customarily construed as being antithetical to that of egoism. Furthermore, it should be clear that Kelley is quite right to argue that benevolence, as he understands it, is not a species of altruism, since it is a virtue "motivated by . . . concern for oneself."

It always detracts from a book review when the author makes poorly grounded attacks on his subject. It is worse than a distraction when the attacks are made in a churlish tone and reveal the reviewer's own sloppiness more than any fault on the part of his subject. And it is depressing when this tone is applied to a book that is judicious in its phrasing and attentive to the traditional usages of the key terms it employs. Objectivist philosophers deserve critical scrutiny, not the sort of sloppy attacks Virkkala offers.

William Thomas
Albany, N.Y.

Virkkala responds: Thomas ignores my central argument about the definitions of egoism and altruism in the philosophy of Ayn Rand, apparently in the belief that defining such opposing terms by recourse to distinct, separate criteria (*rationality* and *interest* for egoism, *obligation* and *sacrifice* for altruism) is an appropriate way to do philosophy. I do not. I believe it was more than sloppy on Rand's part: it undermined her whole approach to ethics, and led to severe

problems in her personal life and in the lives of her benighted followers.

As for definitions, well, I did consult a number of dictionaries. I am quite aware of the numerous meanings given to the terms, only a few of which Mr. Thomas quotes. As an alternative to trusting any account I might give, perhaps Mr. Thomas should consult *The Philosophy of Egoism* by James L. Walker, a 19th century follower of Max Stirner, for its treatment of egoism and its relation to the common usage of the words such as "selfish" and "selfless," etc. Walker was far more respectful of common usage than was Rand. For a broader understanding of traditional conceptions of ethical egoism, one cannot do better than John Hospers's discussion in the early sections of his most recent edition of *Human Conduct*. While I do not wholly agree with either Walker or Hospers, neither of them are as prone to misinterpretation or (thankfully) mindless worship as is Rand.

In any case, one entry in one dictionary cannot demonstrate that there exists "no other proper" designation than "egoism" for Rand's ethical position.

Aborting Clinton

In his report on the 1998 Libertarian Party National Convention ("Beltway Libertarians," September), Brian Doherty correctly states that I ran for secretary because "[Platform Committee member Steve] Givot-driven proposals to change the LP platform gutted the party's principles." He failed to mention that my primary complaint, as stated in my letter of intention to the delegates, was that "I was particularly horrified" that the Platform Committee supported making the party platform neutral on the issue of women's control of their bodies in the issue of abortion. This is the first time this has ever happened.

Anti-prohibitionist libertarian women and men were alarmed that the ten percent or so of party members who actually want to prohibit abortion so effectively organized to get their supporters on the Platform Committee. To

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make sure this does not happen at the year 2000 LP convention, libertarian women and men are now organizing "Pro-Choice Pro-Life United," an organization devoted to opposing prohibition of abortion and seeking voluntary solutions to the problem.

Doherty also failed to note that during my nomination speech before the assembled delegates, I begged libertarians to call for the impeachment of President Bill Clinton for his involvement in and obstruction of justice in the killing of 82 Branch Davidians by federal agents. Delegates from the Minnesota convention took this to heart and proposed just that.

The delegates by voice vote did indeed pass the following "Resolution of the 1998 LP National Convention": "Be it resolved: The Libertarian Party urges the U.S. House of Representatives to begin Articles of Impeachment against President Clinton and Vice President Gore for violation of their oath of office, specifically their failure to uphold and defend the United States Constitution." After the Libertarian National Office sent out its press release, the party gained national publicity for being the first major party to call for Clinton's impeachment.

Carol Moore
Washington, D.C.

Equal Protection

In his review in the September issue, "Earl Warren in a White Hat," David Friedman writes that "Field's belief in the right to practice a trade had its limits. . . . In *Bradwell v. Illinois*, he joined the majority in support of the right of a state to refuse to admit a highly qualified woman to the practice of law, arguing that 'The natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life.'"

The quoted language comes from a concurring opinion by justice Bradley, an opinion which Field and another justice joined. The majority opinion in *Bradwell* — the actual opinion of the court — did not contain the sexist language contained in the concurrence. Justice Miller's majority opinion said that the right to practice law was not one of "the privileges or immunities of citizens of the United States," and therefore Illinois could deny a law license to Bradwell without violating the

Privileges or Immunities clause of the Fourteenth Amendment. This is the same restrictive reading of the Privileges or Immunities clause which the court gave in the Slaughter-House Cases, which the court majority cites in the Bradwell opinion.

Understandably, Field did not join the majority, since the majority adopted an interpretation of the Privileges or Immunities clause which he had rejected in his dissent in the Slaughter-House Cases. Thus, Field joined the sexist concurring opinion to explain why, although men might have a right to be butchers, women did not have a right to be lawyers. The Court itself never endorsed the sexism of the concurring opinion; the majority's opinion, in fact, denied both men and women the right to practice law, except on such terms as the states should see fit to set. Nowadays, Bradwell would win the case because the Supreme Court would say that she had been denied equal protection of the law.

Eric Longley
Durham, N.C.

Lack of Imagination

While I have the utmost respect for Harry Browne, I think he set up a false argument in his discussion of Y2K ("I Believe in Miracles," September). He says he believes that Y2K will not be a problem for businesses because he can see only two possible definitions of a market failure, both of which he proceeds to demolish. In essence, he's saying that market failures are impossible because he can't imagine how one could happen.

Let me suggest a third definition. I say the free market has failed when it brings about a universally undesirable result entirely without government interference or control. I've been studying the Y2K problem for almost two years, and I still can't find any way to pin it on government interference (As Mr. Browne points out, the computer business is about the freest in America). In fact, the problem seems to me to be entirely due to market forces. (And no, I don't think the government could have done better.)

To illustrate, suppose I offer you a choice of two computers, identical in every way except that on one of them you enter a year as 98 and on the other you have to type in 1998. "Ridiculous,"

you say, "Why make me go to the extra trouble? Aren't computers supposed to save me time and effort?" Now, devise me a sales pitch that would get most people to choose a four-digit-year computer even four or five years ago, let alone thirty.

I believe in the free market, but I don't think it's magic. It works wonders, but it takes time (we still don't have a cancer cure, despite a huge market demand). In Y2K especially, the free market may find out that it can't meet the deadline (most programming projects fail to meet their deadlines, and this deadline is fixed, like a brick wall.)

Mr. Browne asks us to bet our lives on his faith that the free market will produce a miracle. He has a perfect right to his opinion, and I hope he's right. But I don't like the odds, so I'm taking the responsible course and doing what I can to help my family survive.

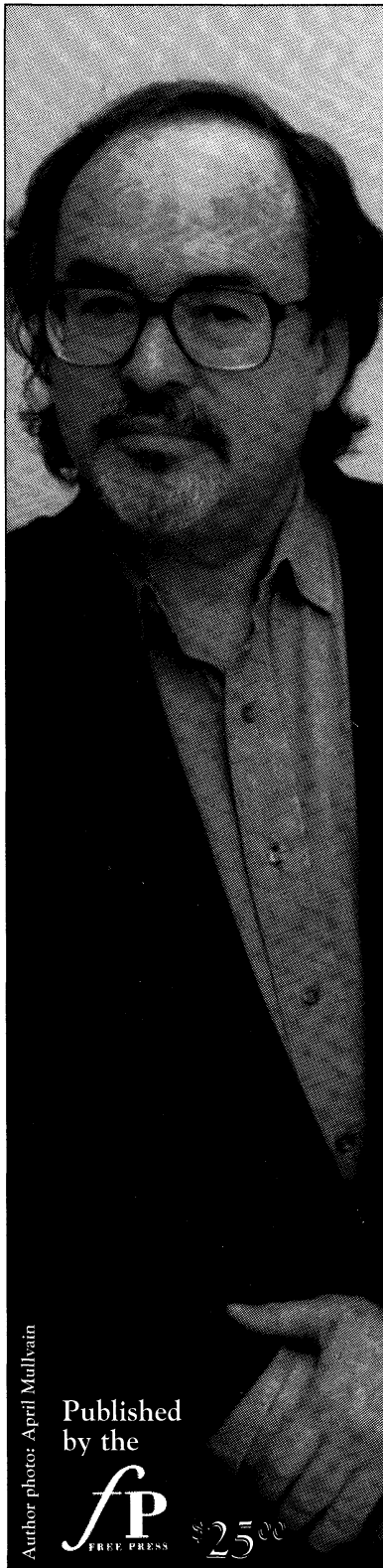
Richard B. Crawford
Roy, Wash.

By Any Other Name

I wouldn't have chosen the title, "Private Government: The Solution?" for my essay in your September issue, since to my way of thinking, *government is government*, however it comes about. If it walks and talks like government and exercises tax and police powers, then that's what it is. "Private" used to connote something nongovernmental in nature, making the phrase "private government" a contradiction. More accurate than "private government" might be "neighborhood government." Granted, however, it is becoming common usage today to call homeowners' associations "private" governments, so I understand your titling it that way.

Nelson's "Privatizing the neighborhood" (Reflections, March), to which I took exception, called for imposing owners' associations by law in older neighborhoods nationwide. His rejoinder to my letter-become-an-article was for the most part restrained. I had to smile, however, when he charged me with "joining forces with the collectivists who are always seeking to tell other people how to run their lives." It is he, after all, who is calling for legislation.

Spencer H. MacCallum
Tonopah, Nev.



FROM THE AUTHOR OF RADICAL SON
THE POLITICS OF BAD FAITH
 THE RADICAL ASSAULT ON AMERICA'S FUTURE
 BY DAVID HOROWITZ

In the aftermath of the Nazi Holocaust, no progressive intellectual would ignore the ink between the racist idea and the "final solution." But no progressive today will recognize the parallel nexus between the utopian idea and the gulags it produced.

From chapter 1: "The Left After Communism"

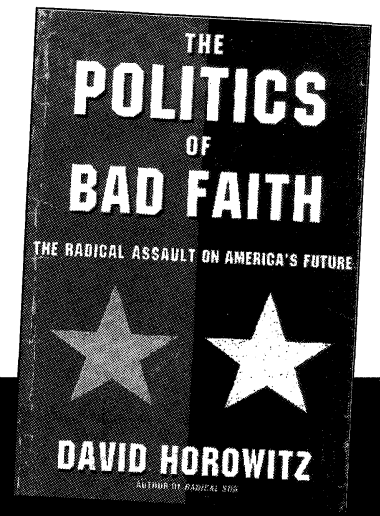
By rejecting America's normative institutions, while radically inventing the social future, gay activists created their own social Frankenstein (even without achieving state power) in the contemporary epidemic of AIDS.

From chapter 5: "A Radical Holocaust"

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Reflections

Pigs in space — Pardon my obtuseness, but what's the point of shooting a congressman into space if he's only going to be brought back a week later? —LEL

The black budget — We've just been shafted with a terrible omnibus \$520 billion budget bill, filled with pork and oppressive, irrelevant "riders." And the congressmen who are constitutionally responsible for this mess are saying all these uncomfortable, exculpatory things: "I didn't read it." "I held my nose and voted aye." "I didn't see any alternative." Well, one can hardly blame them. They don't want to read 4000 pages of accountant-speak when they have to get home to defend their districts in an election, and want the federal government to keep working while they are gone.

Now that our congressmen have answered to voters, they have started to complain that there must be a better way. Some way to make smaller, more manageable, more readable budgets, so that everyone knows what's being voted on, and can debate it in the best traditions of republican government.

I say let's go the other way, toward total ignorance. In the best tradition of the Defense Department, let's classify the whole budget as Secret, and place it in the hands of some disinterested organization, say, the Liberty Foundation. Then we can assure Sen. Harkin that his farm subsidies are in the budget. We can assure Pres. Clinton that his 100,000 teachers are in the budget. We can assure all of Congress that they have a budget in which all their military bases, research grants, and tax loopholes are paid for, somehow. And then after they adjourn, we surprise them with a \$100 billion budget that's divided more or less equally between debt service, defense and severance pay for five cabinet-level departments.

Ignorance really can be bliss. —BB

Awful in the family — Rob Reiner, the artist formerly known as "Meathead," director, comic, and meathead, was the major supporter of California's successful Proposition Ten, which adds a 50 cents per pack tax on top of all the other taxes on cigarettes in that state. Why? To fund childhood development and smoking prevention programs (nebulously concocted, still in development).

Reiner being Reiner, he plugged his proposal on talk shows both state and national. He explained that he was emotionally deprived as a child, sometimes treated harshly. Woe unto him, he spent many years in the wilderness of therapy. Now, he works his therapy out in public, not doing comedy (work like his *When Harry Met Sally* is hard to do, and not nearly as cathartic as one might suppose), but supporting tax-and-spend measures so that no kid will have to experience what he went through.

I recently saw his dad on the big screen, playing the unlovable uncle/father/asshole in *The Slums of Beverly Hills*,

a brilliantly written, near-tasteless "coming of age" comedy. Carl Reiner is a fine actor as well as a fine director and writer. I don't know what kind of a father he was and is in real life — though I suspect he's not nearly as bad a father as he plays in film — but I'm pretty confident that he deserved better than to have his son act out his resentments in public, playing the part of a heel for the public weal.

It used to be that people tried to keep their private anxieties and personal grudges private, decorously hiding their neuroses no matter what public causes they support. In Hollywood, of course, the line between the public and private is every day blurred, and the Fifth Commandment has been edited to read "Dishonor thy father and thy mother, that thy Q rating may rise high above the land." And, alas, Hollywood being America's major contribution to world culture, public indecencies such as the Reiner family melodrama will no doubt become even more common. —TWW

Drool Britannia — Recently, during a brief stay in London, I picked up the *Sunday Times*. There, on the front page of the business section, in a story about recent losses in world stock markets, I found a colorful cartoon likeness of Superman, except that the big "S" on the chest looked like a dollar sign. Underneath, the caption read: "Superspan: Can Federal Reserve chairman Alan Greenspan save the world?"

Pondering the sheer idiocy of someone's having posed such a question, I experienced an unexpected melancholy with regard to the decline and fall of the Brits. In light of such manifest feeble-mindedness, they — the nation of Newton, Locke, and Darwin, of Shakespeare, Pope, and Auden — have suffered a grave mental deterioration. One suspects lead in the drinking water. —RH

You have 25 impeaching days till Christmas — Let me see if I get this straight. The Independent Counsel provided substantial evidence that the president lied in court, obstructed justice and abused his constitutional powers. Nearly all the Democrats require the investigation to end at Thanksgiving. They added that it is unfair to consider any evidence in the case until Congress has thoroughly debated and settled on a definition of just what an impeachable offense is.

Hmmm. Given the Democrats' inclination to talk, talk, talk about every minute aspect of the case, how long would this debate take? It seems safe to say that it would take at least till Christmas. . . —RWB

Wealth ≠ Health — The findings of a study on the health of immigrant children — a study funded by the government and conducted by experts brought together by the National Research Council and the Institute of Medicine — were recently released. Everyone involved in the study must have been disappointed by the findings. As reported by the

The Seattle Times, the investigators found that "children in immigrant families experience fewer health problems and injuries than do children of U.S.-born parents, despite a higher rate of poverty and less health insurance." Immigrant children themselves are three times as likely as children of native-born parents to lack health insurance; native-born children of immigrant parents are twice as likely to lack coverage. Yet these seemingly high-risk kids are less likely to be born significantly under normal weight or to die in infancy. As teenagers, they report fewer mental health problems; nor do they drink or smoke as much as their American-born peers. The panel professes puzzlement at the findings. I respectfully submit that the mystery could be dispelled rather quickly if the experts were to abandon their computers and spend a little time hanging out in low-income neighborhoods. Good health does not just fall on the dissipated and the prudent in equal measure.

As for that be-all-and-end-all of the liberal left — health insurance coverage — one might recognize that children who are reasonably cared for have little need to see the doctor. —RH

First, kill all the jurors — In January 1995 a law student in Chapel Hill, North Carolina, fired an M-1 rifle at two strangers, killing them both. Wendell Williamson killed his first victim, a restaurant worker, as the man opened his door to leave for work. Williamson's second victim was a college student bicycling to class. Williamson's first shot threw the student from his bicycle but did not kill him. As the victim tried to crawl away, Williamson shot him dead at close range.

Those are the facts, which Williamson does not dispute. But at his trial, a jury of his peers found him not guilty by reason of insanity.

Williamson, while confined in a psychiatric hospital until he can demonstrate that he is no longer a threat to society, sued his onetime psychiatrist, Myron B. Liptzin, for (1) misdiagnosing him, (2) failing to explain how seriously ill he was, and (3) not following up after their sessions ended. In September another jury, this time in a civil suit, delivered a verdict in Williamson's favor, and ordered Dr. Liptzin to compensate Williamson to the tune of a cool half million. And they say crime doesn't pay.

"The murders would not have happened if Dr. Liptzin had done his job properly," Williamson said recently.

Perhaps there's a shred of a chance that Williamson is right on that count. But even if Dr. Liptzin erred grievously in his evaluation and treatment of Williamson, that doesn't make Dr. Liptzin responsible for Williamson's killing spree. Is it really necessary to point out that, whatever the cause or motivation of a killer's actions, the killer remains responsible for his deeds?

Is justice served by this "not guilty by reason of insanity" clown act? Isn't the purpose of a criminal trial to determine a person's guilt or innocence — to, in short, achieve some measure of justice? If the defendant is guilty, as Williamson clearly is, then find him guilty, as Williamson clearly is, then find him guilty, and if he is mentally disturbed, as Williamson clearly is, then provide him with

psychiatric care as he serves his sentence.

As for the jury that awarded this murderer a half million bucks: did it not occur to them that even if Williamson had received optimal care, he may well have hauled out his M-1 and killed people anyway? That, even with the best psychiatric care humanly possible, sometimes patients go off the deep end anyway, destroying lives and property as they go? As they gazed at Williamson in the courtroom, did they see a "victim" and forget that he's a killer?

But maybe that's too harsh. Maybe those jurors are blameless by reason of insanity. —TC

Politicians relive prominent episodes from their youth — 1997, George Bush jumped from an airplane; 1998, John Glenn returned to space. 1999? Ted Kennedy tries to cross that bridge again. —CS

Red-baiting redux — Something I read in the Oct. 26 *National Review* just galvanized my thoughts on a matter of the National Interest. "Brussels Sprouts," by Jeffrey Gedmin, says that now that the Germans have elected Social Democrat Gerhard Schroder, the Europeans are united by a common something-or-other, clearly shown by some quotations from German magazines, saying something a trifle, well, disrespectful of America, and also something about influencing Israel and the Middle East, of course, and then the article goes on to state . . .

Well, to say I actually read this thing would be exaggerating; it's just *National Review*, after all. Besides, there is so much more to this sea-change in Europe than a new technocratically managed currency and competition for "influence" in the Middle East. Sinister things. Things I expected to see skimming between the lines of Gedmin's article, but did not. The truth is, *we didn't win the Cold War after all*.

I know it's unbelievable. Everything seemed pretty rosy in Europe for a while after 1989: walls coming down, Red Army going home, all those East European countries flirting with capitalism.

But now, look at what's happened:

A Labour Prime Minister with a suspiciously vague platform takes charge in Britain. The Socialists take charge in France. A socialist president and a bunch of other socialists form the opposition.

This year, the Germans elect a lefty government with a suspiciously vague platform — except for its promise to cure unemployment by not doing anything about Germany's tortuously counterproductive labor laws.

Russia, seeking to curb its descent into chaos and hyperinflation, hires the same printer's devil who hyperinflated the Soviet ruble during the region's last descent into chaos. This is to say nothing of the Prime Minister's history with the KGB.

Certain lefty paranoids used to say that by hiring former Nazis, men like Reinhard Gehlen and Klaus Barbie and Werner von Braun and scads of Eastern European anti-Stalinists, into our Cold War machine after World War II, the United States had become the Fourth Reich. Well, I think what we have

Liberty's Editors Reflect

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TC	Terrence Campbell
SHC	Scott Chambers
SC	Stephen Cox
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JE	Jonathan Ellis
RH	Robert Higgs
LEL	Loren E. Lomasky
MMS	Martin Solomon
CS	Clark Stooksbury
TWV	Timothy Virkkala

in Europe is a Fourth International, built secretly on the ruins of the old. And they have accomplished what Red Army tanks could never have done: peacefully bring all of Europe's capital under Red (or at least pink) control.

You would have thought *National Review* would have been glad to break this story. After all, it signals the beginning of a new crusade on behalf of Christianity, Commerce, and *National Review's* circulation. How could they resist? Well, I'm sure they'll come around. Bill Buckley is probably waiting on independent confirmation through channels in the Vatican.

Meanwhile, we face a renewed Cold War. It's hard to visualize a man like Tony Blair as your deadly enemy, I know, especially when he has such a warm relationship with Our President, Bill Clinton. (Hmm.) Steel yourselves. For, as we dealt with the hardship of missing those summers on the Black Sea at Yalta, soon we'll give up the pleasures of Paris's Left Bank, the antics of the sprightly Germans, the miracles of British cuisine, Until It's Over, Over There. —BB

It's the election, stupid! — On October 23, President Clinton, Prime Minister Netanyahu, and Chairman Arafat signed the Wye Memorandum in the White House, purportedly making a major step toward a lasting peace in the Middle East.

The agreement is a complex blend of terms repeated from the 1993 and 1995 treaties (Israeli troop withdrawals, Palestinian anti-terrorist efforts), plus some new commitments (prisoner releases, and the commencement of final negotiations). These issues are much easier to agree to than the more serious problems of land, water, Jerusalem and refugees. Until Israeli and Palestinian officials move to regimes of economic and political liberty, it is fruitless to expect peace. If Arabs and Israelis fear they will be subject to arbitrary governments controlled by the other group, they will never be content to live under the jurisdiction of the other group. And given the massive interventions by all governments in the Mideast, those fears are justified.

One important step is development of a land law that, while necessarily somewhat arbitrary, assigns title based on neutral criteria of first, continuous use over a specified period. The land expropriated by Israeli officials must be returned, but it is not at all known what the composition (Arabs, Jews and joint) of private ownership would be. And the murders of Palestinians who voluntarily sold their land to Israelis must also be dealt with.

Until justice is done, there will be no peace.

But the Wye Memorandum was not about peace. It was about politics and aid. Consider the bunkum that flowed from the participants.

"I have never, with all due respect and all the affection I held for your predecessors," King Hussein of Jordan told the president, "have [sic] known someone with your dedication, clearheadedness, focus, and determination to help resolve this issue." Prime Minister Netanyahu praised Clinton's "precious and unique gift" of the capacity "to nudge and prod and suggest and use a nimble and flexible mind to truly explore the possibilities of both sides, and never just on one side." (Quaere: Were the verbs "nudge," "prod," "suggest," and "explore" meant as a coded elbow to the ribs of the embattled President?) Chairman Arafat went further. For

him, the agreement wouldn't have happened without "the leading and effective role of President William Clinton."

In his remarks at the signing, President Clinton promised "I will consult with Congress to design a package of aid to help Israel meet the security costs of redeployment and help the Palestinian authority meet the economic costs of development. I hope we will have support from Republicans and Democrats in that endeavor." A ward heeler from Chicago could not have been clearer.

In other words, all the objectives of the Agreement have been achieved. No, I do not mean the putative objective of peace in the Middle East. The real objectives were (1) to make President Clinton look effective prior to the November 3 Congressional elections and (2) to ensure the continued flow of foreign aid at higher levels to Israel and Palestine.

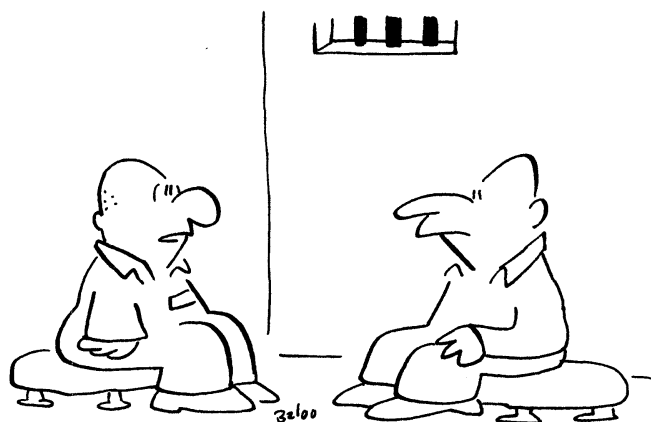
—MMS

Sex, lies, and CNBC — On Sept. 28, Geraldo Rivera was doing his job as usual, hosting "Rivera Live" on CNBC. As had been his custom for the past several months, he was devoting most of his energy to defending Bill Clinton. When the conversation with Democratic "consultant" Peter Fenn and attorney Victoria Toensing lagged, apropos of nothing, Rivera repeated an offer he had made many times before: "All I know is that I offered \$10,000 to anyone who can prove another case where someone was criminally prosecuted for a sex lie, and no one has collected in six months."

He'd first made the offer on February 17: "Here's my offer. You see if you can find one case in the annals of American crime where a man has had sex and then lied about it under oath and was prosecuted for perjury . . . if you can do that, then I'll tell you what I'll do. I'll pay for all of your expenses, all of your legal expenses, plus I'll give you \$10,000."

In New York, Marc Bogatin was watching the show. He was an attorney, and it didn't seem to him that prosecutions for perjury about sex would be all that rare. A few days later, he spent about fours in a law library and came up with a list of five such cases. On October 7, he faxed Rivera, listing the cases, and asked Rivera to contact him to discuss the matter further. He followed up with additional phone calls and correspondence.

Rivera ignored him, so on October 19, he faxed the attor-



"You're a mugger? I'm in for defending myself against a mugger!"

ney for CNBC, advising that if no satisfactory response was made, he would institute a suit against Rivera. Two days later he sent Rivera and CNBC's attorney a letter with a draft of a complaint that he would file if no response were made. On October 26, he filed suit.

Finally, the next day, Rivera responded. He predicted that Bogatin's "notoriety" would be short-lived, explaining that one of the cases cited by Bogatin was about perjury in a federal perjury prosecution, and that the other four were in "state cases, not federal cases like the president's and not federal cases, as obviously required by my challenge, which still stands."

He then reiterated his offer, only with different terms: now the reward was offered to someone who would "find me a federal prosecution criminally for sex lies in a dismissed civil case . . ." Two days later, he announced on his program that the \$10,000 prize had been awarded, not to Bogatin, but to . . . two of his regular panelists, who had actually presented him with such a case *before* he had made the offer on September 24 to which Bogatin had responded! Of course, if the panelists did not provide the case in response to the offer, they could not accept the offer. So Mr. Bogatin is still in the running.

It remains to be seen whether Rivera — who is reportedly slated by NBC to take over Tom Brokaw's job as chief "correspondent" (i.e. newsreader) for NBC News — will manage to flimflam his way out of honoring a public promise as easily as his hero Bill Clinton seems to be flimflaming his way out of perjury.

—RWB

Miss Cegenation, 1792 — The standard comment about the curious timing of the release of the results of DNA tests that seem to demonstrate that Thomas Jefferson did, indeed, have at least one child with Sally Hemings, a black slave on his plantation who was also his deceased wife's half-sister, is that it had to do with vindicating the rogue-in-chief in the White House with the old "everybody did it" defense. And the comment from Joseph Ellis, a historian who was in the forefront of the current mini-craze of Jefferson bashing with his book *American Sphinx*, bears out

certain aspects of the suspicion. Ellis, who was one of the signers of the Hundreds-of-Historians ad against impeachment just before the election, commented: "Our heroes — and especially presidents — are not gods or saints, but flesh-and-blood humans, with all of the frailties and imperfections that this entails."

I think there's something here more significant than just a defense of Bill Clinton, however. I think current devotees of the statist quo recognize that Jefferson is still dangerous after all these years.

I read Fawn Brodie's much-reviled book on Jefferson years ago. It was not a sensationalistic expose of the Hemings relationship, but a reasonably thorough biography that included for modern readers the evidence for the relationship. I thought Brodie made a pretty good case, although it was obviously not something that could be proved beyond a reasonable doubt absent the DNA evidence. It didn't make me think less of Jefferson — if anything, the fact that he sustained a 38-year relationship, which was apparently affectionate and reasonably faithful, with a black woman led me to hypothesize that in practice he had revised some of his earlier musings on the difficulty of the races living together amicably. No, he didn't formally recant his arguably racist earlier writings, and unlike Washington and some others he didn't free his slaves. No question that he was far from a perfect human being, but I never had any desire to look upon him as a plaster saint. An imperfect person with a gift for writing inspirational words on liberty and a consistent hostility toward all forms of tyranny and centralist power was good enough for me.

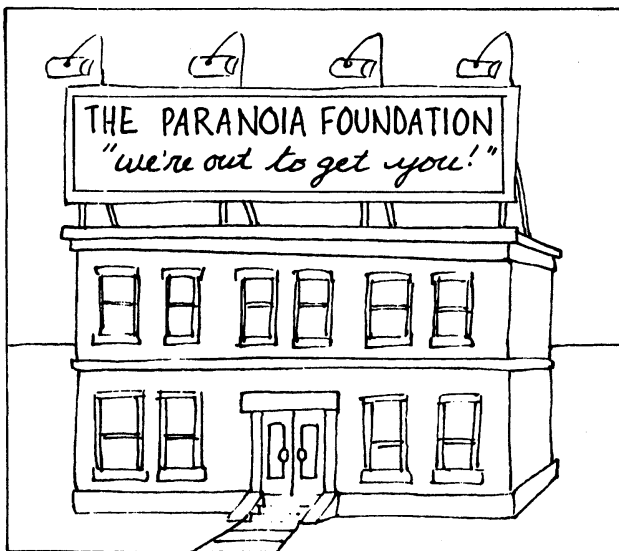
But the recent critics aren't content with that. He must be an enigma, a "sphinx" who was probably unbalanced and the biggest hypocrite ever. And I think it's because they fear his words on liberty and tyranny, and hope to discredit him as somebody to be taken seriously on any subject. If he was the world's most notorious hypocrite on slavery and race, why bother reading or studying what he had to say on liberty, good government, the dangers of centralized power, or anything else?

I think it's a tribute to Jefferson's power and continuing appeal as an early libertarian that those with an investment in centralized power would go to so much trouble to try to discredit him and make him a figure of scorn. How about a movement to make Jefferson's birthday, April 13, a national holiday?

—AB

Just a little bit of reality — "On Nov. 6, freedom is history." A reference to the ascendance of the Democrats in the last election? Or to the egress of Speaker Gingrich? Actually, a movie trailer tagline for *The Siege* (20th Century Fox, 1998). Supposedly a thoughtful thriller, *The Siege* dramatizes the reaction of Americans to terror in their midst, when CIA-trained Arab guerrillas wreak havoc in New York. Bruce "Moonlighting" Willis leads a division of American soldiers into Brooklyn to enforce martial law. Denzel "St. Elsewhere" Washington, an FBI agent indignant that Willis would "shred the Constitution just a little bit," works against both the Army and the terrorists.

I suppose this is an irresistible film for libertarians who fantasize about martial law and other disasters. Troops in body armor herd your brown-skinned neighbors away at



S.H. Chambers

rifle point. Do you stand up to the thugs? Or roll over, as our parents did when Japanese-Americans were herded into concentration camps in 1941?

In exchange for exploiting such a sentiment, *The Siege* offers some interesting repartee and some nice performances from Washington, Annette Bening, and William J. Clinton, cast in a supporting role as the American president. (Grainy news clips show him intoning his lines: "Those responsible will be caught . . . and punished." Such priceless comic timing!) Most importantly, it serves as a barometer for cultural weather patterns. For example, an uneasy chuckle goes through the theater when Willis says the president "wants to cover his ass" by declaring martial law. For a moment, I thought I was watching *Wag the Dog 2*.

Critics agreed *The Siege* was "Provocative!" "Chilling!" And "Riveting!" Even, as one critic put it, "Terrifyingly real!" That is, it's "real" to a professional movie watcher, to whom the talking animatronic pig in *Babe* seems real, and for whom a government that will "shred the Constitution just a little bit" is the stuff of make-believe. —BB

Blame it on Rio — New digital music technology has the Recording Industry Association of America (RIAA) running scared. Diamond Multimedia recently developed the Rio, a portable handheld device that stores about an hour of near CD-quality audio, which is uploaded to the device by computer. The RIAA claims that the Rio will exacerbate the already widespread practice of music piracy by providing more of an incentive for computer users to download digital bootleg copies of their favorite CDs from the Internet. This fear ostensibly prompted the group to ask a Los Angeles U.S. District Court judge for a preliminary injunction to prevent Diamond from selling the Rio. After a ten-day wait, the judge denied the RIAA's request.

The Rio gives the big recording companies a lot more than pirated music to worry about, though. While piracy is a widespread phenomenon, the Rio is likely to appeal mostly to the 10 million people who already have software capable of playing MP3 files, the digital music format that the Rio uses. Those who already engage in music piracy may use the Rio to make the music more portable, but the device's \$199 price tag is unlikely to make the Rio an attractive alternative to a portable CD player for consumers who don't have previous experience with MP3 files — at least initially.

A bigger concern for the RIAA is an increasing decentralization of the music industry. Most mainstream music has traditionally been released and owned by a small number of corporations, but in the last decade or so profitable independent labels — indies — have been mushrooming. These labels provide listeners with music that appeals to specialized tastes — music that might not survive the homogenizing process of larger companies, which depend on reaching a larger common denominator for profit. Indy labels have lower costs and a more direct route to their fan bases, so they can thrive while offering music far outside the mainstream.

In the last few years, indie labels have come to use the Internet as an indispensable tool for promotion and fan contact. The advent of MP3 technology has now made possible high-quality music distribution over the Internet. The MP3 format squeezes audio into a highly-compressed form that

takes up a fraction of the disk space that normal CD audio formats use. This allows storage of more music using less memory, resulting in quicker Internet download speeds, and giving small labels a more direct route to listeners. It is these independent labels, and their listeners, that will benefit the most from the Rio. Most music is already distributed in digital form, on CDs. But the availability of digital music direct from the source makes CDs increasingly irrelevant. Each copy of a CD costs money to manufacture and distribute. Once an MP3 file has been produced, each additional copy downloaded by a consumer costs the manufacturer close to zero. Download fees, even if relatively small, provide high profits when production and distribution costs of additional copies are negligible. Software is already offered this way, and as download speeds increase, lower costs and immediate availability will make this a preferred method of purchase. Why buy a physical copy of a bunch of ones and zeroes (complete with the higher costs of physical production and distribution) when you can buy a much cheaper set of ones and zeroes through your phone line?

Once this decentralized method of music distribution catches on, indie record labels will be just as accessible as those of large conglomerates — and devices like the Rio will enter widespread use. Piracy will always be a problem, but banning the Rio, if successful, would not decrease illegal music duplication. There are technological solutions to protecting digital forms of intellectual property. The RIAA's request for an injunction wasn't about piracy so much as it was about a cartel seeking help in squashing its competitors. —EDD

Shari Lewis, RIP — I'm not the proper age to have appreciated Shari Lewis as a direct consumer of the entertainment she had to offer, although I was aware of her for what seems like forever. When she began her childrens' show in the 1950s I was a teenager and considered myself much too old and sophisticated for such fare. When I had young children in the 1970s she wasn't on television regularly. With my youngest son 13 now, her recent show, *The Charlie Horse Music Pizza*, hit the airwaves a little late to enchant him during his toddlerhood.

When I met her recently, it was in rather a backward manner, but I found myself charmed completely. Over the last few years I had gotten to know her husband, Jeremy Tarcher, the Los Angeles publisher, reasonably well, through



"What about checks and balances?"

the process of trying and failing to sell him several book proposals.

Oddly enough, or perhaps not so oddly, Jeremy made being rejected a pleasant experience rather than a completely negative one. He took an interest in me as a person, or at least made me believe that he did. We shared an interest in trying to undermine enthusiasm for the drug war, although I still don't think I ever quite persuaded him that the libertarian philosophy didn't carry a strong potential for hard-heartedness tucked into its otherwise attractive individualism. He offered unfailingly constructive criticism mixed with occasional praise. He combines an almost ethereal idealism with a hard-nosed realism, especially about how books and authors are marketed. It isn't necessarily pleasant to be told that you don't have sufficient box-office clout to carry off the kind of books you want to write, at least not yet, but Jeremy did it with such kindness and reluctant objectivity that it wasn't hard to swallow.

I knew that he was married to Shari Lewis, and I had been to his house on one occasion before going to lunch, and gazed at the Emmys displayed in the living room while observing for a few moments the bustle that surrounds an entertainment figure, even one sometimes dismissed as merely a children's entertainer. But I didn't meet her until this Spring, when he invited me to an author's party for Jeremy Narby, a French anthropologist who spent years in the Amazon studying shamans and their ways. (I'll have a review of *The Cosmic Serpent* in a future issue.) That was when I got to meet Shari Lewis.

Jeremy Narby's talk, after the wine and appetizers, was fascinating enough. For some reason — perhaps because as the compulsive journalist I had been taking notes — Shari Lewis chose to talk with me about it afterward, marveling at how eloquent he had been without a single note. That led us to talking about what each of us might be able to talk about off-the-cuff and ultimately to music. I talked about the chorus I was singing in at the time. She explained that she only hired professional-quality musicians as assistants — budding opera singers and the like — because they know the importance of disciplined work and seem to have a knack for concentrating well enough to perform well when it's really necessary. I remarked that it was a good thing that the musically-challenged aren't an official minority group subject to affirmative action regulations and she chuckled.

I hadn't known that she had regularly conducted symphony orchestras for the past several years, using her star power with certain segments of the public to get children

(and their parents) to come and listen to serious music. Having done some conducting myself, I felt in the presence of a kindred spirit. She was particularly emphatic about the choice of music for children. "Many people want to feed children lullabies and soft, supposedly soothing music," she told me. "But in my experience children like fast and exciting music, so I program things like the Mozart 'Marriage of Figaro' overture." Like many observations that seem obvious once somebody else has made them, that hadn't occurred to me in just that way before. But who would know better what children really like than Shari Lewis? A psychologist or an academic?

Perhaps it is unseemly to say so about Lamb Chop's "mommy," but this was a very sexy woman at age 65. To have that tiny but intensely talented woman turn her full attention on you even for a few minutes (somebody at her memorial noted that she had a unique capacity to listen, really listen, so my experience was far from unusual) was actually exhilarating. Of course, I fell hopelessly in love.

Afterward she sent me a couple of videos and a Lamb Chop finger puppet, which now resides above my car mirror. I sent her a few things I had written and programs from my choral group's concerts. I entertained the possibility that she might come out and be a guest conductor for our group.

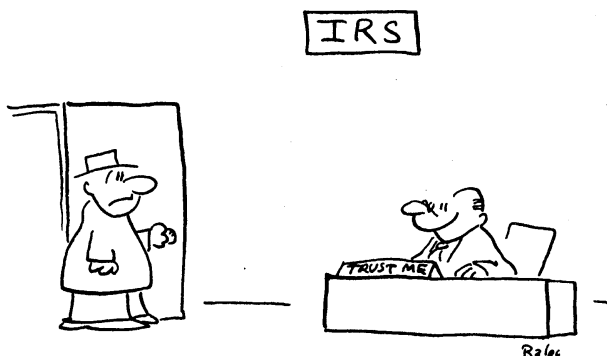
And then came the news that she had been diagnosed with uterine cancer. It was hard to imagine such an effervescent personality bedridden. I should have known that it was more serious than I had hoped when Jeremy rather than she answered my cheerful get-well note, but I repressed the intimation.

I won't intrude on the privacy of the memorial except to say that I've never heard Dom DeLuise funnier or more heartbreaking, that Jeremy displayed the depth of feeling and wisdom I had already come to admire, and that Nathaniel Branden, who with his wife Devers was a frequent dinner companion for Jeremy and Shari, gave an eloquent tribute.

It is commonplace and often accurate to say of show-business personalities that way down deep, they're shallow. Shari Lewis was not. I've watched her video several times lately and can now take it all in without tearing up. She was a fine singer, displaying that apparent effortlessness that requires hard work as well as talent, and an intelligent entertainer. She was never vulgar and she respected her young audience, never talking down or lecturing. She wrapped constructive but often quite subtle life lessons in an entertaining package. She was a much better ventriloquist than, for example, Edgar Bergen, but that was far from the greatest of her abilities. And as I discovered, she had a lively and inquiring intellect and an interest in all manner of subjects beyond her own niche in the show business world.

I'm immensely sad that Shari Lewis is gone, especially for Jeremy, but I'm grateful for the opportunity to have gotten to know her just a little bit. Some of the obituaries said that she had really wanted to "make it" as an entertainer beyond the category of children's entertainer, but that didn't make her ungrateful to Lamb Chop. Perhaps she was too versatile and talented to do what passes for adult entertainment in our culture. What she did accomplish made her loved and admired in a way few entertainers can be. She deserved all the love she got and more.

—AB



No Issues, No Winners, No Losers

by R.W. Bradford

The winners and losers are not who we were told on TV.

A Republican victory this fall was inevitable, the experts said.

The president's party has lost seats in every election held in the sixth year of a presidency since the time of Andrew Jackson. And Americans are increasingly identifying themselves as Republicans as opposed to Democrats, and as conservatives as opposed to liberals. And to top matters off, Bill Clinton has been proven a liar, a perjurer and a sexual harasser.

For the nation's pundits, these facts added up to a single inescapable conclusion: the Republicans would make substantial gains in the November elections, unless, of course, they committed a horrible gaffe.

Fearing that criticism of Clinton's loathsome conduct might touch off a backlash, the Republican leadership decided against any but the most pro forma criticism of Clinton's behavior. No reason to risk a goof that might cost them the electoral gains they knew were coming.

And so the president and his minions engaged in a prolonged assault on the Independent Counsel and the few aberrant Republicans who dared to criticize Clinton.

It's just about sex, Clinton's hired apologists said, as if the sexual harassment of an unpaid intern were perfectly acceptable, as if the careers of Sen. Brock Adams (D-Wash.) and Sen. Bob Packwood (R-Ore.) hadn't crashed after they had sexually harassed employees, as if Clarence Thomas hadn't nearly been denied a seat on the Supreme Court because of unsubstantiated charges that he had engaged in inappropriate behavior toward a woman that was virtually chivalrous in comparison.

It's just about lies about sex, they said, something that is never prosecuted, ignoring the fact that Clinton's own administration has put people in prison for lying about sex.

Ken Starr is an evil man, they said, intent on a puritanical witchhunt, ignoring the fact that he was following exactly the requirements of the law and the instructions of the Attorney General. And with few exceptions, the Republicans stood above the controversy like statesmen. Or so they thought.

The Republicans remembered how the president had managed to convince the American people that the budget impasse of 1995, the product of the inability or unwillingness of Congress and the president to agree on spending, was entirely the fault of the Republican Congress. So they dawdled on the budget until October and then caved in entirely to the president, allowing him to increase spending for just about everything. Thus they avoided the gaffe of obstructionism and the risk that opposing increased federal spending might offend some special interests in their districts.

"We thought the cycles of history would grant us victory," explained GOP strategist Vin Weber. The best way to avoid mistakes was to do nothing at all. So in the end, the Republican program was no program at all, and the Republican campaign amounted to no campaign at all, either. It rested on nothing more than the historic inclination of voters to turn against the president's party in the sixth year of his administration. Republican television spots were left with nothing to say, except that they had delivered the pork, increased veterans benefits, and were working to "save Social Security."

Having abandoned any trace of the program that got it elected in 1994, the GOP also nominated a raft of candidates who carried the unpopular baggage of the religious right: fervid anti-abortionism, hostility toward homosexuals, a disrespect for free speech . . . views that repel many voters.

Sometimes, trying too hard to avoid a mistake is a mis-

take itself.

It should have surprised no one but the experts that the Republicans actually managed to lose a few seats in the House and gain none in the Senate. Like most no-issue elections, it was a good year for incumbents: only nine of 433 incumbent members of Congress were defeated. That's a whopping 98 percent re-election rate.

How did the pundits respond to the news that the Republicans managed to lose ground? Did they admit that their idiot advice was at fault?

Ha! The experts are never wrong; after all, they're the ones who determine who is right and who is wrong. As nearly as I can tell, the pundits instead see the results as a huge loss for the GOP and an exoneration of President Clinton. These con-

clusions are just about as idiotic as their advice to the Republicans.

While Democrats can rejoice that they dodged a bullet, they have little reason to celebrate. The Republicans took 54 percent of the total vote for governors, 51 percent of the vote for Senators and 51 percent of the vote for Representatives. The Republicans won more seats than the Democrats. They didn't win by as big a margin as they'd have liked, or had good reason to hope. But make no mistake about it: the Republicans won the election.

The pundits, of course, don't see it that way. The Republicans didn't do as well as the pundits had predicted, and that's all the pundits care about. The Democrats lost the election, but beat the pundits' spread.

Putting the Election in Perspective

It was the most spectacularly wrong election prediction since *Literary Digest* predicted Alf Landon would sweep FDR from office in 1936, and the experts were unanimous: the Republicans would pick up strength in the 1998 election, just as the opposition had gained seats in the mid-term election of every two-term president since Andrew Jackson. The mistake they made wasn't that they looked at the historic record. Their mistake was to look only at this particular factoid, and to overlook what had happened in congressional elections in Clinton's first term.

The table below lists the net change in the strength of the president's party in Congress during the first term of each two-term president:

George Washington	-7
Thomas Jefferson	+29
James Madison	-1
James Monroe	+17
Andrew Jackson	-18
U.S. Grant	+9
Woodrow Wilson	-80
Franklin Roosevelt	+20
Dwight Eisenhower	-20
Ronald Reagan	-9

Discounting the significant exceptions of Woodrow Wilson, two-term presidents have, on average, gained support in Congress during their first term. Wilson is a very special case: he was elected in 1912, when popular ex-president Theodore Roosevelt failed to get the GOP nomination and organized a new party, the Progressives. This was the deepest split any American political party has ever survived: Roosevelt's new party recruited numerous Republican incumbents and challenged Republicans in many dis-

tricts, and Roosevelt actually got more votes than the GOP candidate. With the Republican vote hopelessly split, the Republicans fell to their lowest level ever, while the Democrats managed to elect the biggest majority in the House in history despite the fact that they were plainly a minority party. After the election, Roosevelt lost interest in his new party and its voters gradually moved back to the GOP, which gained House seats for the next four elections.

Bill Clinton was a real aberration: during his first term, his party lost 52 seats in the House — more than than two-and-a-half times the loss of any two-term president but Wilson. It even topped the 51-seat loss the Republicans suffered in the middle of Hoover's first (and only) term, at the depth of the depression.

What happened in the past two elections was what statisticians call a regression to a mean: the natural tendency that explains why when a baseball team shows a large gain in games from one season to the next, it rarely always has a loss in wins the following season, and vice versa.

Amazingly, during the past two elections, the Democrats managed to regain less than a sixth of their 1994 losses, despite a healthy economy and a popular president. Indeed, the fact that the Democrats have regained so little of their losses is powerful evidence that what happened in 1994 punctuates a fundamental change in voter behavior. Since 1994, the GOP has been the majority party of Americans, after suffering 64 years in the minority.

—R.W. Bradford

Nor did the election exonerate the president, at least not if we believe what the voters actually said. In its exit poll, *USA Today* asked voters "Which one issue mattered most in deciding how you voted for the U.S. House?" The Clinton-Lewinsky matter ranked dead last, selected by just 5 percent of voters. Still, one suspects that the 19 percent of voters who said the most important issue was politicians' "moral and ethical standards" were also concerned with the Clinton-Lewinsky-perjury matter, and that all of them were voting against the president.

The *New York Times's* exit poll asked voters whether a desire to express support for or opposition to Clinton was "one factor" in deciding how to vote. Fewer than 40 percent responded that it was; but 54 percent of that group cast their vote "to express opposition to Bill Clinton."

It's plain that Clinton's perjury didn't upset as many voters as the Republicans had hoped. But it's equally plain that few voters were motivated by a desire to defend the president in the matter.

Of course, the Republicans may decide to drop the investigation of the president based on their interpretation of election returns. After all, they spinelessly caved in to the president on the budget. But such a move is not supported by any evidence from the election.

One Clear Loser

If the election had a clear loser, it was the pundits. They provided the Republicans with moronic advice, which they followed up with blockhead predictions.

So what does the election mean? As much as any issueless election means: very little.

If they're smart, the Republicans will learn from their experience: don't nominate right-wing nuts, don't try to compete

with Democrats by promising to deliver more pork, and articulate their agenda of lower taxes and less regulation. The Democrats, if they're smart, will continue to move toward the center (at least in rhetoric) and try to get the Republicans to go along with the Democratic tax-and-spend agenda. The Republicans cannot credibly compete on that ground.

Analysts began to speculate that the Republican revolution of 1994 was over almost as soon as November's votes were counted, and by the time Newt Gingrich announced his resignation, the end of the Republican Revolution was pretty widely accepted. But the experts have been wrong on just about everything else this election, so let's look at whether they got this one right.

Whether the Revolution is over depends on what you mean by "the Revolution." If you mean the sea change in American politics, I think the evidence is overwhelming that the Revolution has a long way to go. In actual fact, it began before 1994, as any analysis of voting trends at any level will reveal. Voters continue to identify themselves as "Republican" and "conservative" in increasing numbers and as "Democrat" or "liberal" in declining numbers. Despite a booming economy and a popular president, Republican losses in 1996 were minimal. And despite the continued boom, a popular president, and a campaign run about as poorly as humanly possible, they retained their majority this year.

If you mean the movement toward lower taxes and smaller government that lay at the heart of the huge GOP victory in 1994, the answer is less clear. In the wake of the Republican budget sellout and their issueless campaign, my first reaction is to say "Who cares?"

Still, the GOP did manage to set the political agenda in 1995, and maintained enough control on spending to get the first balanced budget in recent memory, abolish federally-mandated seat belt and motorcycle helmet laws, abolish federal speed limits, rein in the IRS, and put the fear of God into the IRS, ATF and FBI. Unfortunately, they've increased defense spending, undermined freedom of speech, and stepped up the War on Drugs.

The replacement of Newt Gingrich with Bob Livingston bodes ill. Gingrich may have been a wimp, but at least he once understood the importance of giving the voters a reason to vote Republican. I can see no evidence that Livingston is anything other than a typical dispenser of political pork.

A week after the election, when FoxNews's Bill O'Reilly suggested to Rep. Peter King (R-N.Y.) that the GOP had abandoned its message, King bristled indignantly. No way, he said. The Republican message is lower taxes, limited government, a stronger drug war, saving social security and more defense spending.

Hmmm. Lower taxes without spending cuts? Limited government while stepping up the War on Drugs? Saving Social Security, a welfare scheme posing as a retirement plan? Increased defense spending? For defense against whom?

Which brings me back to where I started: Who cares?

How Freedom Fared

For libertarians, the election was a wash. Part of the libertarian agenda — lower taxes, smaller government, less regulation — is supposedly part of the Republican agenda. Another part of the libertarian agenda — social tolerance,

freedom of speech — is traditionally a part of the Democratic agenda. Competing for votes in the center, both parties tend to abandon the libertarian elements of their agenda: the Republicans have caved on tax cuts and spending cuts; the Democrats have caved on regulation of speech on the Internet, on drug laws, and on asset forfeiture laws.

With 98 percent of incumbents re-elected and no discernible trend in open seats or among the few defeats that incumbents suffered, it's hard to see any reason for libertarians to be either pleased or displeased.

Aside from partisan races, there were some very encouraging signs. Voters in Washington state voted on an initiative to outlaw affirmative action, a measure similar to the one passed by Californians in 1996. Advocates of the measure were outspent by a wide margin in a campaign that featured a silly attempt to exploit anti-California prejudice. Despite the huge difference in campaign spending and opposition to the measure by virtually every newspaper, major corporation, and chamber of commerce in the state, it passed easily.

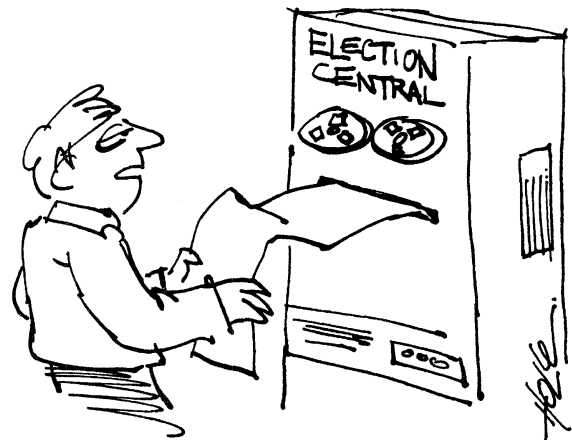
Even more encouraging was passage of so-called "medical marijuana" initiatives in five states, over heavy opposition from virtually all establishment politicians and active campaigning by law enforcement agencies. Surprisingly, voters in Minnesota elected a new governor who was widely quoted as saying:

"Marijuana is not addictive. Decriminalize it and get those drug dealers to start paying taxes. And what you do in the privacy of your own home is your own business . . . If someone takes LSD and locks themselves up at home, why should I care?"

Libertarian Party Agonistes

What about the Libertarian Party? It's always difficult to find any meaning in Libertarian Party election returns. The reason is simple: LP votes are so few and so random that they might best be understood as static. The races LP candidates enter vary considerably from election to election. And their vote totals tend to reflect the character of their opposition rather than how the public perceives them.

For example, in California's 25th Congressional district, Libertarian Bruce Acker got 35,809 votes, more than eight times the vote total of the LP candidate in 1996. Is this evidence of growing libertarian sentiment or support for the LP?



"Never mind who *should* win."

Certainly not. In 1996, Republican incumbent Howard McKeon clobbered his Democratic opponent Diane Trautman by a margin of nearly 2-1, a margin big enough to convince the Democrats not to field a candidate. That left voters who otherwise vote Democrat with no means of voting against McKeon except Libertarian Acker.

Other factors include the perceived closeness of the race, the number of other fringe party candidates, and the character of the major-party opposition. In Indiana's 6th District, Libertarian Joe Hauptmann got 20,931 votes in 1998, about four times the vote total of the 1996 LP candidate. This is another solid GOP district, represented by Dan Burton, a man distinctly unpopular with Democrats. Unfortunately, a cross-dressing high-school dropout with a criminal record managed to get the Democratic nomination. This particularly unattractive candidate certainly drove thousands of anti-Burton voters to the LP candidate. The same thing happened in Washington state's 4th district, where the Democratic nominee had a criminal record. Here the LP did not field a candidate, but another fringe party did: Peggy McKerlie of the Reform Party got over 6 percent of the vote in a three-way race.

Taking the Initiative

When given a policy choice at the ballot box, voters are more likely to vote libertarian than when given a choice among candidates. A careful examination of the 235 statewide ballot measures revealed that 81 had reasonably clear-cut libertarian positions. Of these, voters approved 31, or 45.7 percent.

This is a smaller portion than in past elections, mostly because taxing-spending measures fared so badly. Voters approved tax cuts or tax limits, or disapproved spending or tax increases in only 17 of 48 cases. Most likely, this is a function of a strong economy: voters tend to be more generous with their own (or other people's) money when times are good.

Animal rights did better than human rights this year, with voters in Missouri and Arizona outlawing cockfighting and Californians regulating trapping, while Ohioans rejected a ban on mourning dove hunting and Alaskans rejected a ban on snaring wolves, for a 60 percent success rate. Voters favored human rights only 50 percent of the time, and if drug law measures were eliminated from the category, the success rate would fall to a scant 35.7 percent. Voters in Washington made it illegal for people to agree to work for less than \$5.70

per hour (adjusted for inflation), voters in Alaska and Hawaii moved to ban same-sex marriages, and voters in Arizona, Florida and New York put limits on private donations to political candidates.

The Florida measure was a thorny one for libertarians: it eased ballot access for the Libertarian Party, but also provided tax subsidy to political candidates and limited the right of individuals to donate to political candidates.

Here is a summary of ballot measures:

Measure	for liberty	anti- liberty
Animal Rights	2	3
Drug Laws	5	1
Education	1	4
Electoral Reform	0	1
Environmental issues	5	7
Gambling	2	0
Gun Rights	1	1
Commercial regulation	4	0
Taxing/Spending	17	31
Human Rights	10	20
Total	37	81

(Total does not equal sum of parts because some measures were classified in two categories.)

For a list of measures and results, see *Liberty's* website (www.LibertySoft.com/Liberty/).

—R. W. Bradford & Martin Solomon

It makes a good deal of sense for the LP to field candidates in races without major party opposition, since it's much easier for them to get publicity or to participate in debates in those races. This year the LP fielded candidates in exactly a third (31 of 93) of such uncontested races.

So how can we gauge how well the LP did in 1998? The only way that I think makes any sense is to compare their vote totals in congressional districts in which they faced opponents from both major parties in 1996 and 1998. There are a total of 95 such districts in the country. LP candidates garnered a total of 396,630 votes in those districts in 1996. This year, they got just 325,835 votes. That's a decline of 17.8 percent. But turnout is lower in off-year elections, and in terms of vote-share the LP improved slightly, from 2.14 percent to 2.16 percent. This infinitesimal gain is mitigated by the flukey LP totals from Dan Burton's district. If those numbers are eliminated, the LP share of the vote will shrink from 2.15 percent to 2.04 percent.

It's hard to find much encouragement in this.

Of course, the LP's publicity people don't focus on these numbers. They instead point out that a state legislator in Vermont won the Republican primary and chose to be listed on the ballot as a "Libertarian Republican," the four-term Republican Sheriff in San Miguel County, Colorado, who was re-elected this time as a Libertarian, and the election of Mary Dufour and Zenneth Caudill as Jefferson Township Trustees in Washington County, Indiana.

These victories are good news, of course, but they offer little evidence that the LP is progressing in its effort to gain support from voters. Also good news, though not reported by the LP, was the election of Libertarian Norman Vroman to the position of District Attorney in Mendocino County, California, in a non-partisan race. Vroman has served time in prison as a tax protestor and advocated the decriminalization of marijuana.

In addition, the LP gained ballot status in Massachusetts, New Mexico, Nebraska and possibly in Vermont, while losing it in North Dakota. In all, the LP has ballot status for 2000 sewn up in 28 states. All in all, according to National Director Ron Crickenberger, the national LP invested about \$25,000 of its \$2,700,000 annual budget in state and local races. (Of course, state parties and individual campaigns raised other funds on their own.)

What should the LP learn from this election? I suggest its members take a long, hard look at the success of the marijuana initiatives and the election of Reform Party candidate Jesse Ventura in Minnesota.

The War on Drugs has put over a million Americans in jail, criminalized a whole generation of African-American men, and enabled the government to seize billions of

dollars' worth of private property belonging to drug users (and the families of drug users). Spineless politicians are reluctant to call for legalization out of fear of losing support among drug-paranoid voters.

After 27 years of effort and millions of dollars and thousands of man-hours of hard work, the LP remains a fringe party, virtually irrelevant to nearly all Americans. Making drug legalization the centerpiece of its campaign won't enable it to win elections: the same Oregon voters who legalized medical marijuana by a 53-47 margin enacted a measure to make possession of small amounts of marijuana a Class C misdemeanor, punishable by 30 days in jail instead of a small fine. But the LP has to walk before it can run. Right now its crying need is not to win elections, but to get enough votes to rise above what Harry Browne calls the "hurdle of irrelevancy." And there may be enough victims of the War on Drugs, and others opposed to drug laws, for LP candidates to

get 5 percent or 10 percent of the vote — enough to put the party on the political map.

There's one other lesson. For years various LP members have sought to recruit celebrity candidates, while others have argued against doing so on grounds that a celebrity candidate couldn't win. Well, Jesse Ventura showed that a celebrity candidate *can* win on a fringe-party ticket.

Of course, the LP may have a harder time recruiting a celebrity candidate than the Reform Party, thanks to its insistence on ideological purity. Jesse Ventura's calls for legalizing drugs and prostitution could not have set any better with the mostly conservative members of the Reform Party, which nevertheless nominated him.

In fact, Ventura's platform was more libertarian than anything else. But his softness on public education and gun control would probably keep the LP from nominating him. □

The Mystery of Bill Clinton

by Stephen Cox

Individualist conformity starts in childhood.

There is a mystery in the Clinton case, but it has nothing to do with Bill Clinton himself. We know what he is. The mystery lies in how he is perceived by the American people. They are the mysterious quantity.

A pollster calls Mr. Everyman in Anytown, USA.

Question: Do you think that the president lied to the American people?

Answer: Yes.

Question: Do you think that the president lied under oath?

Answer: Yes.

Question: Do you think that the president got other people to lie for him?

Answer: Yes.

Question: Do you think that the president should be impeached if he committed perjury or obstructed justice?

Answer: Yes.

Question: Do you think that Bill Clinton is a good president?

Answer: Yes.

To top it all off, the polls show that the president enjoys twice the favorability rating of Kenneth Starr, whose mistake was merely to have uncovered the facts regarding some of the president's many deceits.

This set of public reactions has mystified every professional analyst of American politics. It has mystified even the president's political supporters. How can such contradictory responses possibly be explained?

It will not do to argue that the American people have simply been misled or intimidated by the president's legion of hacks, flacks, and bullies. It will not do to argue that the president's opponents have created a backlash by overzealous pursuit of the truth. It will not do to say that nobody ever went broke underestimating the intelligence of the American people.

Those explanations are tempting. There is a good deal of evidence to support them. But they explain too much.

If the people can simply be bamboozled into believing that Bill Clinton is a good president, they can also be bamboozled into believing that he's an essentially innocent man and worthy of personal respect. Some people do believe that, and they have certainly been bamboozled, but they are a minority of the people who "approve of Bill Clinton's performance as president."

Neither will it do to argue, as I have argued before in these columns, that the people have always felt an amiable contempt for Clinton, regarding him, with amused toleration, as a serviceable jackass. They despise him, so this theory goes, as the kind of person who is always running for president of his high school class — but hey, we've got to have somebody as class president, so we'll put up with Clinton if he wants it so bad.

It's a good theory. Many people do feel that way about Bill Clinton. But this is another good *partial* explanation.

Things have gone too far for it now. Amiable contempt alone would not have carried Clinton through that scene where he wagged his finger at the voters and lied to them as if *they* were guilty for making him lie. That kind of insult was going too far. He would not have survived that form of conduct, unless there was something else, something very powerful, working in his favor, something that permitted him to insult the American people to their face and get away with it.

That something, I would argue, is the very thing that you and I value most in the American experience, the quality of individualism.

I gave at the office —

According to the Center for Responsive Politics, the top five contributors to political candidates and parties during the 1997-98 election cycle were Phillip Morris, which gave 77% of its \$2.6 million total to Republicans; the Association of Trial Lawyers of America, which gave 86% of its \$2.3 million total to Democrats; the International Brotherhood of Electrical Workers, which gave 98% of its \$2.3 million to Democrats; the American Federation of Federal, State, County, and Municipal Employees, which gave 97% of its \$2.1 million total to Democrats; and AT&T, which gave 59% of its \$1.8 million total to Republicans. Identified by broad sectors, contributors associated with finance, insurance, and real estate interests ponied up \$98.2 million; lawyers and lobbyists, \$54.3 million; labor unions, \$38.4 million; and health-related contributors, \$35.8 million.

Nothing about the foregoing facts is especially surprising. We all understand that those whose economic well-being depends critically on political allocations of tax loot or on regulatory niceties have a strong incentive to shift the composition of the political menagerie in their favor. Nobody will be shocked to discover that Big Tobacco bankrolls the stupid party whereas piratical lawyers prop up the Clintonistas.

Yet such data, which give rise to so much wailing from would-be campaign-finance reformers, present a gigantic puzzle: why do contributors give so little? Just consider how much wealth hangs in the balance when Congress gets down to legislative details. Why, AT&T alone must have billions at stake. Why can't the members of Congress extort vastly more

from their hostages? Public choice analysts have yet to solve this puzzle. Until they do, it is something to celebrate.

—Robert Higgs

Sic transit gloria newtia —

Newt Gingrich is not a libertarian. He is a Republican politician. He has numerous personal failings. But in the election of 1994, when the Republicans took control of Congress, he broke the power of the compact majority that has ruled the country for generations — a coalition of the stupid, the bizarre, the venal, the trite, the silly. He nationalized the electoral process, temporarily ending the reign of incumbency-for-the-sake-of-incumbency. After the election of 1998, he accepted responsibility for his party's losses, something that President Clinton, the porcine leader of the Democratic Party, would never think of doing. The real responsibility, however, lies with the supporters of the Clintons, the "moderates" who will endure any Ahab and Jezebel who maintain the worship of Baal.

—Stephen Cox

Newt's Replacement —

The Wall Street Journal reports that Robert Livingston, Speaker-of-the-House designate, is "a harmonica-playing disciple of conservative novelist Ayn Rand . . . It was *Atlas Shrugged*, Ayn Rand's 1950s novel — filled with long speeches — that helped get Mr. Livingston into politics, and as a new chairman in 1995 he showed a penchant for lengthy oratory." I suppose we oughtn't be surprised that it didn't influence him toward cutting back on government spending, a task that, as Chairman of the House Appropriations Committee, he was superbly positioned to do.

—R. W. Bradford

Individualism is, thank God, so deeply ingrained in American culture as to have become virtually instinctive. It is this instinctive individualism to which libertarian ideas are always addressed; it is this instinctive individualism that has kept America from enduring a long list of political disasters that have been planned for it by the Clintons of this world. When Mr. and Mrs. Clinton tried to engineer a complete socialization of American medicine, their opponents made a simple plea: "Shouldn't individuals be able to choose their own health care?" That argument for individualism found powerfully instinctive support.

Imagine a politician running for office with the slogan: "Smith Knows What's Best for You." Smith's chances for election in Europe: not bad. Smith's chances for election in the USA: nonexistent.

But instinctive individualism has its defects. In fact, it has horrible defects. And it is a dominant force in American moral education.

An 18-year-old girl who is very good with math and very bad with words comes to see her school guidance counselor. "I'm upset," she says. "My parents want me to be an engineer, but I want to be a writer." Is there any chance in the world that the counselor will say, "You shouldn't waste your parents' money on your own silly daydreams. You'd be a terrible writer. Here's an application for engineering school. Go fill it out." There is *no* chance that the counselor will say that. What he will say is, "I believe you should take some time and ask yourself about the kind of life you think you'd really enjoy the most."

A 10-year-old boy who knows nothing about romantic love or long-term responsibilities is subjected to a "unit" of junior high sex education. The topic of unplanned pregnancies is introduced. "What do you think, Jimmy?" the teacher asks, reading from the manual that accompanies her Group Interaction Sexual Awareness Workbook. "Should two people have to get married if one of them is expecting a baby but both of them are still in high school?" Jimmy subtracts one from two, tries adding one again, and looks desperately around the room. "Well, what do you think, Jimmy?" Jimmy isn't thinking anything. "I . . . I guess so . . ." he says. "Interesting!" the teacher replies. "Now let's ask Susie what *she* thinks." Any teacher who told Jimmy, "Well, you're wrong!" or simply, "I don't believe you're really thinking," would be in for a lot of trouble if Jimmy's parents and the school board ever found out about it. (And they would.)

A 6-year-old girl hears her teacher calling the class in from recess, but she is too busy to listen. She's having fun looking at a centipede that she found on the steps. Finally she hurries through the door and slides into her seat, just before the teacher looks up and says, "Jessica, where were you?" Jessica thinks for a moment and comes out with, "Here . . ." "Well," says the teacher, "what do you think, Jessica: is it always right to tell the truth?" Jessica, who has a vague idea of where this exercise in "values clarification" may be going, looks desperately around the room. Some other children look back at her and faintly nod. So she mutters, "I . . . I guess so . . ." "So where were you, Jessica?" "I was . . . here . . ." Things are now at a stand. The teacher has no alternative but to return to the reading lesson, which is something about a bunny rabbit who decides that she wants to be good. Without Jessica's cooperation, the teacher has no way of resolving the real-life moral problem. It is not an option for her to say, "Jessica, I want you to notice something: you told me that lies are always wrong, but here you just lied to me!" That's not in the lesson plan.

These little slices of American life are not meant to suggest that moral education is, in fact, totally absent from American classrooms, that students are simply being left on their own to determine their values. Quite the contrary. Teachers, parents, and other "opinion leaders" (notice the weird concession to individualism in the very phrase — people are *led*, not told, and values are personal *opinions*) have plenty of means of injecting their own values into the young but aimless individualists whom the state has put in their charge. There are tones and gestures and loaded words; there are questions that are merely rhetorical; there are highly selective versions of fact and history and (above all) personal experience that can be fed to students, with every chance that they will be appropriately regurgitated.

What is missing is the idea that the individual "opinion" can be valid only if it results from rational processes of thought, which may be difficult and even dangerous to perfect. What is missing is the concept that individual values must be judged by such difficult standards as those of substantiality, internal coherence, and reference to relevant and numerous facts.

I would venture to say that many of the nouns and adjectives that appear in the preceding paragraph never arise in the normal course of American education in "values."

If they did, we would see fewer televised Republicans completely dumbfounded when their Democratic opponents express such unanswerable opinions as "All of us make mistakes" and "Kenneth Starr is conducting a witch-hunt into Americans' private lives." You would think that anyone could come up with about 50 effective responses to such blather, starting with, "Do you mean that all of us lie under

oath?", and proceeding down the list to, "Do you mean that it's OK to lie under oath?", and, "What's 'private' about lying to 250 million people?", and, "Please define 'witch-hunt,'" and, "If it's right to forgive everyone's mistakes, why don't you just forgive Kenneth Starr's?"

But don't expect many of those snappy comebacks actually to be made. Virtually nothing happens in American public "debate" that would not happen in a "debate" in a grammar school classroom.

Isabel Paterson, that great prophet of individualism, considered these problems in American education and public culture over a half-century ago, in her book *The God of the Machine*. And this, more or less, was what she argued. She observed that "progressive" educators wanted to liberate children to express their own opinions; this was education for democracy. Unfortunately, the children had no opinions, and they were not instructed in any rational means of forming them. Pressed for their views, they realized that they didn't have any. They therefore looked around the room. . . . They tried to find out what the other children thought, or opined, or were encouraged by their teachers to express as their own thoughts or opinions. In this way, individualism turned into conformism of a peculiarly empty kind.

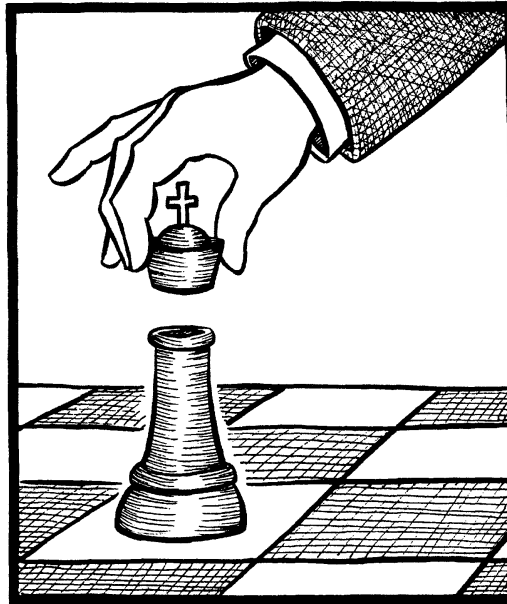
I think that Paterson was right, and continues to be right. When people are not expected to justify their opinions by rational processes, the

opinions that they express soon become a jumble of conformist slogans, no more sophisticated at the level of the Ph.D. than at the level of the kindergarten. This is the way in which American opinion has become at once predictable and incoherent.

Individuals who are actually thinking can be expected to disagree with one another in a million ways. How is it, then, that the thinking in so many social groups in our society has become so predictable? Why is it that masses of people can be counted on to come out against Clinton for being a liar and a crook and also to come out against the old-fashioned moralists who want to turn him out of office because he is in fact a liar and a crook?

And how is it that the thoughts so solemnly registered by National Opinion Polls are exactly what you could expect to issue from a sixth-grade classroom engaged in the bizarre process of "values clarification"?

What the American People are saying is precisely what that class of young pseudo-individuals would say. The kids would come out against lying, of course; no teacher would let the Socratic dialogue develop in any other way, because teachers can't stand being lied to. But the teachers would also ask the Socratic, and surely very individualistic question, "Don't you think that people's private lives should be private?" Yes, of course we do, teacher. Therefore, as the



Public Opinion Polls inform us, Kenneth Starr, who investigates other people's private lives, is a bad, bad man, even (especially!) when he catches those people lying.

And what about the president's performance in office? Just ask 11-year-old Billy. Ask him, "What do you think a president's job should be?" Ten to one, the little sage, drawing only upon his lifetime of experience as an analyst of American constitutional history, will answer, "The president is supposed to run the country" — which is exactly the phrase repeated ad nauseam by adults now trying to evaluate his performance. These people "argue" that we must be

very, very careful about impeaching any president, because the president is *running the country*.

But how could you tell if he's running the country in the *right* way? Oh, what a question! Such a question, if asked, might be the first and last faintly skeptical followup question that little Billy was forced to entertain. How would he be likely to handle it?

First, he would look desperately around the room for some helpful clue that might appear in someone else's expression or gesture. Failing that, he would try to remember anything that his "history" text had to say on that sub-

Aryan nation — Voters in Illinois kicked Carol Mosely-Braun from office after learning of her misuse of campaign funds and cozy relations with a foreign dictator, thereby providing new evidence that this is a racist, sexist nation. I mean, she's certainly not the only person elected to national office in 1992 who misused campaign funds and cozied up for foreign interests. But she's the only one who the voters booted from office. —Jonathan Ellis

You say yes, I say no — When, in the midst of a college kegger in 1994, someone burst into the room shouting "Richard Nixon is dead!", I cheered along with everybody else.

Now, with all the bad press the late Sage of San Clemente is getting, in comparison to the eminently more base Bill Clinton, I feel subtle pressure to revise my thinking. Dick Nixon wasn't such a bad guy, after all. He went to China. He ended the draft. He gave the English language some of its most charming, if crude, bon mots and sobriquets: who could forget "striped pants Foggy Bottom faggots"? Or, "[expletive deleted]"?

When the pundits of the world, and even the cub reporters, started drawing parallels between Kenneth Starr and Joe McCarthy, it wasn't long before I started to think, what was wrong with Joe McCarthy? I mean, sure, he pointed out a lot of traitors were plotting to destroy America, and by Golly they had ties with Hollywood, the New Deal Democrats, and the State Department... Well, did he say something that wasn't basically so?

The next time I read filmmaker Michael Moore or writer Toni Morrison calling Henry Hyde's impeachment inquiry a "coup d'etat,"

I'll probably lead a fifth column to D.C. to set up some barricades for the Republicans, made out of thousands of prints of *Roger and Me* and millions of copies of that book Morrison wrote that everybody said was just so god-damn lyrical.

What is it about molders of opinion that causes me to react in such frankly disturbing ways? Is it the way they try to spin me, or the direction that I am spun? It didn't worry me. Until now.

Up until a few weeks ago I think I agreed with the rest of the world that Gen. Augusto Pinochet was a preening fascist toad. Then, England's bobbies swept down on the general in a London hospital, and arrested him at the behest of the Spanish government for crimes against its citizens.

Well, if I had heard this through any other medium, I would probably have nodded in grim satisfaction and carried on with my day.

But I heard the story on National Public Radio.

Someone pumped a unit of whole espresso into commentator Daniel Schorr's life support system, there in the studio, and stuck a microphone in his face to record the result: a high-speed two minute screed on Pinochet's many crimes. He conspired with "Nixon and Kissinger" to overthrow Chile's "democratically-elected government." He killed "thousands" of people. He set up "concentration camps." And he then "privatized Chile's Social Security system."

Truly, conspiracy, concentration camps and private pensions are horrors that haunt the world. NPR's world at least. Yet, this commentary didn't intensify my loathing for Pinochet at all. Why not?

Our "democratically-elected" gov-

ernment, the one NPR watches over and receives its pay from, has its own concentration camps. We call them federal prison camps. Lots of drug offenders there. Our democratically elected regime kills "thousands." Pinochet's kill stands at about 3,000. That many Americans and more will have died from the malfeasance of the FDA alone during the term of Bill Clinton. And Mr. Clinton's federal cops and anti-terrorism bills are a ready-made police state with the potential to be every bit as sinister as Gen. Pinochet's.

Coincidentally, Bill Clinton was "democratically elected" with something like 40 percent of the votes that people bothered to cast, just like Chilean crypto-commie Salvador Allende. And neither of these two miscreants have the mitigating excuse of having privatized Social Security.

There is just no way to spin facts like these out of existence. And that may be why Schorr, Moore, Morrison, and the rest of the elves of the welfare state's deranged Santa Claus, look small next to the human oddities they try to besmirch with comparatives and analogies. —Brien Bartels

Of bullets and ballots — For Byron Looper, like Mao, politics came out of the barrel of a gun. Literally. On October 17, Tennessee State Senator Tommy Burks was shot and killed on his hog farm. Byron Looper, Burks' opponent, was arrested for the offense on October 23. On November 3, Burks' widow was elected as a write-in candidate. This disproves Albert J. Nock's observation that politics is indistinguishable from organized crime. In the Mafia, the widow is never the successor. —Martin Solomon

ject. He might remember that, in among the pictures of Marilyn Monroe and Howdy Doody, there were a lot of pictures of guys in Vietnam. And on one page, there was a picture of some funny-looking guys in something called an "unemployment line," and a caption that suggested that some president had pulled them out of it. Putting this all together, little Billy would respond, "You could tell if he was doing a good job, maybe . . . you could tell . . . if everybody has a job? And if there aren't any, if nobody has, if we don't get into any wars? That way, you could tell he'd be running the country in, well, the right way, right?"

Such a remarkably long chain of ostensibly self-generated concepts would win a response of "very good!" from almost any teacher. Soon Billy's parents' car would sport a bumper

sticker proudly proclaiming, "My Son Is an Honor Student at James Carville Junior High School."

Just put little Billy's "opinions" together and you have the collection of moral and political maxims now guiding the country. It is the triumph of an insipid, irrational, and ultimately conformist individualism, about which the real, remaining mystery is how we can get rid of it without destroying the genuine article.

When do-gooders and progressives decreed that the 20th century must become "the era of the Child," Paterson said that this phrase should be more feared than any other, because it meant that adults were idealizing children and trying to turn themselves into children. And that is what finally happened. □

The Politician Who Came In from the Cold

by Jonathan Ellis

In a year that has seen the Republican Congress betray the voters who put it in power, Newt Gingrich's downfall, and President Bill Clinton exposed as a sex-crazed liar. . . again, 1998 has been one hell of a good year for political junkies. But perhaps the most satisfying political event of all occurred outside federal politics when a third party reared its ugly head and sent two major political party candidates whimpering into the night.

Jesse Ventura's stomping of thoroughbred candidates Hubert H. ("Skip") Humphrey III, and Norm Coleman in Minnesota's gubernatorial race was so thoroughly enjoyable, that I wouldn't trade it for Hillary Clinton admitting on national television that she has a voracious appetite for Hollywood actresses. Ventura's victory blindsided me. I should have seen it coming.

It was a March evening in Minneapolis. Roads and sidewalks glistened with a treacherous layer of ice. And the cold, though relatively mild for Minnesota, was bad enough to push an Arizonan into a deathly state of hypothermia by the mere thought of it. It was also state-caucus night. Charles Test, the Libertarian Party's state chair, had called a few days earlier to enlist my support for a peculiar mission. Because the Libertarian Party would not be holding caucuses, Test wanted Libertarians to participate in the Reform Party's caucuses. The idea, Test said, was to get Libertarians elected as delegates to the Reform Party's state convention and to ram libertarian policy into its platform. Test warned that the Reform Party's state chair had given a quasi-okay to the idea, but that other Reform Party members might be openly hostile to Libertarian infiltrators.

I arrived early at the community center a few blocks

from my home, and after signing a registration list, took a seat. To my astonishment, mobs of people soon followed. The Reform Party was actually popular. I commented on this to an artsy-looking guy next to me. "This," he said as if I'd just arrived at the opera dressed in an AC-DC shirt and lugging a case of Old Milwaukee, "is the DFL (Democratic-Farmer-Labor) caucus. The Reform Party is down the hall."

About ten people bothered to show for the Reform Party caucus. We spent the night fighting over politics, with me pushing the group to adopt libertarian stands. It was tough going. Most of them opposed concentrated hog farms. I told them I loved cheap pork loin. They had vague goals for improving public education. I explained how the state perverts education . . . and so on. Looking back, it's true that we agreed on most issues. But on my way out of the community center that night I said to myself, "The Reform Party is going nowhere. They'll lose their major-party status in 1998."

An older gentleman, laughably serious at the time, told me that night about Jesse "The Body" Ventura's candidacy for governor. Jesse Ventura, I thought, is nothing but a retired wrestler, and a heavy at that. Big deal.

On November 3, I found out just how wrong I was.

Minnesota has traditionally been dominated by the DFL party, Minnesota's answer to the Bolsheviks. And the DFL was pinning its hopes on political powerhouse Skip Humphrey to recapture the governor's mansion. As the son of his career-politician namesake, who afflicted Minnesota and eventually the nation for more than 20 years, this Ted Kennedy of the Frozen North looked like a shoo-in, a status confirmed by a lead of 20 points in the opinion polls.

Humphrey insisted on Ventura's inclusion in televised

debates with his Republican opponent and St. Paul mayor, Norm Coleman. As a moderate Republican who had only recently jumped ship from the DFL to the Republican Party, Coleman wasn't trusted by the party's more conservative wing. Humphrey figured that Ventura's presence would erode support for Coleman and add to the DFL's inevitable victory margin.

Skip didn't realize it at the time, but boosting Ventura into the debates dealt his campaign a savage death blow. The magnetic Ventura was born for television. He did so well in the debates that tribes of new and young voters wandered out of the political wilderness and into the voting booth. His

charisma made Humphrey and Coleman look like a couple of guys who politely turn down your loan application at the bank. In the end, he plundered substantial votes from both.

When the votes were counted, Ventura had put together an unlikely coalition of wrestling fans, bored Democrats, disaffected young people, and Republicans distrustful of their party's weaselly candidate. And so, for the next four years, the Workers' Paradise of Minnesota will have as its governor an action hero who can single-handedly stomp a Clinton/Gore tag team.

Ventura now faces the daunting task of building an administration. If Ventura the governor charts a course consistent with what Ventura the candidate

campaigned on — lowering taxes, eliminating child-care subsidies, and the possible decriminalization of drugs and prostitution — then it would stand to reason that Ventura would invite libertarians into his administration.

There already exists a relationship of sorts between Ventura and the Minnesota LP. Ventura asked the LP not to run a gubernatorial candidate. But the LP, bound by principle, fielded a candidate anyway. But if Ventura initially feared the LP would suck away votes from his campaign, he had little to worry about in the end. At the Minnesota State Fair this fall, Ventura claims to have scored 100 percent on the World's Smallest Political Quiz. It's fair to say that Ventura wound up robbing the LP.

Charles Test is interested in establishing a libertarian presence in the Ventura administration. "We hope that he will reach out to us," said Test. "He's the closest thing we've got to a libertarian in high office."

In particular, Test says that Minnesota Libertarians offer expertise in natural resource and environmental regulation. "This would be very important to us because Minnesota is an environmental battleground," said Test. But Test won't be holding his breath for a Ventura call. As we go to press, it appears that Ventura will rely more on establishment insiders to fill his out his administration than outsiders like libertarians.

Which is too bad. Ventura would certainly profit from some libertarian counseling. He supports using public funds for a light-rail system in the Twin Cities, and believes the state should take over failing schools. Like the Reform Party members I crossed swords with on caucus night, Jesse isn't ready to take the radical steps necessary for really improving education.

Regardless, at least in the short-term Ventura's effect on the political landscape will likely fuel third party fires nation-

Dichotomize This! — Jesse "the Body" Ventura supports lower taxes, less government, legal recognition for gay relationships, and the possible legalization of drugs and prostitution. But in changing his moniker to "the Mind," isn't he just buying into the mind-body dichotomy? —David Boaz

The Wind Chill Factor — Libertarians don't have much cheer to take from the elections. No governors, no senators, no representatives, no statewide offices whatsoever, a minuscule sprinkling of local offices, the usual 2% or so of votes cast landing in the Libertarian Party column. So it's understandable that we try to manufacture some *faux* cheer for ourselves. And where better than in the state of Minnesota, in which both major parties received their disbelieving comeuppance from Jesse Ventura, heretofore "The Body," now "Governor-elect."

True, Ventura was elected under Reform Party aegis, thus further sully-ing the credentials of the so-called third leading party. Nonetheless, Ventura has been reported as voicing distinctively libertarian sentiments on the drug policy and abortion issues. Should we not, therefore, claim him — and by extension the Minnesota electorate — as our own?

In a word, No. Almost every politician occasionally utters some strikingly libertarian words: recall a well-known "saxophonist" who declared the era of Big Government to be over. And the libertarian character of Ventura's words was magnified by a press looking for some mountains with which to replace the usual molehills. (May it also have been trying to paint as a "libertarian radical" a can-

didate whom it deemed to be less than reputable? I fear that such things do indeed happen.) Remember too that this is an electorate that has twice sent Paul "Stalinism with a human face" Wellstone to the Senate. Libertarian it is not.

Not libertarian but nonetheless admirable. I was privileged to spend fourteen years plying my trade at a university in northern Minnesota. That experience taught me much, not least the art of survival despite wind chill. The political lessons were equally valuable. I was agog when the mayor of Duluth was charged with corruption for arranging the employment of "private means for public ends." And even though I knew *a priori* that socialism could not succeed, sometimes it sure seemed to do so in Minnesota.

Minnesota is a state of paradoxes (remember, here all the children are above average); how could a philosopher not come to love it? And it is Minnesota paradox which, I am convinced, explains the Ventura election. Nowhere are people more civil, more gentle. So when they choose a governor, they routinely pick one who hurts people. When I moved to Minnesota the governor was Wendell Anderson, a former hockey player who knew how to throw a mean body check. He was succeeded by Rudy Perpich, a dentist. His motto was "Speak softly but carry a big drill." (Well, that *could* have been his motto.) And now wrestling superstar and tough guy Ventura. When four years from now Minnesotans go to the polls and elect a female governor, I'm betting that it will be either Lorena Bobbit or Hillary Clinton.

—Loren E. Lomasky

wide. LP Political Director Ron Crickenberger believes "that Ventura's win will be good for all third parties," because voters will be less likely to think that a vote for a third party is a wasted vote. The Reform Party of Minnesota will use Ventura to accumulate a massive war chest to fund state-wide candidates in all major races in 2000.

Even so, I'm not predicting 2000 to be the year of the third party. Republicans and Democrats — those not applying for jobs in the Ventura administration — feel embarrassed that a

pro wrestler thwarted the ambitions of two career politicians. Third-party candidates have almost always had to fight like rabid dogs to get into political debates. Ventura's upset may actually make that fight more difficult.

For now, we can enjoy watching politicians react to the dark shadow that Ventura's crushing victory cast over the political establishment. There are few things more satisfying than career politicians trembling at the thought of finding real jobs. □

The politics of fusion — Mark Lilla's essay "A Tale of Two Reactions" was reviewed in this space in November 1998. Readers may recall that Lilla created a matrix of four categories in which to sort out future presidential candidates according to their views on the Sixties and the Reagan Revolution.

In a nutshell, the views can be characterized as: (1) Pro-Sixties, emphasizing the importance of personal freedom while holding a somewhat skeptical view of traditional morality, (2) Anti-Sixties, seeking to re-establish that traditional morality by strengthening social institutions and, if necessary, enacting laws, (3) Pro-Eighties, seeking a small, cheap, and relatively unobtrusive government, and (4) Anti-Eighties, emphasizing an activist government that addresses pressing social issues through programs, regulations, and a progressive system of taxation.

The matrix shows Lilla's categories and the labels he gave them.

	'80s: anti	pro
anti	Buchananism	Neo-Bushism
pro	Neo-McGovernism	Clintonism
'60s:		

The review took issue with Lilla's implied characterization of our current president as a devotee of Reaganomics. ("Clinton: In your heart, you know he's Left." If only.) It did not address the follow-up question: If Clinton doesn't own the southeast forty on the

little map above, then who does? Let us imagine such a candidate.

To be Pro-Sixties, the candidate would have to be in favor of the legalization of marijuana, at the very least for medical use. (Very sixties, that.) He (yes, yes, or she) would also have to be pro-choice. To be true to the goal of personal freedom, he would have to be in favor of the right to keep and bear arms, as well. He would probably even support the issuance of concealed carry permits, with some precautions. He might even be open to the notion of decriminalizing prostitution.

To be Pro-Eighties, he would have to favor lowering taxes. In fact, he would probably have to favor a flattening of the present system, perhaps with a move to replace income taxes with consumption taxes. He might even go so far as to call for the automatic return of any government surpluses to the taxpayers. He would undoubtedly favor a system that encouraged entrepreneurs. He would insist on minimum government interference in the health care system. As an opponent of government-sponsored social engineering experiments, he would surely oppose forced busing. He might even wish to deny government money to illegal immigrants.

Is there such a candidate? Is there a politician in this land who holds such an odd mixture of views?

Yes. He is the new governor of Minnesota.

We have our name, then. It is Venturaism.

In the interest of full disclosure, he also favors mass transit, term limits, the death penalty, and some state-supported health care for children. He opposes PAC money and educational vouchers. (With the exception of the bit on prostitution, which came from radio, all of these positions were gleaned from Mr. Ventura's web site.)

A few facts to mull over: (1) Governor Ventura ran on the Reform Party ticket. (2) The Reform Party won 8.4 per cent of the vote in the 1996 presidential election and is, therefore, eligible for millions of dollars in federal matching funds for the next presidential race, whoever its candidate may be. (3) Abraham Lincoln was, among other things, a formidable wrestler. —Scott H. Chambers

Time to celebrate! — A few days before the Midterm Elections, I attended one of those "fusionist" events in Washington, which brings together conservatives and libertarians, to listen to this or that speaker and to discuss current affairs. Not surprisingly, the main topic of discussion was the coming congressional and gubernatorial races with the majority of participants expressing their hope that Clinton would be "punished" on Tuesday.

I was quite to surprised (and still am) to find myself in a minority, even among my libertarian political soul-mates, when expressing less than an enthusiastic support for a sexual and political witch-hunting operation led by a well-paid government-appointed prosecutor (paid by the taxpayer, that is) working together with a government informant (Linda Tripp) to discover whether two adults had sex and then lied about it.

I'm familiar with all the counter-arguments — the President had sex with a government employee on public property and lied under oath, blah, blah, blah. Yeah . . . Well, if the main reason for the Republican assault against Clinton has to do with defending the constitution and not sex, perhaps someone can explain to me why those same Republicans have not moved ahead to impeach Clinton for

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Letters From a Campaign That Failed

by Paul Rako

William Jones
California Secretary of State
Sacramento, Calif.

Dear Bill:

Well, Bill, it sure is convenient that you have the same first name as the President of the United States because I can use the salutation from the last letter I wrote to the President. You see, in addition to running for California State Assembly I am a top-level advisor to the President on Important Matters of State. I hope you can understand that I've been pretty busy with all this advising stuff not to mention my own campaign, as well as riding my Harleys all over the place and going to concerts and dancing and downing cold ones and playing pool and listening to the blues not to mention working for Hewlett Packard so I can send enormous amounts of money to Sacramento and Washington in order to keep the machinery of state fully greased, or perhaps I should say well-oiled, if you get my drift.

Now, I haven't opened most of the ten or so letters you sent me. See, after I opened the one threatening to indict me for campaign finance violations I just haven't been too keen about tearing open the envelopes to see what you want to do to me next. I gotta admit those certified letters I have to sign for at the post office sure give me a thrill because I thought it was those really nasty people at the IRS or the California Franchise Tax Board and we all know what pricks (no offense to you Mr. Secretary) any government outfit is that sends certified letters because that's about the closest they come to obeying the Due Process clause of the Constitution right before they empty your bank account or ruin your credit report and stuff.

As a matter of fact, your certified letter to me was a real wake-up call, since I realized that the only people sending me certified letters are government types trying to phony up some due process before they rape me, so it was your last letter, your certified letter to me, that caused me to think: "Hey, why should I let these clowns phony up due process evidence by sending certified letters that I am stupid enough to sign for?" Sometimes the post office employees make sure I don't see who the letter is from before I sign because they are in cahoots with the other feds and I guess it's important to them that state, federal and local bureaucrats can phony up some due process on us citizens because the post office, the DMV and the IRS all seem to have the same opinion of the American People.

So anyway, like I was saying, I realized that in the 20 years I've been going to the post office to pick up my mail the only people sending me certified letters were you

government types trying to phony up some due process so you can rape me later, so my wake-up call was pretty much along the lines of: "Hey, just because they're federal employees all decked out in snazzy uniforms don't mean I have to help them phony up due process evidence against me." So it was your last letter, your certified letter to me, that got me to realize that the smartest thing I can do is to just take those little yellow slips telling me there is a certified letter at the post office and throw them away and sooner or later the post office will have to send the letter back to whatever government outfit sent it.

Now before we get to our little problem I've got to tell you about the wonderful women you got working in your little office here in Santa Clara County. After I saw how helpful and friendly they were getting me registered to run and preparing all my petition forms and such, I commented to them how surprised I was at how helpful and efficient and pleasant they were and how I expected it to be as horrible as the DMV. I got to wondering how the Secretary of State office could be so nice and efficient and pleasant and how the DMV can be so screwed up and I still don't have a good answer but I got my suspicions. See Bill, as you must know, when a person runs for office they have to swear to uphold the Constitution. It's the gals down at the Secretary of State office that have you raise your hand and take the oath.

Now I won't bore you with how much I love this country and how my grandparents were all poor immigrants and how America gave them a chance to "rise up." Let's just say when it came time to raise my hand I got a little choked up, but since it was Shannon that was giving me the oath I tried like heck to not cry because women say they like guys all sensitive and sentimental and such, but they still hang out with the rude and thoughtless jerks, so I didn't want Shannon thinking I was a softy because she was so pretty and hardworking and stuff that I kinda was hoping that one day I would meet a woman like her and settle down. So I tried my hardest to just say the words but my voice still cracked a couple of times but Shannon is so nice she didn't want to embarrass me by pointing out how a six foot 200 pound biker was standing at some government counter crying just because he had given his word to uphold the Constitution of the United States and the Constitution of California. Then I filled out some more forms about this or that and I gotta tell you, Bill, I wish there wasn't so many of 'em but it was OK by me this time because I needed a few minutes to get the lump out of my throat so I could say goodbye to Shannon and all the other cheerful hardworking folks you got down at your

office in San Jose.

Well, I don't want to go off on something else because I bet you're still trying to get me for campaign finance law violations. So I figure we should clear this mess up as soon as possible. But if there's one thing that I am worse at than opening government letters, it is filling out government forms. I'm sorry if I got the machinery of state all worked up but the fact of the matter is that Shannon called me and left me a message that there was some real trouble brewing and I guess she knows how bureaucratic and heartless you guys in the state office are because she works with you guys every day and stuff so I could tell by the tone in her voice it was real important. So I called back and she wasn't in because it was lunchtime so then I just rode over to the office.

By the time I got there Shannon was back and she explained how I was in trouble because I didn't fill out the campaign finance forms and I said that I thought I had done that the last time I was in but she's smart as a whip and actually remembered that time and got out the folder and showed what I did fill out and then she explained that there was another form to fill out to keep the heat off me about this campaign finance stuff. The form was real scary looking and wanted to know all kinds of things and was really complicated and stuff but then Shannon said: "Are you going to spend over a thousand dollars?" with that hopeful look that told me to just go with the program so I said: "No way," even though I wasn't sure or anything. So then she said: "Oh, that makes it easy. Just sign here, here, here, and fill this address out and you're done."

That looked pretty good to me so that's what I did. The funny thing is I wanted to maybe raise some big money and really give this race my all but after this trouble I figured I just better keep a low profile so you see how these finance laws can stifle democracy and that is one of those unintended consequence things you hear about all the time. Then Shannon mentioned how there was a ten dollar fine for every day that I was late for a total of no more than \$100 and with an apologetic look she explained that I would probably have to pay the fine when the state got around to the fining phase of the electoral process.

I was so darn happy that she took the trouble to call and get the mess straightened out I said that there was no need to wait so why don't I just give her a check for \$100 right then and she said "great" and I gave it to her and she told me she would write a letter explaining everything and how I paid and stuff. The next week Shannon called me and apologized that she was so overloaded with election season stuff that she hadn't written the letter yet and I told her not to bother since I would have the check to prove that I paid it.

Now I've still been getting letters from you about this although like I said I haven't opened the last four or five. I'm hoping all you gotta do is call Shannon at your Santa Clara office and she'll straighten the whole thing out and if you want I'll dig out that check for \$100 and I think Shannon gave me a receipt too and now I see why she was being so thoughtful and hard working and stuff because she knows how screwed up you guys in the central office are. So anyway I might not be able to come up with the check until tax time next April but hopefully you'll let Shannon straighten this whole thing out because like I said, the crew you got down in

San Jose makes me proud to be an American and I'm sure they'll straighten things out in a jiffy.

By the way, I did get one contribution for 50 bucks and another for a \$100 but with all this campaign finance stuff I haven't cashed them yet because I don't want to get in any more trouble and I will admit that a couple of guys bought me a beer or two down at the bar (which got everybody calling them my "Special Interests"). I figure I'll just take the checks down to the local office and Shannon and the gals will tell me if it's OK to cash them or not.

I hope everything's OK and I hope to hear from you soon, til then, so long.



Paul Rako
U.S. Citizen

R. William Bradford
Editor, *Liberty*
Port Townsend, Wash.

Dear Bill:

Well, Bill it sure is convenient that you have the same first name as the President of the United States and the California Secretary of State because I can use the salutation from the last letters I wrote. I guess first off I should apologize for turning this in so close to deadline and I didn't realize the 9th was a Monday so it's probably too late to get this in the magazine but I sure am honored that you would ask a dirtbag biker like me for an opinion about this year's election. Now that the rains have hit and I can't ride the Harley, I've got the time to settle in and do some real deep reporting on the elections.

Well, first off let's get the bad news out of the way. I was defeated in my bid to unseat the incumbent from the California State Assembly. Actually, crushed might be a better word to use since she got 60 percent of the vote and I got 4 percent. Still, I feel I gave people a choice and since I spent all summer riding and downing cold ones and playing pool and listening to the blues and stuff instead of campaigning I figure 4 percent is a pretty good showing. I was a little disappointed because I got 5 percent in the primary and it's always nice to ride around thinking that one in 20 people believes in me. A lot of my friends heard about my running and they are even more fired up for the next race. We have a lot of good ideas for the next race but I don't want to report them yet, because I don't want my future opponents to get tipped off and try to steal our ideas and stuff.

Now I know you may have read about the Secretary of State threatening to indict me for campaign finance law violations and I want to make one thing perfectly clear: I am innocent of all charges against me. The people of California will see my good name cleared.

There were a couple of cool things that happened during my race I wanted to tell you about. The first was how the *San Jose Mercury News* called up and interviewed with me. At first I told them I would send a little info about me along with a statement they could run regarding my principles and stuff. I never got back to them so the next week the reporter called

me back and we came up with some stuff to run in the paper. For coming up with it off the cuff, I thought it was pretty good. We pretty much said how the Libertarians were for choice and that I felt that as expensive as it was to live here in Silicon Valley we should be getting more bang for the buck. What surprised me is how he really was enthusiastic in

helping me and truly seemed to be happy in getting me to explain my thoughts to make the best statement possible in his newspaper. If this is media bias I'll take all I can get.

The second cool thing that happened was that I got invited to the public radio station to answer questions. The station serves the whole bay area and Michael Krasny, the host, is kind of a local celebrity. The show was at 10 a.m. which is way way way before when my morning is, but I dragged my sorry ass out of bed and managed to drive the 50 miles to San Francisco.

One of the neatest things about doing the show was that I got to meet the incumbent Elaine White Alquist. Like I said before, she is really smart and hard working and honest and stuff so it was really nice to get to meet her in person. We exchanged cards and she said it would be OK for me to see her after the election so we could discuss important matters of state and stuff. While we were in the studio we got to know each other pretty good since the Republican and the Natural Law party candidates didn't show up so it was just me and her and her driver along with the husband of a Peace and Freedom candidate that was sitting in the green room which is what us professional politicians call the room where you wait to go on the radio. That's where I found out Elaine used to be a math teacher at Holmstead High School and that she was married to Al Alquist who was a big time state Senator before he term limited out last time.

The husband of the Peace and Freedom candidate said how he was a Teamster and he remembered when they gave Al a bunch of money to kill a bill that would give the highway patrol money for radar guns or some such thing. He smiled as he remembered the good ol' boy type politicians of yesteryear. He said it was great, "There were no pretensions, you paid the money and they voted the way that you wanted." I wondered what made him think anything has changed.

Anyway, me and Elaine got in the studio and she was really nervous but me and the driver kept telling her she would be fine and it was a great experience for me seeing that even big time incumbent politicians get nervous and how it was OK if I got nervous too which was cool because maybe that's why I wasn't nervous. Then again maybe it was because I knew Libertarians are what is really best for this country.

Anyway I had a really great time on the radio show and I remember getting in some good points. What was interesting was how Michael asked Elaine these really

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breaking the law and violating the Constitution by committing that mini-holocaust at Waco or by sending American troops to foreign lands or by bombing innocent civilians in Sudan, or by just operating agencies like the FBI, CIA and IRS (the list of reasons for impeachment is long and can be applied to former Presidents, including Bush and Reagan).

Please, give me a break, guys! Frankly, that the "referendum" on Clinton ended with a major blow for the "moral" agenda of the Christian Right (bye-bye anti-abortion and anti-gay legislation) and for the Femirist Left (bye-bye sexual harassment) should be a cause for celebration for us libertarians since it makes it clear that the American people are opposed to the establishment of a sex Gestapo. That it may have postponed the coming to power by enviropunk Gore of a Republican presidency with its high defense budgets and bloody military adventures is certainly good news, very good news, indeed. —Leon Hadar

The Race Card — In Washington state, voters passed Initiative 200, a ban on racial and gender preferences. It was quite an achievement. A who's who of Washington was against it: Boeing, Microsoft, the Greater Seattle Chamber of Commerce, Gov. Gary Locke (an ethnic Chinese), the Democratic Party, the Washington State Labor Council and the major media. The Republicans, who controlled both houses of the legislature (and just lost one of them) had been offered a chance to vote I-200 into law and declined, not wanting to be "divisive."

I-200 was on the ballot because of a petition organized by conservative talk-radio host John Carlson. He campaigned a good deal more politely than some of his opponents, who excelled at moralistic snottiness. The American Civil Liberties Union tried to get the

ballot language changed from "preferences," which they said was a loaded term, to "affirmative action," which they said wasn't. They failed.

Opponents continued to complain that the language was deceptive. This was false; everyone knew what it meant. It said: "The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity or national origin in the operation of public employment, public education or public contracting."

A poll in January found 70 percent of voters supported this.

Then came the campaign against it. Corporations, publicly solicited for money, coughed up. The Boeing Co., which is fighting off a class-action lawsuit from black managers, contributed to the No!200 campaign. Boeing's retired chairman, Frank Shrontz, contributed the other way, but he said nothing publicly. The "No" side outspent the "Yes" side heavily.

Red "No!200" signs popped up all over Seattle; there were no "YES on 200" signs anywhere. Editorial boards of newspapers were overwhelmingly against 200; supporters were in denial about racism, they said. The family owners of *The Seattle Times* ran full-page ads in their own paper urging a vote against I-200.

In the final weeks, the "No" side aimed their ads entirely at white women — the state is 84 percent white — and apparently did change some minds. Still, 51 percent of women voted for I-200, as did 66 percent of men. The measure passed with 58.5 percent.

The measure won almost everywhere outside the city of Seattle. It won the votes of 80 percent of Republicans, 62 percent of independents and 41 percent of Democrats.

Exit polls showed that 65 percent of the voters — and 80 percent of the pro-200 voters — had made up their minds from the start. —Bruce Ramsey

good questions about education and traffic and crime and she got to talk about all the bills she sponsors up in Sacramento and then he turned to me and said that Libertarians are against welfare and how could we take away people's safety nets and stuff. He looked a little ticked when I explained that he must misunderstand the libertarian position. I remember saying to him that nobody in their right mind would want to eliminate welfare. I then tried to explain that I would rather see the need for welfare reduced by getting deadbeat dads to pay for their kids' support and that welfare when it's really needed can be much better administrated by the church and Salvation Army and Red Cross and private groups like it was before Roosevelt.

Then I realized how Michael was kinda pulling for Elaine maybe because she's a smart beautiful woman and I'm a dirtbag biker. I was hoping the calls from listeners would give me a chance to talk about my positions but the first one was from Hayward which isn't even in my district and the guy

asked Elaine how much easier things would be on her if there was a Democrat governor and then she spent five more minutes talking about all the bills she passed and all the ones she could get through if the governor didn't veto them like the one she had for osteoporosis which she says costs Californians two billion dollars a year when granny busts a hip and stuff and I guess her bill was to give 'em calcium pills or better yet milk which would please even more lobbyists up in Sacramento.

So I sat wondering about that two billion dollar number, which seems like a lot of plaster of Paris to me, but then finally someone called who asked me about transportation and BART which is the passenger rail train around the bay and I explained in as diplomatic terms as I could that the reason that it doesn't go through Santa Clara county, the most populous one in the bay, is because that the board of directors of BART is determined by the population figures of the counties it operates in so the reason San Jose has no stations is that the current Board would essentially be run by the new Santa Clara County members if they let BART run all the way around the bay. It's kind of scary to me that everybody thinks the only job politicians should be doing is passing more laws and that the more you pass the better politician you are.

Well the radio show was a real highlight of the campaign except right before the end me and Sammy who was my unofficial campaign manager had this really great idea. Sammy said he had a real problem with Elaine because she supported mandatory helmet laws even for adult motorcyclists carrying insurance. We have this plan to give Elaine a ride on our Harleys so she could do what the boys at

ABATE and Easyriders have been saying all along: "Let those who ride decide." I figured once Elaine went for a ride on a Harley with and without a helmet she would change her position and support a repeal of California's helmet law. Then I would drop out of the race and tell my supporters to vote for her because she at least took the Libertarian position on this one and we could work on the other issues the next time. Well, I was feeling a little guilty about dropping out of the race especially since those two guys contributed 150 bucks to me, so I hemmed and hawed because I didn't want people feeling I stabbed them in the back and I didn't know how Mark and Joe and Marv and the other Libertarian Party guys would take me pulling out not to mention that I figured I could still give her a ride after the election.

So that's why I stuck it out and everybody's real proud of me even if I did only win 4 percent of the vote.

Well, so much for my race. I guess I should talk about the

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The Bum Thrown Out — All right, so Gray Davis is hardly anybody's choice as a leader into a golden future of freedom and beauty and Barbara Boxer is an outright embarrassment. The Meathead Initiative, taxing cigarettes at 50 cents per pack to finance giving the state more access to more children at an earlier age is such a stupid idea that anybody with a room temperature IQ should have rejected it. Having a governor and a legislature of the same party — especially Democrats — is more than likely a formula for higher taxes and a sluggish economy.

Is there anything besides native-son naivete to suggest anything other than that California has gone over to the dark side as we approach the millennium?

Maybe. Not much, but maybe.

The national leave-the-liar alone mood, along with unexpectedly high turnout among core Democratic constituencies, infected California to about the same extent as it did the rest of the nation. The partisan makeup of California's congressional delegation didn't change, although it probably will after reapportionment in 2000. But the main factor suggesting that Californians haven't gone utterly bonkers with enthusiasm for statism is Dan Lungren.

Having been on the editorial board of a newspaper whose circulation lapped into what used to be his Long Beach congressional district, I've known Dan Lungren since the early 1980s as a phone voice, person across

a table and social acquaintance once in a while. When he represented a coastal district with a major port, he used to call every so often to lobby us to write something on behalf of freer trade, and I have no reason to doubt that he was sincere about the issue. But like many conservatives he is sincere about other issues too.

He was a leader in getting the restrictive 1986 immigration reform bill passed. He pushed hard as attorney general to give California the most restrictive Three Strikes law in the country — the third strike doesn't have to be violent to get you life in prison and the first strike can be a juvenile offense — and he has since defended it and suggested it should be even more punitive. He claims his tough-on-crime policies are responsible for crime-rate reductions although he and I attended a conference together at which it was pointed out that the crime rate began to decline three years before the Three Strikes law was even passed and hasn't declined more sharply since. And he is an enthusiastic drug warrior (he pushed for asset forfeiture laws in Congress that made it easier for the feds to seize property) who has done everything he can — and as attorney general it's been quite a lot — to frustrate efforts to implement the medical-marijuana law California voters passed by a 57-43 margin in 1996.

Having talked issues with Dan Lungren many times — and don't get me wrong, he's personable, even like-

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What Do the Elections Portend?

by Harry Browne

Were the election results encouraging for libertarians?

The answer depends on what route you think we must take to restore a libertarian America.

Electing Those Who Sound Right

If you believe freedom will be won by electing more politicians who profess a love of small government and low taxes, you're probably in mourning right now. Conservatives like Lauch Faircloth of North Carolina lost, and big-government liberals like Charles Schumer of New York and Barbara Boxer of California were victors.

But does it really matter whether conservatives or liberals are in office? The federal budget has grown as rapidly over the past four years under a Republican Congress as it did during the preceding four years with a Democratic Congress and a Democratic President.

I realize that some politicians profess to want smaller government, lower taxes, more freedom. But what has their small-government rhetoric brought us? To the best of my knowledge, not one of them has introduced a bill, let alone pushed it through to passage, that would reduce the overall size of government by even a single dollar.

Yes, Bill Clinton might veto such a bill if it were passed, but the President can't stop anyone from *proposing* a concrete reduction in government. And the more such bills the Republican Congress were to pass, the more the President would be pressured to compromise toward smaller, rather than larger, government.

I'm not aware of anything the Republican Congress has done to change our lives significantly for the better. So it really doesn't seem to matter how many Republicans or conservatives are elected.

Thus, from that standpoint, the election results are neither encouraging nor discouraging.

Building for the Future

However, I don't see electing better Democrats and Republicans as the key to restoring freedom. I believe liberty will come only when we elect full-fledged Libertarians. And from that perspective, I find the November election results quite encouraging.

To elect Libertarians in 2000, 2002, 2004, and later, we need a large base of committed activists who will provide the money to run highly visible, major-party campaigns. Only by extensive TV advertising can we transmit our message to all Americans — and especially to the majority of Americans who have stopped paying attention to political events because they no longer see any reason to vote.

To build that base, we must attract as many as possible

of the "small I" libertarians who have been hoping the Republican or Democratic party would bring them smaller government. We need to recruit the broadcasters, journalists, business people, and heads of libertarian and libertarian-leaning organizations, as well as just plain Americans, who have already made freedom from government a primary goal in their lives.

With their support we might obtain 5 percent, 10 percent, or 15 percent of the presidential vote in 2000. That would put the Libertarian Party on the map once and for all, and move the debate away from new government programs to how much and how fast we're going to reduce government.

Already there has been a steady exodus of libertarians from the Republican Party over the past two years or so. It started with the Dole presidential campaign, built up steam as the Republicans passed the largest highway bill in history, and accelerated further with the passage of the obscenely pork-laden budget bill in October. As though that 4,000-page bill itself weren't enough to turn libertarians off, by calling it "A Victory for America" the Republicans made it plain that reducing government isn't the object of their efforts.

The economist-writer Lawrence Kudlow was so disgusted by the budget bill that he said on CNBC-TV that he was about ready to abandon the Republican Party once and for all.

The election campaign caused the disaffection of even more people. For example, the conservative Fox News commentator Peter O'Reilly complained on November 4 that the Republicans only talk about big plans, but they apparently don't have even a single specific plan to carry out any of their high-minded rhetoric on behalf of smaller government. He pretty much leveled a curse upon both parties.

The election results will further those defections from the Republican bandwagon. Many libertarian-leaning Republicans understandably felt that building a third party, the Libertarian Party, was a task that would take too long. The shorter route was to elect just a few more "real conservatives" to Congress — enough to overcome Bill Clinton's vetoes, pass real tax cuts, and make true reductions in government. I had no confidence that the conservative politicians would have made good on their promises under any circumstances, but that was the hope of many people nonetheless.

The November election must have demolished that hope for many Republicans — as the plan to elect more conservatives has been set back for another election cycle or two. So by comparison the Libertarian solution no longer seems such a long, roundabout path. Some of those people will now be

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The Grand Old Spending Party

by Stephen Moore

On a nasty day in October, fiscal conservatives became profligate pork barrellers.

Just how ugly was the budget that the Republican Congress passed in October? Perhaps the most honest assessment came from Senator Phil Gramm of Texas, one of only 20 of the 55 Senate Republicans to vote against the 1998 budget capitulation:

"In 1993, with 44 Senators, we blocked the Clinton fiscal stimulus bill and the Hillary health care plan," he reminded his GOP colleagues. "But in 1998 we are overwhelmingly passing a Clinton budget. I shudder to think what might happen if we Republicans get more seats in this chamber."

The 1998 budget deal was in every way a rout of the very fiscal conservative ideas that got Republicans the majority in Congress in the first place. It contained \$18 billion more bailout money for the International Monetary Fund (IMF) — just weeks after the IMF conceded that the \$5 billion it gave to Russia was stolen by corrupt political leaders. It contained some \$5 billion for more Clintonite social programs. Farmers will get \$6 billion in "disaster aid." Almost \$1 billion was appropriated for combating the science fiction of global warming. The budget contains the biggest increase for the Department of Education ever. And the "inviolable" budget caps in the 1997 budget deal have been exceeded by nearly \$20 billion.

Republicans called this a "compromise" budget. But what did they get in return? House Republican Whip Tom Delay proclaimed that one of the GOP's major "victories" was preventing Bill Clinton from launching a needle exchange program in Washington, D.C. So the right got a moratorium on needle exchange programs and the left got \$20 billion in extra walking-around money. That's a fair exchange!

On the issues that matter, fiscal conservatives got walloped. Zero cabinet agencies were eliminated. In fact, not one federal program was terminated out of more than 4,000 accounts. Taxes were not cut by a single dime. The budget actually raised taxes slightly over five years, despite a tax burden that is already higher than when Jimmy Carter occu-

pied the White House.

This wasn't a budget compromise. This was Robert E. Lee surrendering at Appomattox.

Nor was all the election-eve spending simply extortion money pried out of tight-fisted Republicans by a spendthrift president. Yes, the president had tens of billions of irresponsible spending proposals. But it wasn't Bill Clinton who littered the budget in October with chewing-gum research, \$1 billion in loan forgiveness to the Tennessee Valley Authority, \$10 million for moving the Cape Hatteras Lighthouse 2,000 feet inland, \$5 million in military construction money for a car wash, a movie theater, and a day-care center in Fairbanks, Alaska. These were thick slabs of Republican pork. As one House Republican leadership aide confided: "We really started to act like Democrats in the final days of the session."

Republicans seem hardly embarrassed by this fire sale on their fiscal principles. A Republican National Committee press release issued a week before the elections proudly proclaimed that the \$1.1 billion payment for "100,000 new teachers was originally our idea, not Clinton's."

The entire 105th Congress had an abysmal fiscal record. In 1997 the Republicans galloped out of the gates by ratifying a flimsy budget deal with Bill Clinton. "Social Spending to Soar Under New Budget Pact," is how the *Washington Post* accurately described it. The GOP actually counts as one of its "accomplishments" Bud Shuster's \$220 billion highway bill, crammed with an Olympic record 1,600 projects for such necessities as bicycle paths, university grants, hiking trails,

auto museums, and subways without passengers. A grand total of four Senate Republicans found the stench of this bill too much to pass muster and voted no. Democrats believe in wasting money on social programs; Republicans believe in wasting it on cement.

In both 1997 and 1998, congressional Republicans actually managed to spend more than the White House requested on appropriations bills.

Incredibly, if we compare the rate of growth of domestic spending during the four years of Republican control of Congress with the prior four years of Democratic control, we

Robert Novak once quipped that "the only reason the Good Lord put Republicans on this earth was to cut taxes." Now they can't even get that right.

find virtually no difference. From 1991 to 1995, non-defense outlays expanded by 80 billion in today's dollars. From 1995 to 1999, real outlays have expanded by \$90 billion.

The overall federal budget gobbles up a smaller share of the economy than at any time in a generation, as the GOP's PR operation continuously reminds us, but only because the military budget is shrinking. If we properly account for all of the non-national security spending stashed inside the Pentagon budget these days — for breast cancer research, corporate welfare grants, United Nations "peace-keeping" operations, and the like — the domestic budget takes a larger slice of the GDP pie today than ever before in American history.

Arguably, the most tight-fisted Congress in a generation was not the Republican-controlled 104th or 105th, but the Democratic-controlled 103rd. In 1993 and 1994 Republicans played the kind of ferocious fiscal defense that would have made Bobby Knight proud. Back then Newt Gingrich and most other congressional Republicans would have just as soon lie down with Janet Reno as vote for the budget they now celebrate.

The GOP advertises itself as the party of tax reduction, but the statistics would indicate that the GOP is the tax-raising party. The table below shows the spurt of taxes under

the four years of GOP control of Congress.

The Rising Tax Burden Under the Republican Congress
Total Federal Revenue

	Billions \$	% of GDP
1994	1,258	19.0
1995	1,355	19.3
1996	1,453	19.4
1997	1,579	19.9
1998	1,730	20.6
1999*	1,850	21.0
1994-99 Increase	\$592	

In 1994, federal taxes took 19 percent of GDP. Now they snatch 21 percent. It would seem self-evident that under a tax-cutting Congress, tax burdens should be going down, as was the case under Ronald Reagan, not up. Republican Senator John Ashcroft of Missouri, a rising star in an otherwise mediocre Congress, demanded Reaganite tax cuts in the GOP budget. Only four of the 54 other Republican senators joined the Ashcroft tax relief crusade.

Robert Novak once quipped that "the only reason the Good Lord put Republicans on this earth was to cut taxes." Now they can't even get that right. Congressional Republicans have not only have they failed to cut our taxes, they have raised them every year.

Newt Gingrich and John Kasich have pledged that in 1999 Republicans will pass "a giant tax cut." That's good news if they are serious. "Congressional Republicans are like

Today the budget is balanced because the tax burden is higher than at anytime in 50 years and the defense budget is smaller than at anytime in 50 years.

the Brooklyn Dodgers," moans a frustrated Larry Kudlow, chief economist at American Skandia. "Always wait until next year."

In response to all of this, Republican loyalists are likely to respond: yes, but at least we balanced the budget. True, but today the budget is balanced because the tax burden is higher than at anytime in 50 years and the defense budget is smaller than at anytime in 50 years. We need Republicans for this?

Tim Penny is a former Democratic Congressman from Minnesota. Before he left Congress in 1994 he gained fame by teaming with Republican John Kasich to craft a bipartisan budget-cutting strategy. The "Penny-Kasich" proposal called for the termination of more than 200 obsolete, ineffective, or counterproductive federal programs. This bold plan narrowly failed in 1993, when the Democrats ran the House. Today, not only do all of those programs still exist, but also there's not more than a handful of Republicans who would dare vote to pull the plug.

"On budget issues it really is getting harder than ever to tell the two parties apart," Penny told me after this October's budget vote. "From my vantage point, congressional Republicans have become what they replaced." □



"Drugs may seem appealing at first, but the way I see it, booze has stood the test of time."

Proposal

Devolving the Drug War

by Daniel K. Benjamin

It's time to de-escalate the War on Drugs.

At 3:32 p.m. on Dec. 5, 1933, the results were announced: the people of Utah had voted in favor of the 21st Amendment to the Constitution. As the 36th state to ratify the amendment, Utah ended Prohibition. After 14 years of strife, America's "liquor wars" were over. Within days, the bootleggers and rum-runners were out of business. The bold stroke taken by the American people ended an era responsible for more misery than any prior peacetime span in our nation's history.

The 21st Amendment did not legalize the purchase and consumption of alcohol for everyone, everywhere in the United States. It merely permitted the states to regulate alcohol as they saw fit. The repeal of Prohibition devolved alcohol policy to the states.

Today's national drug policy is no more successful than Prohibition. The drug war is an ineffective and unsatisfactory blend of Americans' conflicting attitudes about drugs. American drug laws are onerous enough to generate enormous costs to society while utterly failing to achieve their goal.

And there is no national consensus. Some people feel that all psychoactives should be legalized; others feel that users and dealers should be dealt with far more harshly. Some feel that the dangers of alcohol and tobacco imply they should be treated on a par with cocaine and heroin. Many are convinced that penalties are the only way to deal with drug abusers; others, that drug abuse and addiction are medical issues best dealt with through education and treatment. At times it seems as though there are more opinions on drugs than there are people to espouse them.

So it is curious that, even as interest in returning power and authority to the states grows in popularity, no one has proposed returning the power to set drug policy to the states, as passage of the 21st Amendment returned the power to set liquor policy to the states.

Nowhere is devolution more appropriate than in policy toward psychoactive drugs. The experience of Prohibition and its repeal can help us understand how devolution would work and suggest a less unsatisfactory way of dealing with

the current drug problem.

Devolution is a way of reconciling the differing attitudes about drugs by letting Americans fashion policies that reflect their preferences and concern, while eliminating the federal government's monopoly and replacing it with competition among alternative governments. This would increase the chances of broadening our understanding of psychoactive substances and would enable one jurisdiction to learn from another.

Lessons from Prohibition

Repeal of Prohibition actually restored to state governments a power they had since the inception of our country. Before Prohibition, 33 states were, to varying degrees, "dry" states. The 18th Amendment had taken that regulatory power away. The 21st Amendment, repealing Prohibition, not only returned it but, in fact, gave the states more power to control consumption of alcohol. It prohibited the import of alcohol into any state when such actions violated state or local laws. State and local governments could call on federal authorities to aid them in enforcing their liquor laws.

When Prohibition was repealed, each state chose its own method of exercising its restored freedom. Three states (Kansas, Mississippi, and Oklahoma) continued prohibition. Seventeen permitted the distribution of alcoholic beverages only through outlets owned by the state governments, and more than 30 states gave local jurisdictions the right to decide the legal status of alcoholic beverages. Such diversity continues today (although Kansas, Mississippi, and Oklahoma are no longer completely dry). The states and local jurisdictions have tailored alcohol policies to the differ-

ing preferences, attitudes, and beliefs of their citizenry.

Devolution of drug policy would allow similar diversity. Under provisions identical to those of the 21st Amendment, the power to control the manufacture, distribution, and consumption of all psychoactives would revert to the states. Devolution would differ from the repeal of Prohibition only in that it would not require a constitutional amendment.

What Devolution Would Mean

National legislation to suppress the consumption of psychoactives dates back to 1909, but all federal drug laws have been superseded by the Controlled Substances Act (CSA) of 1970.* Although each of the 50 states technically has its own set of drug laws, whenever a conflict between state law and national law arises, the CSA governs. The outward appearance of independent state drug policies is a fiction.†

Devolution of drug policy would require only that Congress amend the Controlled Substances Act to eliminate the federal prohibition of psychoactives. Under such an

Violent behavior persists only so long as violence is rewarded, as it is by the Controlled Substances Act.

amendment, the national government would retain the power to tax all psychoactives, as it currently taxes alcohol and tobacco. This amendment to the CSA could include the provision that importing or transporting psychoactives in violation of state laws would be a violation of federal law, thus enabling (but not requiring) the states to draw on federal resources, just as they may do today to enforce interstate violations of their alcohol laws.

Some might think that devolution is little more than a disguised legalization of drugs. They would be wrong. Devolution permits the states to choose drug-control strategies in tune with the preferences of their citizens. Some states might relax some legal strictures on drugs, but others might adopt the current provisions of the Controlled Substances Act as state law, or choose even stricter rules.

Those states that pass tougher drug laws would find that enforcing their laws would be easier than it is today. Right now, the CSA applies nationwide. For a drug dealer, there is no particular reason to choose one state jurisdiction over another, and thus no reason to avoid any particular state, because wherever a dealer operates he faces the same risks. Under devolution, however, states with tough drug laws would become far less attractive to dealers.

In theory, states could achieve this result today by adopting laws stricter than the Controlled Substances Act. But given the national law and national-level enforcement, state legislatures can (and do) pass the buck to Congress, arguing that responsibility lies with the federal government. If drug

* The CSA excludes distilled liquor, wine, beer, tobacco products, and caffeine. This act is also called the Comprehensive Drug Abuse, Prevention, and Control Act of 1970; it was amended in 1984, 1986, and 1988.

† See Appendix B, *Undoing Drugs: Beyond Legalization*, Daniel K. Benjamin and Roger LeRoy Miller (New York: Basic Books, 1993).

policy is devolved, state legislators where anti-drug sentiments run high will no longer be able to hide behind the CSA and Congress. They would have to answer to their constituents, who are liable to tire of the costs (both social and monetary) of sustaining such laws.

In some states, voters might demand drug laws that are less stringent than the current CSA. If they do so, will they be inundated by violent drug dealers and their ilk? No. Just as repeal of Prohibition eliminated the violent bootleggers and moonshiners, repeal of strict drug laws will cause violent drug dealers to disappear. Violent behavior by economic agents persists only so long as violence is rewarded, as it is by the current CSA.

Finally, the diversity of alcoholic beverage regulations today suggests that there will be diverse policies within some states. Voters may choose to permit local jurisdictions to control psychoactives, subject to state oversight.

Children and Drugs

While many Americans would welcome devolution because it would allow the expression of diversity, they worry about the possible impact on children and teenagers. If devolution is implemented, and the state in which we live legalizes one or more drugs, will our children face an onslaught of new suppliers catering to their trade?

The answer is no.

To begin with, today's policies have not protected our children from psychoactives. In virtually every high school across the country, illegal drugs are routinely available, under current policy. In many schools, students report that illegal drugs are easier to obtain than alcohol.

In fact, current policies may have increased the chances that our children are exposed to drugs. Sales of psychoactives are illegal — whether the drugs are sold to adults or to children. Dealers have no reason to prefer selling to adults

It is more difficult today for most minors to obtain legal alcohol than it is for them to buy illegal drugs.

rather than children; the penalties are the same either way. So dealers nurture contacts with children just as intensively as they cultivate deals with adults.

It is true that, under the 1986 amendments to the CSA, there are harsher penalties for selling on or near school campuses. But as a practical matter these penalties are meaningless. Most of the dealers who operate on or around schools are students themselves, and therefore juveniles, to whom the tougher penalties of the CSA don't apply. Besides, it's trivially easy for dealer and user to make contact on a school campus but actually exchange drugs for money elsewhere.

In states that choose to take a tougher stance against drugs, penalties against drug use would be harsher than today, and state legislators would feel the heat from parents serious about keeping drugs away from their children. The result surely would be even tougher penalties for selling to minors. For example, underage illegal dealers might be sub-

ject to the full force of the state's drug laws unless they fin-gered their adult suppliers.

But even in states that relax their drug laws, devolution will reduce the availability of drugs to teenagers if the stat-utes that decriminalize or legalize them are crafted to resem-ble current alcohol policies.

Today, in all 50 states, the sale of alcohol is regulated by state governments. The states limit the number of liquor licenses, so the privilege of selling alcohol is typically worth tens of thousands of dollars. This money is forfeited if the license is revoked. In all 50 states, sales of alcoholic bever-ages to minors are illegal and grounds for license revocation. A license owner can make a handsome profit by selling to adults; but he could lose his license if he makes even one sale to a minor.

Roughly 80 percent of all alcohol is consumed by heavy drinkers — the 20 percent of the population who are alco-hol abusers and alcoholics.* The over-whelming majority of these individuals are over age 21. If these heavy drinkers have access to a reliable, legal source of supply, they have no reason to turn to illegal sources, and there is no opportu-nity for organized, illegal sources of sup-ply to develop. As noted above, legal suppliers wish to avoid selling to minors, because doing so jeopardizes the profits they earn from sales to heavy drinkers.

The combined effect is that it is more difficult today for most minors to obtain legal alcohol than it is for them to buy illegal drugs. To be sure, there are unscrupulous liquor dealers who are cas-ual about confirming the ages of their younger clientele, and minors can find adults — including their parents — who will buy alcohol for them. But in the case of alcohol, we need worry only about the unscrupulous or irresponsible few; in contrast, with marijuana and cocaine today, every user and every dealer is a potential supplier to children.

Devolution will not eliminate all drug use by children. Some drugs are bound to slip through the enforcement net and into the hands of children. Some suppli-ers will be foolish or desperate enough to sell to underage consumers. But devolu-tion would reduce the consumption of drugs by children and would thus pro-vide a major improvement over current policy.

The Founding Fathers knew that it was freedom — of speech, religion, and

* Dean R. Gerstein, "Alcohol Use and Consequences," in *Alcohol and Public Policy: Beyond the Shadow of Prohibition*, ed. by Mark H. Moore and Dean R. Gerstein (Washington, D.C.: National Academy Press, 1981).

thought — that attracted people to this land. They knew also that, despite the unifying beliefs common to many Americans, the residents of the various states differed in their individual preferences and in the circumstances in which they wanted to live. Both the federal system of gov-ernment and the 10th Amendment, which reserves unenu-merated powers to the states and the people, were intended to allow the maximum flexibility in the expression of these differences. Devolution offers precisely this flexibility and this freedom. It is an approach solidly embedded in our Constitution. Its only radical aspect is that it will accomplish the objective that all Americans want — reducing the harm done by drugs. □

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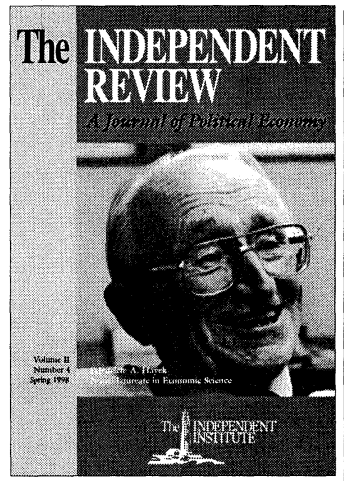
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Handguns Are a Girl's Best Friend

by Barbara Goushaw

It's a dangerous world, and for protection, diamonds just don't cut it.

We hear a lot about "empowerment" these days. All sorts of government and social programs are undertaken to "empower" women, racial groups, and other minorities. But these programs all treat people as components of groups — not as individuals. And the truth is that most of the important things we do in life we do alone — as individuals.

For example, I travel a good deal — both in my work as a seller of computer products and as a Libertarian Party campaign manager. So I stay in many hotels. In those hotels, I enjoy the protection afforded by the hotel's security department, as well as by other employees and guests of the hotel.

But that isn't the case when I step outside. Once I leave the safety and security afforded by the hotel, I am on my own — and nothing more nor less than potential prey for muggers, rapists, and other predators. So I have three choices available to me:

1. Remain in the relative safety of the hotel.
2. Make certain that I have the means to protect myself on the street.
3. Ignore the possibility of danger and head out the door without any means of protection — naïvely believing that Sarah Brady, gun control laws, and the nanny government will keep me safe.

Obviously, I will make certain I have the tools to keep me safe.

Cowering inside a safe environment isn't always an option, because at some point I must venture out into the world. And when I do, handguns are a girl's best friend.

Potential Prey

Have you ever watched a "National Geographic" wildlife special on TV? In some of them, the predators — the lion, the cheetah, the wolf — stalk a herd of antelope and wait. They seek out the weak and powerless, waiting for the opportunity to cut them off from the herd and take them down. They seek the easy prey — not the full-grown adult male who can

fight back with horns and hooves and fangs.

In society, we can't always travel with a protective herd. The weak, the powerless, the vulnerable must be able to move about alone. They must make certain they have the means to protect themselves. The weak one may be your daughter. The powerless one may be your wife. The vulnerable one may be your mom. And the predators are out there — just waiting to cut them off from the herd and take them down.

And when it comes to possessing her own set of fangs and hooves and claws, handguns are a girl's best friend.

What Protection Is Available?

The friends of big government are working very hard to convince Americans that gun rights are important only to a small, misfit minority of paranoid wackos. The propaganda machines of Handgun Control, Inc., and the Clinton administration want people to believe that the only folks who care about the right to keep and bear arms are camouflage-clad, white racist men. Or green-toothed Bubbas whose primary goal in life is to slaughter furry little animals.

They want you to believe that keeping a weapon in your home will lead to shooting your children. They manipulate statistics to try to persuade us that children are dying by the thousands in handgun accidents. The truth is that the "children" included in those numbers are primarily gang members killed by other "children" in turf wars over drug deals. God forbid that they should lay the blame for the killings on the insane War on Drugs. Oh no, they blame the weapons,

and push for more gun-control laws — even though the guns used by the gang members may have been outlawed long ago.

Those who claim to care about children involved in accidental shootings are the same people who do everything possible to suppress gun safety. “Eddie Eagle” is a highly effective gun-safety program taught in government and private schools by certified National Rifle Association instructors. It costs the taxpayers nothing. And yet, whenever possible, the do-gooders prevent the course from being offered. Why? Because every time a child is killed in a handgun accident, their agenda is advanced — while safety training would virtually halt those accidents.

So whenever you hear of a kid who found a gun and shot another kid with it accidentally, remember: that death could have been prevented with safety training. And the reason the kid didn’t get that safety training was because Sarah Brady and Handgun Control, Inc., opposed the idea.

Whenever you hear of a mother who stopped at the store on her way home and was forced into a car — or of a wife who left work a little late and was attacked in the parking garage — or of a former girlfriend who was bludgeoned to death by an irate ex-boyfriend — remember: the weak and the powerless are singled out from the herd, caught without the tools to protect themselves, and taken down. And lay the blame for those women’s vulnerability squarely where it belongs — on those who deny them the means to protect themselves.

Real Women’s Rights

We hear a lot about women’s rights, but what about laws that prevent the poor, inner-city, single mother from legally owning the means to protect herself and her children from the gangs? To seek safety, she has only two choices: cower in fear behind steel-barred windows and doors and hope she will be passed over — or illegally purchase a weapon for

When it comes to possessing her own set of fangs and hooves and claws, handguns are a girl’s best friend.

self-defense. The do-gooders force her to become a criminal herself if she wants protection.

Of course, if you happen to live in Beverly Hills and there’s trouble, you can rely on the police to come immediately. But do you know the standard police response time in Watts or Harlem or inner-city Detroit? Daybreak.

If fact, there’s a standing joke in Detroit: If you have a problem, call the cops. Then call Domino’s Pizza, and see who arrives first.

You can’t count on the cops. But you can count on your handgun, and so handguns are a girl’s best friend.

And whenever some politician claims to support the rights of women (you know: someone like Ted Kennedy or Bill Clinton who “truly cares” about the rights of women), and he spouts off about sexual harassment, stalker statutes, or deadbeat dads, ask him:

“Where do you stand on the most basic of all women’s rights — the right to own and carry a gun, the best means of my own protection?”

I don’t need the government or a weapon to protect me from the amorous guy in the next office. And the government isn’t going to protect me from a robber or a rapist. So the only reliable protection for what truly threatens me is my handgun.

Learning to Empower Myself

Many years ago, I was a single mom who lived alone with a small child.

At that time I believed all the anti-gun propaganda. I thought guns caused violence. I believed that refusing to keep a weapon in my home would ensure that my son and I would escape the brutality lurking outside. I believed in and worked for a more peaceful world. (Today, as a Libertarian, I still believe in and work for a more peaceful world, but in a more realistic way.) I believed so firmly that guns were the problem that I wouldn’t even allow my son to own a toy gun. And my folks had raised me to believe that nice girls, ladies, do not have anything to do with guns.

A man who had lived in my neighborhood moved away. I had never said two words to him. I didn’t even know his name. But a few months after he moved, he started coming back into the neighborhood late at night and terrorizing me. He would come to my home, bang on the front door, bang on the windows, wake up my baby, and scare me to death.

I would call the police, of course, and they would come — at least at first. But the stalker always knew how long it would take the police to arrive, and he’d disappear before they arrived. So I had no evidence that anyone had been there. The police would leave, and he’d come back. This went on night after night. From time to time, he would stop for a week or two, and then he’d show up again. Eventually, the cops apparently concluded I was some kind of nut-case who liked to call the cops at two in the morning, and they quit responding when I called.

So I was left without any protection at all.

I will never, as long as I live, forget the long nights sitting in my darkened living room, clutching my crying baby in one arm, holding a butcher knife in my other hand — wondering if this was the night he would break through the door. Eventually, I had to move. To escape from this man, I had to give up my home.

How I wish I had known then what I know now. That man was undoubtedly a coward who got his kicks from terrorizing the helpless. If one time, just one time, I had shown him I wasn’t helpless, that I had the means to protect myself, he most likely would have cowered off into the night — too fearful to even seek another victim. The night he saw my weapon would be the night *he* would be afraid.

I wish I had known then what I know now — that handguns are a girl’s best friend.

False Protection

I think often about the terror I felt — the terror of a powerless victim. And I think about the insidious ways women are trained to believe they are victims, and the futile attempts we make to protect ourselves.

Recently I saw a local TV news report called "How Not to Be a Victim." It contained a bunch of "helpful tips":

- When you walk into a mall parking lot at night, ask a security guard to walk with you. (Yeah, right.)

- If you must walk alone, have your keys in hand, ready to open your car door. Don't stop at the car to dig them out of your purse (as though your car were the only place you're vulnerable).

- Stay alert — watch for people lurking around parked cars (as though you could do anything about it if someone were there).

- Never get into an elevator alone with a man (which means you may have to climb a lot of stairs).

The most insidious advice of all was: if you're attacked, give up. Don't resist. Give the assailant whatever he wants. Is your car or your purse worth your life?

The TV report never mentioned that if a woman walked to her car with her hand on a pistol, it's the predator who

The weak and the powerless are singled out from the herd, caught without the tools to protect themselves, and taken down.

would have to decide whether the purse or the car was worth *his* life.

To tell women not to resist in a world where rape could be a death sentence is worse than no advice at all. If you don't resist and you're lucky enough to have the cops catch the guy, you can go to court and be victimized again — by some slick lawyer claiming that you "asked for it."

When I turned off the television, I was shaking with anger. All those safety tips seemed necessary because the underlying assumption is this:

"You are powerless. You are helpless. Your government doesn't allow you to have the means to protect yourself, so give it up."

Nowhere in the TV report did anyone utter the simple truth that handguns are a girl's best friend.

Propaganda vs. Protection

Despite all the propaganda regurgitated by the politicians and the press, the truth is that handguns reduce crime.

In the 31 states where citizens can obtain permits to carry concealed weapons, assault crime has gone down. In states where the government doesn't prevent citizens from carrying a handgun, overall crime has gone down. John Lott and David Mustard of the University of Chicago proved this unequivocally in an extensive study published in the January 1997 issue of *The Journal of Legal Studies*. The study examined the impact of "concealed carry" permits, using crime data from every U.S. county between 1977 and 1992.

If you didn't hear anything about that study, don't feel bad. *USA Today* published one very short article, and that was about all the notice the study received. If the Libertarian Party and a few gun-rights organizations hadn't publicized this information no one would have heard about it at all.

Another study, at Brandeis University, concluded that

you're three times more likely to survive an attack if you resist with a weapon. In fact, a handgun is used 2.5 million times each year to protect a citizen from attack or injury by a predator. Most of the time the weapon is never fired. Simply seeing that the victim has the means of her own protection is sufficient to deter the attacker.

It is often claimed that carrying a weapon leads to the attacker taking it from you and using it against you. But this claim is pure fabrication: there's no available evidence to support it. However, if you're concerned about this possibility, take a training class to learn how to prevent it. Indeed, I highly recommend firearms safety and marksmanship training for anyone who owns a firearm. It's part of being a responsible gun owner.

Who Promotes Your Protection?

To me, the right to keep and bear arms doesn't exist as a check on tyrannical government or to ensure no interference with hunting. It is my protection — *my best protection* — against the criminals whom the police can't stop.

Time and time again, Democrats and Republicans who claim to be defenders of the Second Amendment betray this fundamental right. They begin by standing on the Bill of Rights, but inevitably wind up agreeing to a "reasonable compromise" to ban assault weapons or some other type of firearm. They're afraid to be seen as insensitive to the image of Jim Brady in his wheelchair, and so they go along with restrictive legislation. In the name of being "reasonable," they sell out our right to defend ourselves.

Because the old parties have compromised on this issue so many times, gun rights have become almost the exclusive province of the Libertarian Party. There has been no equivocation, no caving in, no "reasonableness." It is the party that trusts individuals — not government — to take care of themselves. And because of that, the Libertarian Party is the only one that can claim to fully support the rights of women.

I look forward to the day when I and hundreds of other Libertarian campaign managers help elect a Libertarian Congress. When that happens, women will no longer be helpless victims because many of them will choose to arm themselves — and our government will no longer stop them from doing so, as long as they do not use their weapons to commit a crime. Not all women will choose to carry a weapon, but because so many of us will, *all* women will be safer.

The criminals will realize that any potential victim might have the means to prevent herself from becoming one. The mugger, the rapist, any predator sizing up a potential victim is going to stop and think: "I see she's wearing a suit coat. Does it cover her wallet or her Walther PPK?" And, "I notice her coat falls awkwardly over her thigh. Is that cellulite or a Smith & Wesson?"

Finally, the criminal will have to ask himself: "Is this really the best way for me to get the money I need? Maybe I should just give it up and get a job."

I don't believe that day is so very far away. But in the meantime, we who care about the rights of women, we who want to see women truly empowered, must spread far and wide the message of protection that applies here and now and forever: handguns are a girl's best friend. □

Memoir

The Road to Ruby Ridge

by *Randy Weaver*

Before anyone took notice, one man and his family took to the road.

I was raised near the small town of Villisca in southwest Iowa. My earliest memories were of living in a rented farmhouse about 15 miles north of Villisca and attending kindergarten through fifth grade in Griswold, Iowa.

Surrounded by hard-working and conservative farm people, I was raising chickens and selling eggs at age 7. Most of our friends, relatives and neighbors were farmers of German descent and very conservative, politically speaking. My grandfather, Harvey Weaver, had lost his farm during the Depression. I remember him saying, "Government is like a garden. It needs to be weeded now and then."

In the early 1950s our evening entertainment was listening to the radio. On many Saturday mornings I would listen to the "The Lone Ranger" while I washed the dishes. Mom was a very neat housekeeper, and still is today at the age of 81. She taught us that dishes were to be washed, dried and put away after each meal.

We got our first television in 1954. It was a Coronado® brand. Dad bought it from his brother Cecil who owned the Gambles store in Villisca. One of my favorite programs was "The Big Picture," a World War II documentary. Watching this and saying the "Pledge of Allegiance" in school every morning gave me a strong sense of patriotism and pride in my country. Stalin was certainly right when he said that television would become the most effective propaganda tool invented. It certainly has been for my generation.

Dad bought me my first BB gun when I was 10. He taught me how to use it and always stressed safety. In a few years I graduated to rifles and shotguns. Dad would take me hunting for birds and other small game. He never carried a weapon himself and I never saw him kill anything in his lifetime. He had a very gentle spirit. Dad passed away in October of 1996 at the age of 88.

In August of 1959 we left the farm and moved to Jefferson, Iowa. Dad switched jobs from selling Chevrolets to

selling feed and fertilizer for the Walnut Grove Company. My sisters and I didn't want to move but we quickly made new friends and the adjustment was easy.

Between sixth grade and graduation I worked as a substitute paper carrier for the *Des Moines Register*. I also worked selling shoes, bailing hay and running a hobby shop. I wrapped meat in a market and shoveled more than my share of snow for friends and neighbors and dined out often.

After seventh grade I didn't care much for school but was able to maintain average grades without having to work at it. I didn't learn to enjoy reading until my early 30s, at which time I began to read everything I could get my hands on. The old saying, "ignorance is bliss" can be so true in certain ways.

I attended a small junior college in Fort Dodge, Iowa, for two years. To help pay for my schooling, I drove a school bus and loaded pop trucks during the school year. In the summer months, I worked on road construction.

It was during my second year of college when I met a beautiful, dark-haired young woman by the name of Vicki Jean Jordison. We became friends and dated a few times. Then, in October of 1968, I joined the Army and we didn't see each other for a couple of years.

My three-year hitch in the Army was fairly uneventful, as I was assigned stateside duty. I am proud that I completed the rigorous Special Forces training and earned my Green Beret. I was assigned to the Seventh Special Forces Group in November of 1969. At the time, I was disappointed that I wasn't going to Vietnam. Now that I am older and wiser I realize that I was fortunate to have been given stateside duty.

During my third year in the service, Vicki and I started

dating again. We fell in love, and were married within a month of my discharge from the Army in October of 1971.

Vicki and I were no different than many hard-working Americans. We enjoyed the company of friends and neighbors. After four years of marriage, we had not yet had any children. Vicki wanted to adopt a child and I suggested buying a Chevrolet Corvette instead. We bought the Corvette, only to find out six weeks later that Vicki had become pregnant. Our first child, Sara, was born in the spring of '76. We ended up trading the Corvette in on a family car.

Two years after Sara was born, we had our second child. He was a healthy little boy born in the spring of '78. We named him Samuel Hanson after both of his grandfathers'

We weren't exactly sure where we were headed, but decided the mountains of the Pacific Northwest would be our final destination.

middle names. Sam and Sara became inseparable. Rachel was born in the fall of '81. She was a quiet, happy little baby.

Vicki and I became interested in the study of history, politics, and religion. Apparently, some people were offended as our religious and political views changed. We soon realized that people who seek truth and share what they have learned are quickly out of the mainstream. Those who do share can pay a high price. It could cost them their job, reputation or even their life. Most people are content to go through life believing only what they've been taught at either school or church.

We decided to separate from what we saw as a meaningless existence in suburbia. Our decision to leave Iowa and move west was not an easy one. It took us several years and we still had mixed emotions about it. Quitting your job, leaving family and friends, selling most of what you own to move to a place you have never been, is more risk than most people are willing to take.

Vicki and I had come to the conclusion that we wanted to raise our children away from the rat race and the ever increasing intrusions of government. I could no longer envision spending the rest of my life working in a factory for 40 or 50 hours a week and waiting all year for my three-week vacation. Putting up with ten-hour days behind the wheel on crowded roads, rushing from one tourist trap to another, is not my idea of a vacation anyway. . . .

In the summer of '83 we sold our house, my Harley-Davidson, and other possessions we wouldn't need in the mountains. We bought a one-ton moving van and a trailer to pull behind the pickup. The kids were excited. Everything was going smoothly until Sam jumped off the truck and broke his foot the day before we left. We pulled out in mid-August in sweltering heat.

We weren't exactly sure where we were headed, but decided the mountains of the Pacific Northwest would be our final destination. To make the trip less monotonous for the kids, we did some sightseeing along the way. We visited such places as Reptile Gardens, Sea World and the Black Hills area of South Dakota.

Our goal and our dream as we left was to move into the mountains to be free. Free to worship the Creator in our own way, to build a home and live as self-sufficiently as possible. We were not looking to do battle with anyone.

We wanted to be left alone. □

Browne, "What Does the Election Portend?" *continued from page 28*

willing to come into the party or at least help us from the outside.

Also, the press has pronounced the recent election as a victory for "moderation." Given the Republicans' propensity to cave in to the press, it's quite likely that next year's Congress will be more accommodating to the president, more the dispenser of pork-barrel programs, more the purveyor of "responsible" policies that allow government to keep getting bigger and bigger. This is bound to cause additional Republicans and influential people to defect and join the Libertarian cause.

The Possibilities

The Libertarian Party membership is already just shy of 30,000 — which is over twice its size in 1996. The testing for its recruitment program has identified mailing lists containing millions of excellent prospects. Early next year the party will begin large-scale mailings to these lists.

If the mailings live up to the tests, party membership could reach 100,000 going into 2000 — enough of a base to run a highly visible \$25–50 million presidential campaign. (compared with \$3 million in 1996).

Imagine what would happen if television ads helped voters and ex-voters envision what their lives would be like

without the federal income tax, without politicians running Social Security and squandering their savings, without dangerous neighborhoods caused by the insane War on Drugs.

Imagine a Libertarian presidential candidate on nationwide TV asking Americans:

What will you do with all the extra money you'll have when the income tax is repealed? Will you put your children in a private school where you can obtain exactly the kind of education you want for them? Will you save up to start your own business? Will you support your church or your favorite cause or charity in a way you've never been able to do before? You earned that money and you should have every dollar of it — to spend, to save, to give away as *you* think best.

Such a campaign could change politics in America forever.

It would feed on itself, because the more the Libertarian Party advertises, the less people will consider it to be a permanent fringe party, and the more eager they'll be to help make the party even stronger.

Nothing can happen overnight — and no future is guaranteed. But we've been moving closer and closer to such a visible campaign for the past few years.

I believe the 1998 election results will help us get there sooner. □

Whores vs. Feminists

by Wendy McElroy

The world's newest political movement takes on the world's oldest profession.

Once upon a time, feminists and prostitutes' rights advocates supported each other. But in recent years that mutual support has deteriorated into a rancorous hostility. The conflict arises because most feminists maintain that their theories and policies help prostitutes escape victimization by male culture. Prostitute activists, on the other hand, consider themselves sexually liberated, and decry the feminist theories and policies that claim to protect them as an assault on their freedom.

Radical feminist Andrea Dworkin captures the anti-prostitute view well: "The only analogy I can think of concerning prostitution is that it is more like gang rape than it is like anything else. . . . The gang rape is punctuated by a money exchange. That's all. That's the only difference."¹

According to philosopher Laurie Shrage, author of *Moral Dilemmas of Feminism*, prostitutes who consider themselves liberated have been duped by the patriarchal system: "Because of the cultural context in which prostitution operates, it epitomizes and perpetuates pernicious patriarchal beliefs and values and therefore is both damaging to the women who sell sex and, as an organized social practice, to all women in our society."²

At a feminist conference in 1987, a representative of the Canadian Organization for the Rights of Prostitutes (CORP) related the impact that the anti-prostitution attitude was having on whores:

They find it necessary to interpret prostitutes' experience of their lives and then feed it back to the prostitutes to tell them what's really happening, whereas they wouldn't dare be so condescending or patronizing with any other group of women. Why is that?³

Peggy Miller, another CORP representative, was more direct: "You're a bunch of fucking madonnas!"⁴

How did the rhetoric reach such a boiling point? A look at the history of the prostitutes' rights movement and its relationship with the larger feminist movement sheds some

light. That soured relationship inevitably led to the increased arrests of johns — and one of the most bitter disputes yet. It's a long way from the '60s, when prominent feminist leaders such as Ti Atkinson referred to the prostitute as the paradigm of a liberated woman.

Friends: The Early Days

The prostitutes' rights movement made its debut in early 1973 through an organization known as COYOTE (Call Off Your Old Tired Ethics). COYOTE had emerged in San Francisco from a preceding group called WHO: Whores, Housewives, and Others.⁵ The "Others" were "lesbians" — a word no one even whispered in the political climate of those days. And the willingness of prostitutes to embrace the cause of lesbian rights was one of their early and strongest links with many feminists of that time.

COYOTE founder Margo St. James became convinced that a prostitute advocacy group was necessary because the feminist movement would not take the issue of prostitution seriously until whores themselves spoke out. Earlier, the lesbian community had reached a similar conclusion about the need to speak out for themselves.

The mid-1970s were a propitious time for prostitute rights. The national mood in the '60s swung toward sympathy for decriminalizing victimless crimes. The abortion crusade had embedded the principle "a woman's body, a woman's right" into the political landscape. The gay rights movement in San Francisco had called attention to police abuse of sexual minorities.

Originally, COYOTE limited itself to providing services to prostitutes in San Francisco, but a national prostitutes' rights movement soon began to coalesce around the local San Francisco model. By the end of 1974, COYOTE boasted a membership of over 10,000 and established three COYOTE affiliates: Associated Seattle Prostitutes (ASP), Prostitutes of New York (PONY), and Seattle Prostitutes Against Rigid Rules Over Women (SPARROW).

The feminist movement reacted with applause. In 1973, for example, The National Organization for Women (NOW) endorsed the decriminalization of prostitution, and this is

"The only analogy I can think of concerning prostitution is that it is more like gang rape than it is like anything else," writes Andrea Dworkin. "The gang rape is punctuated by a money exchange. That's the only difference."

still the official policy — at least on paper.⁶ Ms. magazine lauded both the efforts and the personality of Margo St. James. As late as 1979, prostitutes and mainstream feminists were actively cooperating. COYOTE aligned with NOW in what was called a "Kiss and Tell" campaign to further the Equal Rights Amendment effort. A 1979 issue of *COYOTE Howls*, the organization's newsletter, declared:

COYOTE has called on all prostitutes to join the international "Kiss and Tell" campaign to convince legislators that it is in their best interest to support . . . issues of importance to women. The organizers of the campaign are urging that the names of legislators who have consistently voted against those issues, yet are regular patrons of prostitutes, be turned over to feminist organizations for their use.⁷

In the mid-'80s, the prostitutes' rights movement was seriously wounded by an unexpected assailant: the AIDS virus. In the understandable social backlash that surrounded AIDS, feminists now saw prostitution as a source of contagion every bit as virulent as IV needle use. Around this time, mainstream feminism also turned against the prostitutes' rights movement and began publicly to excoriate prostitution as a form of patriarchal abuse of women. In 1985, Margo St. James left the United States to live in France. She cited the sexually conservative swing in the American feminist movement as one of her motives for leaving.

From Paradigm to Victim

In 1985, with the decline of the prostitutes' rights movement in America, the image of the liberated whore declined as well. A new image took over almost entirely: the whore as pathetic victim of male oppression, a victim of patriarchy. And prostitution became increasingly derided as inherently an act of violence against women. To recall Dworkin's words: ". . . prostitution is . . . more like gang rape than it is anything else . . ."

The whore is, by this definition, a sexually abused and exploited woman. She is a victim, whether or not she declares herself a willing partner to prostitution, and whether or not — in the presence of other reasonable options

— she pursues paid sex. Her belief that she has consented is thus merely a delusion.

Much feminist research has been conducted with the goal of establishing this image of the whore. Some of the data are valuable, but — at least in terms of its value in forming any general policy on prostitution — deeply flawed. The sampling is almost always drawn from the street-walking segment of the prostitute community, and usually from the further subcategory of street walkers in prison, who seek treatment for drug problems or who otherwise enter programs to get off the street. In other words, these samples self-select for the women most likely to have been victimized as prostitutes and most likely to want out of the profession. Moreover, women seeking treatment or leniency in prison are likely to give authority figures — such as a researcher — whatever answer they believe the researcher wants.

There is another reason that such studies on street walkers, in terms of forming general policy on prostitution, are inadequate. The National Task Force on Prostitution estimates that, of the entire female prostitute community in America, only 5–20 percent are street walkers. The percentage spread depends on the size of the city. Eighty to 95 percent of prostitutes work either incall or outcall. But because street walkers are the most visible of all prostitutes — in terms of public awareness, arrest records and social-work programs — they are wrongly perceived as being "the paradigm of a prostitute."

In reality, they form the smallest segment of the community, and the one by far most likely to suffer the problems associated with prostitution: drug addiction, violence, police abuse, and disease.

Anti-prostitute feminists Melissa Farley and Norma Hotaling studied street walkers in San Francisco neighborhoods, in particular the strolls frequented by homeless, drug-using prostitutes and particularly young whores.⁸ These whores make easy targets for violence: they are not necessarily representative even of the street-walking community. Yet this study has been trumpeted by anti-prostitution groups as the definitive portrait, not simply of the most vulnerable street walkers, but of "the prostitute."⁹

Farley and Hotaling entered into their research to test the hypothesis that street walkers suffered from post traumatic stress syndrome and compared the psychological states of whores to those of hostages and torture victims. From a sample of 130 prostitutes, including some male and transgendered ones, Farley and Hotaling arrived at some disturbing statistics. Eighty-two percent reported having been physically assaulted since entering prostitution. Three-fourths stated that they had or did have a drug problem. And 88 percent wanted to leave prostitution.

In 1995, I conducted an intensive study that yielded markedly different results. I interviewed 41 female members of COYOTE, 34 of whom were, or had been, prostitutes. Seventy-one percent reported having experienced no violence over years of sex work, while 29 percent had, more often from the police or a co-worker than from a client. One respondent noted, "If you are on the street and you are dealing with someone who can remain anonymous, it is more likely that people you will encounter will be violent." None of the women stated, or evidenced, a drug problem.

Seventeen percent wished to leave sex work, with 24 percent not being sure.¹⁰

Needless to say, there is a dramatic discrepancy between my results and those of such researchers as Farley and Hotaling. Both studies focused on prostitutes, but in sharply contrasting circumstances.

I don't dispute the stories or studies of damaged ex-prostitutes. My point is not that Farley and Hotaling are wrong, and that I am right. They surveyed the lowest rung of prostitution (street walkers in notoriously bad strolls), where abuse is rampant, while I dealt with the upper rung (callgirls), where abuse is uncommon. The phenomenon of feminists researching different segments of the prostitute community can easily devolve into a circus of confrontation with each side claiming to have "better whores."

My point is this: the truth is usually more complicated than any one perspective can capture. Prostitution is not a monolith. Each woman experiences the profession in a different way. We gain nothing when different groups of feminists or prostitutes — all of whom are probably telling the truth of their own experiences — attempt to discredit each other. The day-to-day realities of a street walker cannot be extended to say anything that is necessarily, or even probably, true of the daily routine of a woman working in a massage parlor, an exclusive call girl, or a stripper who hooks on the side. About the only political interest all women in prostitution seem to share is that — whatever their circumstances — it is better for every woman *not* to be arrested and legally persecuted for the choices she makes with her own body. It would be better to decriminalize prostitution.

And this brings us to the policies that most feminists now advocate against the economic associates of whores, policies that prostitute activists decry.

Decriminalization vs. Legalization

Traditionally, society has legally approached "the problem" of prostitution in three general ways: suppression, or abolition; regulation, or legalization; and tolerance, or decriminalization.

The meaning of abolition is self-explanatory.

Legalization refers to some form of state controlled prostitution, for example, the creation of red light districts. It almost always includes a government record of who is a prostitute — information which is commonly used for other government purposes. For example, some countries in Europe indicate whether someone is a prostitute on her passport, and other countries automatically refuse entry to her on that basis.

Decriminalization goes beyond legalization. It would eliminate all laws against prostitution, including laws against those who associate with whores: madams, pimps, and johns. The prostitutes' rights movement has consistently called for the decriminalization of all aspects of prostitution.

Anti-prostitution feminists sometimes describe their position as "decriminalization with the goal of abolition." But each side means something very different by the term "decriminalization." Prostitute activists mean that all aspects of prostitution must be legally tolerated. Anti-prostitution feminists mean that the police should not arrest the prostitutes, only the pimps, johns, and madams.

And — with the support of such feminists — many police departments in North America have made a sea change in how they legally address the nitty-gritty of street walking. Namely, they are now arresting the men. In discussions with vice cops who spoke at the International Congress on Prostitution, all but one said that arrests now run about 50/50 for prostitutes and for johns — as opposed to something like 2 percent for the men in the past. Some police departments go even further. The Edmonton Police Services in Canada declared 1992 the Year of the John and concentrated on charging clients.

Anti-prostitution feminists have joined forces with vice cops to create "Schools for Johns," a phenomenon that seems

It's a long way from the '60s, when prominent feminist leaders such as Ti Atkinson referred to the prostitute as the paradigm of a liberated woman.

to be sweeping North America, city-by-city. It began in San Francisco in the early 1980s, when Norma Hotaling teamed up with the vice department to formulate new policy on prostitution.¹¹ Instead of ignoring johns as they normally did, police started arresting them. Police gave first-time johns an option: they could erase the arrest from their records by paying a fine and attending a one-day seminar during which they received lectures, usually by feminists and damaged ex-prostitutes, on the turpitude of their ways. Some cities, like Chicago, have added the touch of publishing the names and addresses of the busted men in major newspapers.

The dozens of prostitutes I've spoken with are appalled by this development. They argue that the Schools for Johns are making the streets less safe for prostitutes. The force of such laws will not reduce the number of women who turn to the streets. But, prostitute activists argue, the laws will discourage a certain class of men from seeking out street walkers. Men who are married, with respectable careers and a reputation to protect will not risk public exposure as a john. On the other hand, the prospect of a police fine will not deter men with criminal intentions toward prostitutes.

Thus, police/feminist policy keeps peaceful johns off the streets, and leaves women to compete more vigorously and screen less rigorously for the johns who still approach them. Is it any wonder that violence against street walkers is rising in many North American cities? Arresting the economic associates of prostitutes represents a further step toward state control, rather than a step toward decriminalization. Arresting the men on whom they rely to make a living constitutes a direct attack on the women who *choose* prostitution as a profession.

Pimps: Beyond Stereotypes

Feminists and the general public alike consider pimps the most reviled men involved in prostitution. And police are cracking down on pimps, again with feminist backing. But

many prostitute activists say the public's image of the pimp is nothing more than a stereotype with little basis in reality.

I engaged in an e-mail exchange with three female prostitutes on the subject of pimps and madams. The first woman wrote:

I would like the prostitutes' rights movement to be *less* oriented toward social work and *more* about giving people the skills (and other things they need) to be professionally successful. Key to this is *supporting madams and business owners* instead of trashing them (whether subtly or directly). Because in order to succeed and have staying power a prostitute eventually has to become more entrepreneurial.

The second prostitute added:

I think madams are a great asset to the industry — they're women who usually have first-hand experience, and tend to be thorough when it comes to protecting their underlings. I have a bit of a problem with pimps, though . . . especially men whose only experience in the biz is from the demand side.

The third whore wrote a dissenting opinion:

What is the big fuss about pimps? . . . If you are talking about people who (but for a penis) might be called madams, I don't see a problem. I might prefer to work with another lady but that's a personality thing. When I was younger, I worked for an agency that was owned by two guys and one woman. They were all about the same — sometimes nice, sometimes annoying, like anyone else in the world.

Note that this discussion of pimps does not even touch on the issue of violence. It dwells entirely on economics, and that is because the definition of pimp is an economic one. As the Canadian ex-prostitute Alexandra Highcrest commented in her book *At Home on the Stroll*, "In simple legal terms a pimp is someone who lives off the earnings of a prostitute. Such a broad definition can include many people most of us don't think of when we hear that word. Children live off the earnings of prostitute mothers; husbands, lovers, siblings, perhaps even parents, can all meet the basic requirements for being classified as pimps by the courts."¹²

Such laws do not punish people for beating, raping, or stealing from a whore. They do not define a pimp as a man who kidnaps a woman and coerces her onto the streets. Such laws refer to financial arrangements and target those who receive money from or give money to whores. And so it becomes illegal for a prostitute to form the economic associations most women take for granted.

The public widely perceives anti-pimping laws as protecting prostitutes from abusive men. And Kathleen Barry, author of *Female Sexual Slavery*, not only agrees, but extends the definition of pimping to include anyone who promotes the commodification of women, including pornographers. But if mere economic arrangements with men were damaging street walkers, you would expect the prostitutes' rights movement to support measures against them. Instead, the community adamantly opposes anti-pimping laws.

In a COYOTE release, the veteran prostitute activist Carol Leigh — "the Scarlet Harlot" — offered insight into their reasoning when she pleaded on behalf of her husband:

You want to make laws against the pimps? Make sure that you make the distinction between forced prostitution, and those who want to be in prostitution by choice. Go after

those who actually abuse us. Just as in marriage, some husbands are abusive of women. Not all husbands are that way. Don't take away my husband because he's really, really good to me. But if you want to help women, go after those people who actually abuse us, but be very, very careful how you word legislation that goes after those who you think exploit and abuse us, because those laws ultimately get used against us.¹³

How do allegedly protective laws get used against whores?

In both the United States and Europe, it is common practice for the police to use anti-pimping laws to ignore a whore's right to privacy. In pursuit of pimps, the police may break into the home of a known whore, raffle through or confiscate her possessions, and harass anyone they find on the premises. The fear of such laws being used in reprisal makes many prostitutes reluctant to speak out or to become involved in community affairs. In turn, this makes them more alienated and less likely to break out of prostitution.

Anti-pimping laws also act as barriers to those prostitutes who wish to marry to get out of the business. The husband, even of an ex-whore, becomes automatically vulnerable to charges of pimping. This is true even of husbands who do not live primarily off their wives' whoring, but who share household expenses with them.

But what of the husbands or lovers who depend entirely on profits from prostitution? Are they not parasites living off

The National Task Force on Prostitution estimates that, of the entire female prostitute community in America, only 5–20 percent are street walkers.

the sexual wages of their wives? Whores are quick to point out that other women have the right to support their husbands and lovers. No one passes laws forbidding waitresses, lawyers, secretaries, or feminists from supporting dependent men in their lives. Why are whores the only women legally singled out in this manner?

Yet pimps continue to be excoriated, with no regard to whether or not they are abusive. There are two main reasons for this. First, pimps — and not madams — are associated with street walking, the most violence-prone and stigmatized form of prostitution. Second, pimps — as men — have been systematically portrayed as exploiters and oppressors by modern feminism. As Kathleen Barry explains in *Female Sexual Slavery*:

Together, pimping and procuring are perhaps the most ruthless displays of male power and sexual dominance. . . . Procuring is a strategy, a tactic for acquiring women and turning them into prostitution; pimping keeps them there. Procuring today involves "convincing" a woman to be a prostitute through cunning, fraud, and/or physical force, taking her against her will or knowledge and putting her into prostitution.¹⁴

Try reconciling this image of the pimp with the following

Why Not Simply Repeal Social Security?

by Jacob G. Hornberger



For years, we've heard one reform after another from both Democrats and Republicans and even some Libertarians for saving Social Security. But why not ask a more fundamental question: Why should Social Security be saved at all? Why not just repeal it?

After all, for almost 150 years from 1787 to 1935, the American people lived without Social Security. Our ancestors believed that freedom entailed the right to accumulate unlimited amounts of wealth and the right to decide what to do with it. Whether to honor thy mother and father or care for those in need was considered an individual choice. Using the political process for the purposes of charity was a foreign concept to our American ancestors.

And let's not make any bones about it. Social Security is founded on force, not voluntary choice. Present-day Americans are required on pain of fine and imprisonment to pay taxes that fund the retirement pay of older Americans. By now, everyone knows that there is no Social Security "fund" and there never has been. The money has been spent as it has been collected. Social Security, like all socialistic welfare programs, relies on the forcible seizure of money from the productive members of society in order to transfer it to the nonproductive.

Let's also not forget the historical roots of Social Security. President Franklin Roosevelt, who initiated Social Security in America, didn't get the idea from Madison, Jefferson, Washington, or Adams. He got it from Otto von Bismarck, the "iron chancellor" of Germany, who himself had gotten the idea from German socialists. Social Security, after all, later became an essential part of German National Socialism in the 1930s.

"But contracts should be honored," say the opponents

of repeal. But where's the contract? I've certainly never signed anything. And if we examine the Social Security law itself, we find that it's simply a tax-and-welfare program, just like any other tax-and-welfare program. Have we also contracted to deliver food stamps, public housing, and foreign aid into perpetuity?

Even if there were an enforceable political contract, an implicit condition of it is that every generation has the right to alter or abolish the form of government that previous generations have implemented. Isn't that what the Declaration of Independence says? If one or more generations decide to implement a socialistic welfare state in America, as Democrats and Republicans have since the 1930s, isn't it the right of succeeding generations to rescind that way of life and restore economic liberty in their time?

We're told that Social Security reflects that Americans are a caring and compassionate people. Doesn't it actually reflect a lack of faith in the American people? Aren't the proponents of

Social Security saying to us, "You are an incompetent and uncaring people; you cannot be trusted with handling your own retirement; you cannot be trusted with honoring your parents on a voluntary basis; you must be forced to do these things through the threat of fines, imprisonment, and IRS audits"?

The ultimate problem with Social Security is not a political one or an economic one. It is a psychological one. When the American people regain their sense of self-esteem — when they recapture the principles of self-reliance and voluntary charity that characterized their ancestors — support for such alien socialistic concepts as Social Security will disintegrate. When that time comes, people will be discussing the repeal, not the reform, of both Social Security and the income tax.

Mr. Hornberger is president of The Future of Freedom Foundation, in Fairfax, Va., a libertarian think tank that will soon publish Your Money or Your Life: Why We Must Abolish the Income Tax by Sheldon Richman.

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observation by a whore who chooses to remain anonymous:

Many of the men who get described . . . as "pimps" are boy-friends, lovers, license-plate-number takers and managers. Many girls seek out pimps and even love their "man." A girl has a right . . . even if she is a bit dumb and is being taken. And the venom of the law is another way to get at prostitutes — by busting their lovers. If a bank teller's husband beats her, he is charged with assault, not with being a bank teller's husband.

The best explanation for the schism between these two portraits of the pimp is that pimping, like prostitution, is not a monolithic institution. Some pimps are husbands and friends who offer protection and partnership. But, especially on the street level of prostitution, other pimps are kidnappers, batterers and rapists who deserve to be taken to a back alley where feminism can be more graphically explained to them.

Yet such criminals are not generally the ones prosecuted by the law and the court system. Barry reports talking to a street prostitute who had been raped and kidnapped by pimps, and another who had been slashed by a razor the night before. Barry mentions in passing that the women "didn't consider reporting [the assaults] to the police."¹⁵

Barry details many horrifying cases of women being abused by pimps, but she never asks why the street walkers do not seek protection from the police. The answer is simple, and telling: the legal system prosecutes rapists and kidnappers who assault ordinary women, but it routinely ignores assaults against whores. Even worse, prostitutes are persecuted and physically abused by the legal system. The police become just another layer of abuse.

Sovereignty of the Body

The deepening schism between prostitute activists and anti-prostitution feminists further separates the two camps, who should be natural allies rather than enemies. Feminism, which once championed the cause of choice and freedom, has become an unwitting oppressor of women. Feminism, at its core, seeks equality for women in every arena of society. Yet a feminism that calls for choice when it comes to abortion, but interference when it comes to prostitution, will eventually topple under the weight of that contradiction. Women must be free to choose their own lives and must have sovereignty over their own bodies, even when those choices and that sovereignty challenge mainstream mores. □

Notes

1. "Prostitution and Male Supremacy," Dworkin delivered this speech at a symposium entitled "Prostitution: From Academia to Activism," sponsored by the *Michigan Journal of Gender and Law* at the University of Michigan Law School, October 31, 1992.
2. L. Shrage 1989 "Should Feminists Oppose Prostitution" *Ethics* 99: 347-361.
3. as quoted in *Good Girls/Bad Girls: Sex Trade Workers and Feminists Face to Face*, ed. Laurie Bell (Toronto: The Women's Press, 1987).
4. Peggy Miller as quoted in *Good Girls/Bad Girls: Sex Trade Workers and Feminists Face to Face* ed. Laurie Bell (Toronto: The Women's Press, 1987) p.11.
5. "Whore" is the term preferred by most prostitute activists.
6. In reality, many of the most important offices in the highly centralized organization are held by anti-prostitution, anti-pornography feminists, such as Tammy Bruce.
7. *COYOTE Howls*, 1979, p.1.
8. Presented at the NGO Forum, Fourth World Conference on Women, Beijing, Sept 4, 1995. The authors' address: Box 16254, San Francisco CA 94116, USA.
9. I also had questions about the study's methodology. For example, Farley and Hotelling entered with certain assumptions, including "Prostitution is almost always a continuation of abuse which began much earlier, usually at home." Using this assumption, they often interpreted or dismissed data from subjects, rather than simply recording responses. For example, the study comments, "Several subjects commented that they didn't want to think about their pasts when responding to the questions about childhood . . . it was probably too painful to review childhood abuse." Nor did they accept the subjects' own assessment of whether they had been abused. They called such subjects "profoundly confused." The study reports on one woman: "When asked why she answered 'no' to the question regarding childhood sexual abuse, one woman whose history was known to one of the interviewers, said: "Because there was no force, and besides I didn't even know what it was then — I didn't know it was sex." The researchers concluded "Denial may be affecting these subjects' ability or willingness to report their trauma history."
10. For a more extensive report on this study, see Wendy McElroy, *XXX: A Woman's Right to Pornography* (New York: St. Martin's, 1995), Appendix.
11. The prostitutes' rights movement was particularly outraged by this feminist cooperation because of the deep history of hostility displayed by the SF Vice Police. For example, in the early days of AIDS awareness, Cal Pep — the California Prostitutes Education Project — sent workers into the SF "stroll districts" where street prostitutes worked and distributed condoms, spermicides, bleach and educational materials, as well as talking to the prostitutes about safe sex practices. Meanwhile, San Francisco Police Department confiscated the condoms and used them as evidence of prostitution in court. Because of police policy, the streetwalkers would throw the distributed condoms away.
12. Alexander Highcrest, *At Home on the Stroll: My Twenty Years as a Prostitute in Canada* (Knopf Canada, 1997), pg. 121. From uncorrected proofs.
13. As quoted in COYOTE Press Release of October 1995, to announce VICTORY AT BEIJING WOMEN'S CONFERENCE.
14. Kathleen Barry, *Female Sexual Slavery*, p.73.
15. *Ibid*, p.90.

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Memoir

Breaking Free

by Kimberly Ayn Ryan

Sometimes the shelter from the storm is itself stormy.

In September 1991, my husband and I were at a bar. He was drinking, and alcohol usually brought out his bad side. I could see that he would be violent; the other patrons could see it, too. I had to do something.

For months, I had suffered through my husband's beatings, wearing black eyes and nursing broken lips from the poundings he gave me with his fists. I knew that such things as women's shelters existed — I had seen them advertised on television — but I had always been afraid to go to one for help. Someone at the bar saw what was happening and called the police. An officer arrived and handed me a business card; he told me that the police don't "get involved." If I wanted help, I would need to call the number on the card. I felt betrayed: why wouldn't he help me? What was I supposed to do with a business card?

Setting my frustration aside, I made my way to a phone booth to call for the help the police would not provide. I jumped back in horror. There, inside the telephone booth, crouched down on the floor, was my abuser. I ran. I ran full out, in terror. Where was I to go? Where was the shelter I sought? I gave up and went back home.

For the next two weeks, things were okay with my husband. Then, in a drunken, jealous rage, my husband gave me the worst beating so far. After leaving my house for work, I sought the help of a friend, who called a local shelter. The extent of my injuries was such that the shelter would not admit me without a doctor's checkup. At the hospital emergency room, I was told that I had a floating retina and would likely lose the sight in my left eye.

Without telling me, the doctor summoned the police. The officer made it very clear that my refusal to sign an arrest warrant would not be looked on favorably. He browbeat me to the point that I was afraid he'd arrest me if I wouldn't sign the warrant for my husband's arrest. It did not matter to him that I was terrified at the prospect of doing so.

"The doctor called me because of the extent of your injuries, and I want you to file a warrant for his arrest," the officer said.

"I won't do that. If I have him arrested, he would kill me when he gets out," I said.

"Well," he asked, "don't you feel an obligation to all those other women that he might harm if you don't?" he asked.

"I can't worry about that right now," I said. "I'm just trying to stay alive."

During the previous two weeks, the television news reported the story of a woman who had signed a warrant for her husband's arrest and was driven home by two police officers to obtain some of her belongings. Both of the officers were shot, one fatally. The man finally shot and killed himself, but not before the one officer, though shot in the head, managed to drive his vehicle over a mile to find an area where radio contact was possible, and called for backup.

"If you don't do this, don't expect any help from us in the future."

I went to the shelter. After enduring a lengthy interrogation and filling out numerous forms, I was given a bag of toiletries and shown to the room where I was to sleep.

I was left on my own. "I'm going to give you a few days for your injuries to heal before I put you down for any chores," the administrator said. I just stood there for a while, looking out the window and into an alley. I was numb. What had I expected? Some help, I guess. I had not expected to be abandoned in a strange room. I began to wonder whether I had made the right decision. I had been told up front that I would only be allowed to stay at the shelter for 30 days. What was I going to do next?

The next day a group of financial contributors was due at the shelter for an inspection. The other women were busy with their chores. I didn't know what to do with myself. I ate breakfast and showered. Before I finished dressing, there was a knock at the bathroom door.

"I have to clean in there," said a voice.

"Sorry, can I help?" I asked.

"No, just have to get this done's all."

I felt in the way. What I needed was someone, anyone, to talk to.

I wandered aimlessly around the tiny rooms of the shelter, and managed to engage a few of the women in conversation, trying to get oriented, gain some idea of what I could expect and what help was available. What I found was a pervasive tension among the women. They were afraid of doing something wrong and being forced to leave.

"Andrea was told to leave here yesterday," one mother of two small children said, after looking around the room to make sure she would not be overheard.

"Why?" I asked.

"I don't know. No one is saying. But I have no place else to go, so I can't take the chance of being asked to leave," she said. We were interrupted, and she left the room.

The staff tried to help, but their energies were consumed with raising funds and dealing with donors. The major focus was on cleanliness. The shelter seemed sterile.

At a weekly meeting, I voiced my concern. "I've noticed a nervousness and an atmosphere of intimidation," I said. "No one is going to speak up because they are afraid of being asked to leave. Most have no other place to go. It shouldn't be this way. This is supposed to be a place of healing and a place to repair self-esteem." When I inquired about seeing the professional counselor on staff, I was told that it was necessary to set up an appointment.

"Okay," I said. "I want to do that. When can I speak with her?"

"Well, the only day she is here is Thursday," the administrator said.

"Great! I guess I picked the right day, since today is Thursday," I said.

"Well, it's not that simple. Since you must set up an appointment in advance, you must wait until next Thursday," she said.

"But that is a whole week away," I moaned. "I need to talk with someone now."

It didn't matter. Rules were rules. I had to wait.

There was nothing to do at the shelter; the women went out during the day when not cleaning the shelter, and I did the same. When I returned to the shelter one Saturday evening, I was met by an angry member of the weekend staff.

"You didn't do your chores," she snapped.

Caught off guard, I responded, "I wasn't assigned any."

"That doesn't matter. Can't you take any responsibility and just do them anyway?"

"I was told that I needed time for my injuries to heal before I would be given any chores to do," I said.

"You don't look all that bad to me. If you can go out, you can do chores," she said.

I walked away, not even knowing what chores I should do. I had been told that everyone had a particular duty, and as far as I could see everything was being handled. And I didn't want to offend any of the other residents by re-doing what they had done.

I began to have anxiety attacks. I had trouble breathing. I wandered around aimlessly for a while, but then grabbed a

broom and started to sweep the kitchen floor. I was close to tears. I felt the same helpless rage I had lived through for the past year.

I walked away from this abuse also. I packed my things and checked into a motel. The quiet and isolation wore on me just as the atmosphere of the shelter had. I really wanted and needed to talk with someone, and I was alone with my fears and doubts. I began to wonder if perhaps I was to blame for my husband's abusive nature. After all, I had experienced much of the same sort of put-downs and emotional abuse from a woman at the shelter. Maybe what I had endured was my fault. I was desperately lonely and afraid, and I was running out of money. I talked myself into believing that I was mostly to blame for what had happened to me. I went back to my abuser.

Everything was fine, for a while. But it did not take long for the violence to resume. My husband told me that he had had a conversation with the police department, and knew what he could and could not do. He told me, "As long as you are my wife, I can do everything short of killing you, and get away with it." He had decided to take full control.

The next three months were a total nightmare. One night, he held a broomstick across my throat, pinning me down to the bed with his full weight. He had told me why he fantasized of choking me into unconsciousness: he said it was because I looked "so peaceful." I remained calm. The mattress gave a little, and I took shallow, slow breaths as he raped me. I will never forget those 20 minutes of near-death.

Knowing that I could not get any help from the shelters or the police, I endured his abuse. I finally stole away in the middle of the night with only a few suitcases of belongings, and put 750 miles between me and my abuser.

I am not the only woman who has experienced a problem with personnel at battered women's shelters. The environment at the shelter I was in did not discriminate against me; there was enough abuse for everyone in residence. In my opinion, if people really want to offer women an avenue of escape from abuse, the shelters need to focus on the emotional needs of each woman who is battered. They need to address the bottom line of a battered woman's daily environment.

In my instance, my husband was fully capable of putting on a face to fool everyone we came in contact with. When I tried to seek help, I was told that it was all in my head; that, as far as they could tell, we were "very happy"; and that they were not about to get involved in a domestic problem.

I was told to be a good wife and stop complaining. If I could be better, then I would not have to suffer. After all, didn't I want to make my man happy? "Women today can create so many problems; if only they would realize that they have so much to be thankful for. A good man is hard to find; and so many women don't appreciate the masculine side of them."

I still have nightmares, six years later — and I am still not convinced that I was not to blame for the abuse I suffered. I do know that I will give a wide berth to any so-called help that may be offered.

Now I know better than to count on the police. And I know enough to stay away from any battered women's shelter. □

Facing Up to Coercion

Confronting the stark presence of coercion in modern society is not for the faint of heart — that is, even most libertarians.

Initiating force is always wrong. The sole justification for the use of force is self-defense. That is the credo of libertarianism. Do libertarians really believe this? If they do, how do they reconcile it with their support of, or non-protest against, the single most important and most pervasive violation of this principle — the practice of psychiatry?

The injunction not to initiate force is a lofty precept. However, in bringing up children, it is wrong in principle and impossible in practice; indeed, doing so is a dereliction of parental responsibility. (To be sure, it is desirable to minimize coercion and maximize persuasion in dealing with children no less than in dealing with adults.) Clearly, the rule that we ought not to initiate force applies only in relations among adults.

Reconciling the reality that adults routinely initiate force against adults denominated as mental patients with the principle that it is wrong to do so, poses a problem libertarians seem not eager to confront. I refrain from citing the views of friends and colleagues whose writings lend support to the psychiatric enterprise, if not by agreement then by silence. In speech after speech, essay after essay, book after book, libertarians recite the mantra that “people should be free to do whatever they want in life as long as their conduct is peaceful” and recommend repealing drug laws, gun laws, licensing laws, and abolishing taxation. They do not mention mental health laws, much less advocate their repeal.

To be sure, there are exceptions. In *Ayn Rand: The Russian Radical*, Chris Matthew Sciabarra writes: “Given Rand’s profound individualism and anti-statism, she adamantly opposed the state’s involvement in medicine and mental health. Both Branden and Rand applauded the libertarian psychiatrist, Thomas Szasz, who fought against the involuntary institutionalization of mental patients.”

In *For a New Liberty*, Murray Rothbard states: “One of the most shameful areas of involuntary servitude in our society is the widespread practice of compulsory commitment, or

involuntary hospitalization, of mental patients. . . . To call this process ‘therapy’ or ‘rehabilitation’ is surely a cruel mockery of these terms.”

I will not belabor my view that mental illnesses, like ghosts, are non-existent entities and that psychiatry, like slavery, rests on coercion. Persons engage in actions. There is no psychiatry without psychiatric acts: the paradigmatic psychiatric acts are civil commitment and the insanity defense, both euphemisms for depriving people of liberty. There is no madness without mad acts: acts we deem “mad” are either non-criminal, like depression, in which case the libertarian code forbids initiating the use of force against (“for”) the person; or criminal, like murder, in which case the libertarian code requires that the person be punished by penal, not psychiatric, sanctions. To libertarians who cling to the idea that mental illnesses are “real diseases” that can be “treated” non-coercively, let me only point out that non-coercive psychiatry, like non-coercive slavery, is a contradiction in terms.

Why are many libertarians “soft” on psychiatry? Because they have been lulled into believing the psychiatrists’ principal prevarication, namely, that they are trying to restore “irrational” persons to “rationality” and “true liberty.” However, psychiatrists trade not only in depriving innocent persons of liberty but also in excusing guilty persons of responsibility — each activity being a mirror image of the other. Neither activity is compatible with treating persons as moral agents. Perhaps the libertarians’ problem with psychiatry lies in the name of this philosophy: if it were called “responsibilitarianism” (a tongue-twister that automatically

disqualifies it as a serviceable label) libertarians would recognize that, at present, their most formidable enemy is the alliance between Psychiatry and the State.

As I see it, libertarianism is primarily about responsibility and only secondarily about liberty. As Edmund Burke has memorably pointed out, "Society cannot exist unless a controlling power upon will and appetite be placed somewhere, and the less there is within, the more there must be without." In other words, in proportion as we control our behavior and abstain from violating the rights of others, we are entitled to enjoy the fruits of liberty. However, we use the term "mental illness" not to name a bodily disease but to identify a condition that supposedly impairs the person's ability to control himself, an impairment for which, in this

view, he is not responsible.

In short, the libertarian premise that people are responsible for their actions and the psychiatric premise that mental illness impairs (or annuls) responsibility are mutually incompatible. Libertarians must either subscribe to the mythology of mental illness and the use of violence it justifies, or reject the psychiatric creed and repudiate the deprivations of liberty it justifies.

The problem with the principle of not initiating force is that it is too demanding: it requires us to treat men better than in fact they are. But would we consider a moral principle lofty if it did not require us to do just that? Only by treating men better than they are can they become better than they were. □

Rako, *continued from page 27*

other races in the election and Bill, I gotta tell you this is one of the greatest elections I can remember. The greatest news is that Dan Lungren was humiliated in his race for Governor. I would have liked to see the Libertarian candidate win but at least Dan is out of work. What a piece of work this guy is. First he tried to shut down the marijuana buyers clubs all over the state despite the fact that the free and sovereign citizens of the great State of California had passed the Compassionate Use Act by an overwhelming majority and Dan was acting in a manner against the express wishes of the people of California not to mention the Mayor and Police Chief of San Francisco. Then and Sen. Diane Feinstein banned handguns in San Francisco though she carried a loaded pistol in her purse a couple of years ago, Dan would not obey the state law that makes it illegal for municipalities to have special gun laws. He had the authority to indict Diane and her cronies and he didn't do a thing. I guess that sums up Dan pretty well: "There when you don't need him, not there when you do." I'm sure there's a special place in Hell for Dan. May the fires be stoked with green bud and pistol powder.

The other big thing to happen was that Libertarian Maureen Lindberg got 28% of the vote in a state assembly race and that Kennita Watson got 22% running for Board of Equalization. What's interesting to me is that Kennita was the only opponent of a Democrat and Maureen was the only opponent of a Republican. This proves that Democrats will vote for a Libertarian before a Republican will. The whole concept of Libertarianism as an offshoot of conservatism is a horror to me. We have just as many differences with both groups. There is one big difference though. Conservatism is ruled by a small right-wing group whose sense of right and wrong is based on religion. Liberalism is based on people whose figure out their own idea of right and wrong. Now I know lots of liberals get things wrong, but you can argue with people who try to figure out the truth for themselves. Conservatives, Zionists and fundamentalist Muslim terrorists all have the one final answer: "Because God wants it that way." The fact that they all have different Gods is sure to make the next millennium exciting. I hope that libertarians realize that it's easier to convince a liberal that the free market is good then it is to convince a conservative that the drug war is a waste.

Well the other great news is that Indians can run casinos and people are pretty careful about voting for really complex things that kinda sound good, like small classes and cheap electricity but that getting those things shouldn't take a page of tiny italicized small lawyer-talk type printing to achieve. The other good news is that people voted for lots and lots of bond measures that their kids will have to pay back so it will be easier for us to look down our noses at the young people because they will be poorer than us even though in our hearts we know they're smarter and harder working and better looking then we are. Another plus is that the entire rule-of-law tradition of the U.S. of A. will probably be broken so the tobacco companies can have their product taxed even more. Next comes alcohol, fatty foods, SUVs, fur, guns, pornography, bottled water, video games, gasoline, television, leather, collectible stuffed animals and those cute little clear plastic purses I see the girls wearing. All this in a country that went to war over a tax on tea. The great thing is how these taxes will bring more and more people into the libertarian movement. It won't be long now folks. Be Prepared.

On the national scene I guess the big news for me is that wrestler guy getting elected to the governorship of Minnesota. It was cool to see how the San Francisco paper ran a front page picture of him from ten years ago in pink leotards. To show that they are fair, they had a current photo buried on page eleven. They talk the populist talk until the populists threaten the elite — then the smears and innuendoes begin. God is this going to be entertaining — I really am considering moving to Minnesota.

Oh yeah, the other national election should make bosses everywhere breathe a little easier: You can't get fired for a blowjob. See ya Newt, you lying hypocrite. You almost fooled me too, but now we all know better.

I hope everything's OK and I hope to hear from you soon, til then, so long.



Paul Rako
U.S. Citizen

Flight Plans

by Rita Popp

Sylvia hated the smell of cigars. Her father and brother Paul knew that, but as she fanned the smoke away, they ignored her. They were busy celebrating three milestones: the first anniversary of the father-son plumbing business, Paul's impending fatherhood, and Paul and Joy's first house.

Everybody but Sylvia for the time being forgot that the business continued to flounder, the pregnancy was the result of a broken condom, and the fixer-upper house should have been condemned.

Threes, Sylvia thought. What trio could she celebrate? One, her single status. Two, her regular paycheck, and three, the vacation that would get her out of the Detroit heat. She sat on a picnic table bench, apart from the others, the thoughts helping her endure the cozy family gathering. Art, the patriarch, had claimed the only lounge chair, a creaky aluminum thing Joy had picked up at a garage sale. Joy and Paul sat on matching folding chairs from the same source. The men talked about the built-in backyard grill, the best feature of Paul's new home.

"Real brick," Art said. "It's a dandy. Better than a kettle cooker. Don't let 'em tell you different."

"Joy loves a barbecue," Paul said.

Paul's wife didn't look pregnant yet, but the heat bothered her. She sweated prettily, as if she'd just finished working out to one of her tapes. The sun dropped behind the freeway that divided Paul's neighborhood from the newer suburbs, and he used the coming darkness as an excuse to stoke the fire.

At the picnic table, Sylvia turned her back to the left-overs. She rubbed her eyes, held back a yawn, watched Joy gaze at the back of the house.

"We should paint the windows," Joy said.

"The frames, you mean," Sylvia said. "She's right, Paul. Your paint's peeling. You've got some bricks crumbling, too."

Paul stuck his feet out and crossed his ankles. He had gained weight after his wedding and 21st birthday, both in January. Plumbing had strengthened his arms but allowed his gut to sag like their father's. He's wasting his life, Sylvia thought sadly.

Joy wiped beads of perspiration from her forehead, disturbing her carefully styled bangs.

"Dad, you could let Joy have a decent seat." Sylvia heard the hard edge to her voice. Her mother had sounded like this before the divorce.

"That's right, she's a pregnant lady," Art said. "Here you go, sweetie." He started to rise, but Joy waved him back down.

"I'm okay. Stay where you are." She straightened her posture, sipped her Coke.

"Great dinner," Art said.

"You cooked it, Dad," Joy pointed out, giggling.

"So I did. But just hamburgers. Nothing but meat and onions." He sounded so pleased with himself that Sylvia rolled her eyes. Her mother used to turn out dinners from scratch day after day. But to be fair, she had to admit how her father would praise his wife's desserts.

The conversation died along with Paul's fire. Sylvia took a breath and said, "Hey, guess what? I'm going on a trip next month. To Australia."

Startled faces turned to her. "Three weeks. Julie at Medlab has a cousin in Alice Springs."

"Where the hell's Alice Springs?" Art said.

"In the middle of nowhere, but it's a big city." She waited without real hope for somebody to act happy for her.

Art groped under the lounge for his beer. He swallowed a couple of times, his eyes on the glowing embers. "You won't have a dime when you're 30."

His comment was so predictable, Sylvia said nothing.

Joy said, "Don't worry, she'll find a guy. Look at Paul

and me."

"I can take care of myself!" Sylvia said.

"I can't figure where you got this travel bug," Art said. "If you have to go somewhere, why not see the U.S. of A.? Know how damned hot it is in Australia?"

Sylvia let a moment pass while she watched Joy slide off her headband and shake out her glossy auburn hair. "It's winter there, Dad. We might go to Tasmania. It's supposed to have a lot of forests."

"More than Michigan?"

"Maybe you'll run into a Tasmanian Devil," Paul said. Joy laughed nervously.

"A what?" Art dumped his empty plate and can on the ground. "And where the hell's Tasmania?"

"I know," Joy said, like a smart child in geography class. "It's one of Australia's states."

"Where'd you learn that?" Paul asked.

"From a crossword. Tasmania would be a pretty name for a girl baby."

"And if we have a boy, we can name him Sydney," Paul said, slapping his thigh.

"Not my grandson!" Art said.

By now they had forgotten Sylvia. Grudgingly, she admired how Paul could cut family tension with a joke. She judged it one of his best qualities.

Joy wrote in the air with her finger, happily experimenting. "Sydney could be for a girl. Maybe just Syd. Oh, and spell it C-Y-D."

"Do the kid a favor and stick to regular names," Art said.

"Paul Junior?" Paul suggested.

Art beamed. "There you go!"

Joy announced the cigars made her kind of queasy, and Sylvia said, "Me too." But Joy quickly added, "Don't put them out. I'm going inside."

The men relaxed.

Joy asked sweetly, "Could you give me a hand with the food, Sylvie?"

Sylvia disliked when anyone except her father called her that, but she let it go. "You want to keep this Jell-O or pitch it?"

Her kid sister-in-law peered into the bowl as Sylvia spooned out a dead mosquito. "What do you think?" Joy said. "Pitch it?"

"Smart decision," Sylvia said, deadpan.

It took two trips to get everything into the house. Sylvia banged the screen door for effect, but it didn't rouse the men. She stepped carefully in the jumbled, narrow kitchen. Cardboard boxes from the move still blocked the view to the street.

"You work so fast," Joy said. "We're almost finished."

"Mom taught me to Ziplock before I could walk."

"Really?"

A laugh spurted out of Sylvia's nose. "No, not really. Jeez, Joy."

Beer took up the entire bottom of the fridge. Two loaded grocery sacks sat near the sink. Sylvia offered to unpack them, but Joy said not to bother. She needed to make room first.

"We don't have enough cupboards," Joy said. "All but the bottom one is too high for me. Look, isn't this ridiculous?" Even on tiptoe, she could barely reach the glasses on the second shelf. She made a face. "Don't you just hate get-

ting organized?"

"Actually, I kind of like it," Sylvia said. "It helps me sort out other things in my life."

"You don't have much stuff," Joy pointed out. "A pole lamp, that futon. Did you notice the furniture we bought?"

Sylvia dutifully praised the imitation-oak end tables, the impractical white sofa.

"Come check out the baby's room." Joy pulled her by the hand down the short hall, past drop cloths and a stepladder. The room needed a fresh coat of paint. Joy said she wanted to tear out the gray carpet. The only furniture — an unfinished rocker, a pair of folding chairs, and a matching card table — came from garage sales. Magazines and pieces of fabric covered the table, and boxes stood four-high in a corner.

"Look at this." Joy's face glowed as she held out a magazine photo of a child's room with a toy hot air balloon suspended above a crib. Her aunt planned to make a balloon with zoo animals in the basket, and her sisters had started on a comforter and curtains, she said. She settled into the rocker, thumbing through the magazine, trying to find a picture of the crib she wanted.

Sylvia held swatches of pastel fabric up to the light. "How's Paul taking all this?"

"He's glad I'm having a good time planning the room. Why?"

"He should do the painting. You don't want to breathe fumes while you're pregnant." Sylvia warned herself to keep out of their lives, that she would become an extra appendage, but she said, "I can help, too."

Sylvia reached for another magazine and toppled the stacked boxes. One dumped its contents, dog-eared paperbacks, onto the floor. She apologized and began to pick them up.

"No problem," Joy said. "It's just Paul's old books."

Paul had marked the box SCI FI in his blocky printing. Sylvia read familiar titles:

Captives of Zor, Battlezone VI, Beyond the Haze. The books smelled musty.

"Aren't those weird?" Joy said.

"Paul's been into sci fi since seventh grade."

"Well, we don't have a place to put books here."

What a shame, Sylvia thought. She settled herself on the floor and examined the paperbacks. The covers showed bizarre space craft and strangely dressed humans. Her brother had doodled on some of the faces, adding mustaches to the women and giving the men bushy eyebrows and beards. "Paul's had these a really long time. He could read right through Mom and Dad's fights. His books were his cosmic shield."

He had stuffed rather than stacked the paperbacks into the boxes. Their edges curled. Sylvia began to re-box them properly.

"He told me about those fights," Joy said. "What did you do?"

"Took classes at the community college. I'd stay at the library until it closed."

Joy gave her a look of pure sympathy, and against her will, Sylvia was touched.

"Tell me more about Australia," Joy said from the rocker, peering at a desert-like landscape on one of the covers. "Your friend's cousin is from there?"

"No, from Flint. She was working at some truck stop, cleaning showers and bathrooms, when she met this 'Aussie hitchhiker dude,' as Julie calls him. Dropped her mop and went with him. They've got three kids." Sylvia fumbled around in her mind for what else to say. "Alice Springs is near Ayers Rock — the red one shaped like a boomerang."

A brochure that mentioned the shape had made Australia sound like a completely different world. Sylvia wished Paul could go with her. They'd skip seeing Julie's cousin, who had appeared washed out in the photo she sent of herself and the kids. On the back she had written, "We live very ordinary lives here."

Shaking off any misgivings, Sylvia said, "I saw a picture of the house we'll stay at. It's red brick, like in this neighborhood."

Joy rocked back and forth. "Why do you want to go? That flight must take hours."

Sylvia fit the last book into the box and sat back on her heels. "For the adventure." How could Joy not understand that?

"This is all the adventure I want," Joy said, patting her stomach. "Bring the baby a toy kangaroo or something, okay?"

Paul stood in the doorway. "What are you girls doing?"

"Your books are in the way," Joy said. "We should put them in the basement."

"They'll mold."

"They can't stay in the baby's room."

"Cool your jets. There's time." He said it with an authority that made Sylvia want to shake him. "Heard you still talking about Australia," Paul said, as if it were Grand Rapids or someplace nobody should want to visit.

"That's right, mate," Sylvia said. She challenged him with her eyes.

Paul moved behind Joy's chair and put his hands on her shoulders, rocking her. "You got the money to go?"

"Yes, I do."

"Paul, stop it," Joy said. Sylvia wondered if she meant his words or his rough touch.

He stepped aside and folded his arms over his chest.

"What's the problem?" Joy asked cautiously.

"The problem? Just that sometimes my sister doesn't have a gnat's worth of common sense. She's probably springing for the airfare for her girlfriend."

"Not true," Sylvia said.

"Oh, you only pay for guys."

She threw a book at him. It hit his arm and bounced off. "One time, and we only went to Montreal. Not that it's any of your business."

"Of course not. You're Ms. Independent Operator."

"Paul, don't," Joy said sharply. "I hate it when you guys pick at each other."

On the floor, Sylvia drew her knees up to her chest, making herself into a tight package.

"I won't mention that professional student who lived off you for six months," Paul said.

Sylvia hated her brother, really despised him at that moment.

"What I want to know now is, are you asking Mom for money or not?" he insisted.

"Some. She's not broke like Dad."

"No, she took most of what he had. But she'd better not give it all to you, because I might have to hit her up for a small loan."

Sylvia looked at Joy. "What happened to the wedding money? People gave you guys lots of cash."

"We bought a house," Paul said.

Sylvia didn't remind him that their mother's gift had been the down payment. "When you get married, Sylvie," her mother had said, "I'll do the same for you." Marriage was the dangling carrot, especially ironic coming from a happy divorcée.

"Having trouble making the payments?" Sylvia asked.

Joy glanced at Paul. "That, and other bills," she said. "Our health insurance doesn't cover my pregnancy. We didn't think about it until I went to the doctor."

Sylvia whistled, impressed with the gravity of that. The room felt stifling. She picked up the book she'd thrown at Paul and fanned herself with it.

Her brother said, "And we need money to fix up the house. Repairs, more paint. Then we've got to get a crib and, you know, other things."

"You might as well know. I already borrowed from Mom," Sylvia said. She took a deep breath. "A thousand dollars."

"You're unbelievable."

"I'm going to make regular payments."

"Why you taking off again anyway?" Paul asked. "You flew down to Florida not that long ago."

"Yeah, to visit Mom. You should try it."

"We should go see her, Paul," Joy said. "This summer, before the baby comes."

"Not now. Your job pays next to nothing, and you'll be unemployed for a while. We're not going anywhere."

Sylvia felt trapped here with them. She pressed her back against the closet door. They could *have* this newly wedded bliss.

"Anyway," Paul said, "Dad's asking about dessert. I saw that cake in the kitchen."

"Sylvia brought it and some strawberries. I bought ice cream. I'll put it on plates," Joy said, and escaped.

Paul sat on the floor beside Sylvia, took the paperback from her, and flipped through its pages. "I remember the whole damn plot of this one." He dropped the book into the box but pulled out others, messing up Sylvia's packing job. "Here's one of the best I ever read. *The Seventh Sense*. Humans didn't have to work or anything. They could move objects, communicate with each other, fix broken stuff just by thinking what they wanted done."

"Bad news for the plumbing business."

"Real funny."

"Does Mom know about the baby?"

"Joy wrote her, I think."

"You think. Has she called to congratulate you?" Sylvia watched the blood go to his face and earlobes. Paul could never tell even a weak lie and not blush.

"Joy will write her soon."

"How thoughtful. Do it before the birth."

Abruptly, he stood, and Sylvia scrambled to her feet after him. "Wait, Paul." He moved his head a fraction. "She'll be happy for you."

continued on page 68

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Reviews

The Death of Outrage: Bill Clinton and the Assault on American Ideals, by William Bennett. The Free Press, 1998, 154 pages.

I Hear America Sinning

Terrence Campbell

In the interest of full disclosure, let me lay my biases on the table. First, I think Bill Clinton is a loathsome man who is almost certainly guilty of any number of crimes. Second, I think William Bennett is also a loathsome man who is guilty of crimes against Americans during his tenure as Drug Czar in 1989-90. In point of fact, his participation in that morally bankrupt campaign has damaged and ruined thousands of people who were guilty of nothing more than trading or enjoying drugs that Bennett disapproves of. During his reign he actually said that beheading drug dealers was "morally plausible." A man who is so unaware of his own evil is hardly in a position to preach about virtue.

But since many people do not share my low opinion of Bennett, and in fact see him as a stalwart of moral values, his new book deserves serious consideration. *The Death of Outrage: Bill Clinton and the Assault on American Ideals* seeks to persuade the American people that they have been hoodwinked by the Clinton spinmeisters. He warns that if we don't change our ways and demand punishment for Clinton's misdeeds (especially his affair with Monica Lewinsky), then we will lose our moral strength and slide into a

decline that would spell the end of the Republic.

Although Bennett touches on a number of suspicious actions by Clinton and his cronies that merit condemnation, he mostly hangs his argument on the matter of Monica Lewinsky. The Republican Party made a last-minute effort to raise the issue in the recent congressional campaign, and the voters responded with a yawn. If Bennett had hoped that his arguments would change voters' minds about the Clinton scandal, he was badly mistaken. And he was badly mistaken because he does not understand the American people.

Worse, Bennett blundered by making the Lewinsky affair the centerpiece of his attacks on Clinton. Doing so undercuts what could have been a devastating torpedo had he put more emphasis on other, more ominous shadows in Clinton's career.

In fact, Bennett's introduction opens the book with a list of questionable doings associated with Clinton that makes the blood boil: "the improper acquisition of hundreds of FBI files on political adversaries; the mysterious reappearance (in the Clintons' living quarters) of subpoenaed billing records crucial to a Federal Deposit Insurance Corporation investigation that had been purportedly missing for two years . . . payments by Clinton friends and associates of upward of \$700,000 to

Webster Hubbell . . . at a time when Hubbell was being asked to provide evidence of presidential wrongdoing to the independent counsel. The payments — some arranged by Vernon Jordan — coincided with Mr. Hubbell's refusal to help investigators looking into wrongdoing by the president and the first lady (after Mr. Hubbell had initially agreed to assist prosecutors) . . . the improper use of the FBI to bolster false White House claims of financial malfeasance in the firing of the White House Travel Office . . . The administration's misrepresentation about Mrs. Clinton's suspicious 1978-79 investments in cattle futures, in which she made \$100,000 on \$1,000 . . . the White House revealed that most of the trades were in fact placed by Clinton friend and Tyson Foods lawyer James Blair."

That's a nasty list. One wishes Bennett had focused more on such dark dealings. He would have rendered a public service had he managed to

During his reign as drug czar, Bennett actually said that beheading drug dealers was "morally plausible." A man who is so unaware of his own evil is hardly in a position to preach about virtue.

expand on them and made a convincing case for them. But for the most part, he holds up these items to arouse the reader but then drops them, like a furtive graffiti artist who hastily sprays his rants on an alley wall and then disappears into the night.

What Bennett does in *The Death of Outrage* is examine the case against Clinton, and the president's supporters' defense of him, from six angles, which serve as chapter titles as well: Sex, Character, Law, Politics, Ken Starr, and Judgment. In each section, he presents,

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sometimes fairly, defenses held by pro-Clintonites, then answers each argument in turn.

The Virtue Czar insists that the scandal isn't about sex, but his opening chapter concerns sex anyway. He quotes Warren Beatty's take on the

He holds up these items to arouse the reader but then drops them, like a furtive graffiti artist who hastily sprays his rants on an alley wall and then disappears into the night.

public's reaction to Clinton's infidelities: "Maybe America is becoming reluctant to sweep it [sex] under the rug, more accepting of its own sexual difficulties. America is becoming more like the countries that America came from." Bennett interprets this statement as meaning "the ho-hum reaction to possible presidential misconduct reflects a wiser understanding of human nature and the ways of the world, a welcome liberation."

Where does Bennett get the idea that Beatty is talking about a "welcome liberation"? Beatty clearly sees the shift in American attitudes as a more realistic stance on sexual difficulties, repeat, sexual difficulties. It's not about liberation and unrestrained sexual indulgence. And the reason why Americans are moving in this direction is because of their actual experience, not some intellectual adoption of European conceits. With the divorce rate hovering around 50 percent here, people recognize in Clinton's sexual problems a reflection of their own struggles. Intimate relationships are difficult and often fail, despite hopes, intentions, and efforts. Understanding this, and knowing their own sexual vulnerabilities, Americans are understandably, and intelligently, not as quick to rush to judgment as Pharisees like Bennett.

Beyond that, they understand that such a failure is a personal matter, not a betrayal of the nation. In playing with Monica Lewinsky, Clinton betrayed his family, not the public. Sexual behavior is personal, not national. No loss of life is involved (as in the Waco outrage,

which apparently does not outrage Bennett). Blowjob, however illicit, do not threaten the welfare of the Republic or disturb the domestic tranquility.

But Bennett sees the public succumbing to the "temptation to see themselves as worldly wise, sophisticated: in a word, European." He warns that this "temptation should be resisted by the rest of us. In America, morality is central to our politics and attitudes in a way that is not the case in Europe, and precisely this moral streak is what is best about us. It is a moral streak that has made America uncommonly generous in its dealings with foreign nations (in matters ranging from the Marshall Plan, to the sending of peacekeeping troops, to disaster relief, to much else); liberated Europe from the Nazi threat and the Iron Curtain; and prevented noxious political movements like fascism from taking root at home."

This is a whopping insult of European culture. Some European nations do exhibit more relaxed attitudes about sex than does the United States, but it's not as if there's a non-stop orgy going on over there. Even more condescendingly, Bennett sniffs: "Europeans may have some things to teach us about, say, wine or *haute couture*. But on the matter of morality in politics, America has much to teach Europe."

That statement reeks of spiritual pride and nationalism of the worst sort. And spiritual pride is the worst of the seven deadly sins, as Bennett well ought to know. He offers no justification for his odious dismissal of Europeans as moral inferiors; he seems to think it's self evident. Besides, does he really think that since Americans are less harsh in their attitudes to sexual problems, they have become less generous toward other people, other nations? That's utter nonsense that betrays a nearly complete misunderstanding of both Americans and morality.

Bennett wades into the argument that Clinton's dalliances should remain private by asking, "how to react when a sexual affair is forced in our face, on the front page, by the president's own irresponsible, self-indulgent conduct?" Clearly Bennett is correct to call Clinton irresponsible. But he did not force his affair into our living rooms. Linda Tripp and the media took care of that.

One of the cornerstones of Bennett's

attack on Clinton's conduct is the idea that his moral failings have rendered him unable to carry out his responsibilities, unable to govern. Subsequent events have proven that assertion false, most notably the budget agreement he made with the Republican Congress in October. Here was a president, supposedly weakened by scandal, who actually had the GOP leadership reeling on the ropes. Who, after signing the budget deal, could barely contain his glee over the fast one he pulled over his adversaries. The photos in *The New York Times*, taken on the day of the signing, show Clinton collapsing in laughter with fellow Democrats. So much for inability to govern!

In exploring Clinton's character, the book wistfully compares Slick Willy with the likes of Abraham Lincoln. That was easy, since what most Americans know about Lincoln they learned in grade school, an institution that generally keeps its history lessons as squeaky clean as possible. Despite what Bennett says about Lincoln in this book, his primary aim in the Civil War was not to free slaves, but to preserve the Union. Even there his motivations were primarily economic, not moral. Bennett has read too much Carl Sandburg.

Turning to the independent counsel law, Bennett criticizes Clinton support-

Bennett's book reeks of spiritual pride and nationalism of the worst sort. And spiritual pride is the worst of the seven deadly sins, as Bennett well ought to know.

ers for endorsing the law in the Reagan years, but changing their minds when it sunk its hooks into Clinton. Good point. But the Republicans have reversed the field too, opposing the law during the Reagan era but keeping silent about it now. Bennett rightly points out that many Republicans advised the president not to renew the law. Nevertheless, they're beating on Clinton with that big stick with no compunctions.

Of course, Clinton campaigned for the independent counsel law, calling it

"a foundation stone of the trust between the government and our citizens," so there is a certain sense that he's getting what he deserves now that it's hounding him. That in itself doesn't make the law a good one, and does not excuse us from challenging its extremes by dumping it or reducing its excesses.

Bennett chides the American people for, among other things, invoking the Biblical injunction to "judge not lest ye be judged" in the Clinton scandal. Bennett examines the story of the Pharisees who hauled before Jesus a woman caught in adultery. "In the Law, Moses commanded us to stone such women. What do you say?" To which Jesus famously replied, "If any of you is without sin, let him be the first to cast a stone at her." Writes Bennett: "Jesus was *not* providing a pardon, to be granted easily, cheaply, without cost or repentance. And the point was surely not that wrongdoing should be tolerated or that sin is inconsequential . . ." True enough. Jesus told the adulteress to change her ways, and in the current scandal we cannot expect Clinton to change his. But just as adultery is not a stoneable offense in America, neither is it an impeachable one, as Bennett seems to think.

And somehow I can't stop wondering, reading this cold little book, if Bennett would have stepped forward and rocked her anyway.

Bennett is barking up the wrong skirt. Yes, Bill Clinton had sex with a hot-to-trot intern. Yes, he lied about it to the American people, and even under oath. But the world is full of real outrages — murders, rapes, terrorist bombings, bloody civil wars, political repressions, riots. Indeed, even Clinton has committed real outrages. Interestingly, we have yet to hear a peep from Bennett about the Waco and Sudanese-bombing outrages.

Perhaps the greatest weakness of this book is that the author does not even consider the possibility that the American political system is a fertile ground for corruption. Government is too big, and big government cannot help but breed corruption. During his first presidential campaign, Clinton said over and over again, "It's time for change." He was right, but in a more fundamental way than he imagined. Bennett's admonition for us to rise up in outrage is not enough. Here again,

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The Federal Siege at Ruby Ridge: In Our Own Words, by Randy and Sara Weaver. Ruby Ridge, Inc., 1998, 171 pages.

Ruby Ridge, From the Inside

R.W. Bradford

By now, the story of the federal government's assault on the family of Randy Weaver at Ruby Ridge, Idaho, in August 1992 is pretty familiar to most of us. From the original attack that left a government agent and a 14-year-old boy dead, to the government snipers' shooting of Weaver, his wife and a family friend the next day, to the dramatic surrender of the surviving members of the Weaver family ten days later, the story was covered extensively, if not always accurately, by both electronic and print media. The sensational trial the next year — in which the survivors of the government assault were exonerated — also got extensive press coverage. Two very fine books and a pretty good movie came out of the story. And in 1995, the U.S. Senate held 14 days worth of hearings that exposed the government's, shall we say, questionable role in the affair.

So why does anyone need another book on the subject?

Maybe that's why Randy Weaver and his daughter Sara couldn't find a publisher for their book on the subject, and eventually had to publish it themselves. Maybe that's why *The Federal Siege at Ruby Ridge* has been pretty much overlooked. I haven't seen a single review of it. Nor have I seen it offered by Laissez Faire Books, or by anyone else.

I confess that I find the Ruby Ridge tragedy endlessly fascinating: it illustrates so perfectly the deadly consequences of bureaucracy run amok. It

shows that Nietzsche was right when he characterized the state as "the coldest of all cold monsters." So when I heard about the book, I ordered a copy immediately, despite my fear that it might be a badly written mishmash, like so many self-published books.

When the book arrived, I cracked it open and skimmed a few pages. Before I knew it, I was engrossed. In simple, almost rustic language, Randy and Sara Weaver tell their story, including many details that haven't been reported in Alan Bock's very fine *Ambush at Ruby Ridge*, Jess Walter's *Every Knee Shall Bow*, or in the 1995 Senate hearings telecast in their entirety by C-Span.

From the entrapment of Randy Weaver, to the cowardly murder of his wife by a government sniper, to the government's lies and attempts to hide evidence at the trial, to the sniveling and cowardly testimony of the FBI assassins at the Senate hearings, it is impossible for any decent person not to feel his blood boil when he reads any account of what happened.

What distinguishes the Weavers' account is the horrible human tragedy it relates. The Weavers are a small-town family from Iowa, not terribly bright, but not stupid by any means. They developed some goofy opinions (since abandoned): they believed that white people were superior to people of other colors and that a gigantic Jewish conspiracy ruled the world. They decided to move to the mountains of Idaho, where they could live their lives in seclusion. They made no attempt to fight the conspiracy or to

impose their views on anyone.

But their goofy opinions were also very unpopular, and some people who shared those opinions sometimes engaged in criminal activity. So a federal law enforcement agency decided to try to force Weaver to become an undercover agent by enticing him to commit a minor violation of federal firearms laws and then threatening him with the loss of his property and a long prison term. Weaver refused to knuckle under to the threats, and the wheels were set in motion for the assault that ultimately killed his wife and son.

About half of *The Federal Siege at Ruby Ridge* consists of excerpts from the report of the Senate committee that investigated the case. It is well worth reading, especially for people who believe that Congress is incapable of seriously investigating government wrongdoing. But it's Randy and Sara Weaver's accounts of the assault, their lives before the assault, Randy's trial, and their life after Ruby Ridge, that make this such an engrossing book.

Randy Weaver's account of his family's life is restrained, but eloquent. (A portion of it can be found on page 37 of this magazine.) I was struck by the

The only odd thing about them was their strange views. For those opinions, and for no other reason, the federal government killed two of them, wounded two others, and put all of them through an ordeal so horrible that it can scarcely be imagined.

very ordinariness of the Weavers. They weren't much different from any of the other thousands of residents of small-town Iowa. If they hadn't gotten their strange opinions, it's easy to imagine they'd still be living in Villisca (population under 5,000), with Randy selling farm equipment, his wife working as a homemaker, their kids playing baseball, joining 4-H, and growing up and finding jobs in the community, or going away to college, with the whole family active in a somewhat eccentric church.

The only odd thing about them was

their strange views. For those opinions, and for no other reason, the federal government killed two of them, wounded two others, and put all of them through an ordeal so horrible that it can scarcely be imagined.

The horror of the experience has been apparent for a long time: if the story of federal agents shooting 14-year-old Sammy Weaver in the back isn't terrifying enough, the story of a hidden sniper murdering Vicki Weaver while she cradled her infant daughter in her arms is. But as horrible as I had imagined their ordeal to be, I hadn't realized what Kafkaesque nightmare the survivors suffered during the siege. In 22 pages, Sara Weaver tells how they cowered behind pieces of furniture in their plywood shack, sickened by the stench of the rotting human flesh of what had been their mother and wife. Two of them were wounded, one so badly that he begged the others to kill him as an act of mercy. They believed — with good reason — that the federal agents who surrounded and taunted them were determined to kill them, and that if they attempted to surrender, they would be murdered immediately. In desperation they prayed for divine intervention. It's difficult to imagine a human being surviving any worse ordeal.

The miracle they prayed for appeared, in the unlikely form of the hundreds of sympathizers who, held behind barricades, confronted the government assassins. They helped draw the world's attention to the grim situation, pressuring the government into delaying its final attack in hopes of convincing the public that its agents were law enforcement officers, not mere killers. One of those protesters, Bo Gritz, a hero of the Vietnam War, managed to persuade the FBI to postpone its final assault long enough for him to visit the Weavers and attempt to talk them into surrendering. Gritz convinced them that if they'd surrender to him they'd be safe; the FBI wouldn't dare shoot him down.

The government charged Randy Weaver and his semi-adopted son Kevin Harris with a whole raft of crimes, including murder. At the trial a year later, the Weavers and Harris were found innocent of all but one minor, technical charge. The government settled the civil suit for the murder of

Vicki and Sammy, rather than face another jury. Of course, those who committed the murders, as well as those who ordered them, did not have to pay, and none were ever prosecuted for their crimes.

Perhaps the most remarkable thing about the Weavers' ordeal is its denouement. What's left of the family remains together. They've returned to

the mountains of the Northwest that they came to love. Sara is engaged to be married and Randy has a girlfriend. Surely their lives have been deeply and indelibly scarred. But somehow they have survived. And, as if by some actual miracle, they seem to have recaptured the ordinary rhythms of the ordinary lives of ordinary people in small-town America. □

East and West: China, Power and the Future of Asia, by Christopher Patten. Times Books, 1998. 304 pages.

One Brief, Shining Moment

Bruce Ramsey

Politics in rich and settled lands rarely puts at stake fundamental questions. Each side says something big is at stake, but it's usually no more than a slice of subsidized cheese. That was one reason for me to look forward to working in Hong Kong. I'm a journalist, and in 1989, just after the tanks had rolled through Beijing's Tiananmen Square, Hong Kong was a place facing fundamental questions.

And that's what Chris Patten found in 1992. "Before I went to Hong Kong, I had never really thought very much about why I was a democrat," he writes. Being governor of Hong Kong, he says, "made me think more carefully about political and economic freedom."

Patten has written about his experience — and in more detail, his thoughts — in a new book, *East and West: China, Power and the Future of Asia*. I rarely read or recommend politicians' books, but this is an exception.

Patten as Democrat

Patten was Hong Kong's last British governor and first British democrat. Right from the start, he was different. He refused to don the ceremonial peacock hat worn by the previous execu-

tive, a Foreign Office grandee. Not one of Hong Kong's 5.5 million Chinese could vote for Patten, but he went out among them as if they could, and slurped noodles from side-street vendors. No British governor had ever done that.

More important, he took an interest in the people's control over their government. By 1992, after 150 years of British rule, the people had had one legislative election — the year before — and they chose 18 of the 60 legislators. The rest were either appointed by the British or named, guild-like, by economic interests. Two chambers of commerce each had a legislator, the banks appointed one, the accountants had one, the lawyers had one, and the unions had a couple.

The Hong Kong Chinese, it was said, didn't care about politics. When given a chance to vote, only about 35 percent did. But in 1990 they began to form political parties, and a majority of those voting favored the Democrats of Martin Lee. A British-educated solicitor, Lee understood that civil and economic freedom depended on democracy — in Hong Kong's case, the democracy in Britain. With that connection to be severed on June 30, 1997, it was crucial that Hong Kong develop something to replace it.

Patten agreed. Unfortunately, the number of directly elected seats had been set by Britain and China. There was not a lot of wiggle room left. But there was some, and Patten wiggled to the maximum.

He couldn't take away the bankers' legislator. But for the 1995 election, the last under British rule, he proposed that the banker's legislator be selected by vote of all bank employees and not

China was incensed. It had signed a deal in 1984 to repossess a territory of capitalism without democracy, and that's what it wanted.

just the directors. This was done. By redesigning the economic constituencies, he gave all working citizens in Hong Kong a second vote based on their place of employment. That also democratized most of the legislature.

China was incensed. It had signed a deal in 1984 to repossess a territory of capitalism without democracy, and that's what it wanted. The Brits were playing bait-and-switch and if Patten implemented his voting system in 1995, China would dissolve that legislature on its first day in power.

Business leaders urged Patten to give up. The condo market, repository of much of the upper half's net worth, went into a swoon. People said Patten didn't understand China — that you can't push China around.

I knew people who dismissed Patten's plan as grandstanding; the Brits, they said, were just trying to look good. They couldn't do anything that would stick. Indeed, China's appointed legislature in fact abolished Patten's voting system as soon as it took over. But by putting up a fight, Patten had focused attention on a fundamental value. He had drawn a line in the sand — a line that Martin Lee and the other democrats could define themselves against. (They wanted full democracy.)

By being "impractical" and "not understanding" of Chinese culture, Patten increased freedom in Hong Kong politics. As he said in a speech in Seattle in September 1998, "Cussedness is always one of the best guarantors of

freedom."

Patten the Liberal

That this British Conservative would be such a font of cussedness was remarkable. Patten was John Major's man, an administrator of foreign aid programs. He had been shuffled into the Hong Kong job when he lost his seat in the House of Commons. He hadn't been a gut-fighter. He had even been a Tory wet, an opponent of Margaret Thatcher and her "one big idea."

Now he has a different view. The Iron Lady, he writes, knew that "politics was not just about Buggins-turning your way to the top and then managing whatever you found when you got there." Patten came to realize that "the greatest excitement of politics was to have a view of how the world works, or should work, and to convince other people that it was the right one. The politicians who really mattered were those who did this."

Patten's book is a testament to small government, civil society, "free and open commercial life" and "political and economic liberty" — what he calls "traditional liberalism."

Defenders of that tradition in the West, like Friedrich Hayek, had to argue against those who believed in freedom for politics but not business. In East Asia in the 1990s, it was the other way around. Patten jostled with Lee Kuan Yew, the patriarch of Singapore, who was all for private property and freedom to trade, but not cultural *laissez-faire*. Asia was prosperous, Lee argued, because it still believed in strong families, clean living and the punishment of social wickedness. The West had been corrupted by pornographic free speech, disrespectful protest, therapeutic divorce and liberal doses of welfare for pregnant teenagers.

This is the "Asian values" argument: And while there is some truth to it, Patten writes, it was used as "a sort of all-purpose justification for whatever Asian governments were doing or wished to do." If Lee Kuan Yew wanted to ban the *Asian Wall Street Journal* and *Cosmopolitan*, and Malaysia's Mahathir Mohamad banned the movie *Schindler's List*, they could claim their act "was blessed by an

ancient culture."

Asia did have some lessons for the rest of the world, Patten observes. First, he notes, it proved that free trade makes countries strong and that protection makes them weak. That was obvious in the contrast between Hong Kong and the old China, or Singapore and India. "Protectionism is always loser-driven," he writes. He particularly denounces the "absurd and callous proposition that to be poor is somehow to have an unfair trade advantage."

Second, he argues that East and Southeast Asia boomed partly because it kept its governments small, requiring families to attend to their own welfare through high savings. In Hong Kong, government takes 16 percent of GDP; in South Korea, 18 percent, Malaysia, 25 percent, the United States, 34 percent, Britain, 43 percent, France, 55 percent. Patten clearly believes Hong Kong is closer to the right number, and that the West should take a calm but radical

Defenders of liberty in the West had to argue against those who believed in freedom for politics but not business. In East Asia in the 1990s, it was the other way around.

look at how it might do the same. "The radicalism that we should consider," he writes, "is to take a hard look at what governments do, at the taxes they raise, and at the relationship with the citizens they represent."

Even in market-oriented Hong Kong, one important big government program, the provision of public housing for half the population — done originally to replace squatter camps — led to major problems. "Rents became the most politicized aspect of government policy," Patten writes. Rents were kept at such low levels that tenants who earned more had little incentive to leave. Some twelve percent of families in public housing bought condos to rent out.

Third, Patten makes a clear argument that economic freedom requires political liberty, and that to "live our own lives, think our own thoughts,

speak our own minds" is of value to Asians as well as Westerners.

Patten and China

Patten refuses to make special concessions for China. "We have become so preoccupied with how different it is from everywhere else that we overlook the myriad similarities," he writes. "We are lured into thinking that there is a special, an exact, way of dealing with China, which turns out on close inspection to be one part correct to four parts mumbo-jumbo."

I remember the editor in Hong Kong who shook his head at me and my ignorant government in its campaign for human rights. "You can't push China around," he said. I held my tongue, but I thought: But we *are* pushing China around. China is big, but it is not that big.

In Patten's view, China is still poor and militarily weak, with its economic modernization putting increasing strain on its ossified politics. Because it has not devalued the renminbi in the past year and a half, China is being praised in the West as an island of stability. "I doubt if the Chinese leadership believes that," Patten said in his Seattle speech.

"I am often asked what China is going to do to Hong Kong," he said. "We've got the question the wrong way round. The question is, What does freedom and democracy in Taiwan mean to China?"

In foreign policy, Patten denounces with indignation the argument, heard often in Hong Kong, that Chinese people don't care about human rights. Patten wants to keep human rights on the agenda, but not link them to trade. In practice, he says, that link doesn't work in the United States' interest. And besides, it is "a matter of principle," he writes, that "trade should be free, and should be used as a weapon only in extremes and where it will work."

Patten's Legacy

Patten was both very political and very ideological for Hong Kong — and he was just what Hong Kong needed. While the people there made spectacular use of freedom in practice, they were not taught to understand it in theory, or to fight for it. And in the 1997

handover, they were facing an historical situation in which they would probably have to fight for it, and on difficult terrain.

So far, the handover has gone well. I doubt if "one country, two systems" can work for 50 years, but it has survived for a year and a half. Hong Kong houses the People's Liberation Army and the *Asian Wall Street Journal*, flies the red flag and tolerates public demonstrations on June 4, the anniversary of the tanks in Tiananmen Square.

In June 1998, the territory had its first legislative election under the red flag. Martin Lee's Democrats and their allies won a majority of the vote. Because less than a majority of the seats

are chosen by public election, he did not get a majority of seats. But China has made promises about further reforms, and the Democrats will be there to collect on them. Their position is not all Patten's doing, but stronger than it would have been without him.

I liked Chris Patten. I liked him better than any American politician I knew of. Patten made a stand for fundamental values without stirring up hatred or claiming that he was taking instructions from God. He remains a man of moderate temperament, a practical politician who knows the value of ideas. In the matter of democracy and human rights in Hong Kong, he did as much as he could in the time that he had. □

The Origins of Virtue, by Matt Ridley. Penguin Books, 1997, viii + 295 pages.

From the Jungle to Civilization

Leland Yeager

Are humans instinctively social or anti-social? If life is a competitive struggle, why do we see so much cooperation? "Society works not because we have consciously invented it," writes Matt Ridley in *The Origins of Virtue*, "but because it . . . evolved as part of our nature. It is as much a product of our genes as our bodies are" (pp 5-6). In this book, Ridley seeks the roots of human society. Ridley, a science writer with a doctorate in zoology, is a research fellow of the Institute of Economic Affairs in London.

How could cooperativeness and even an apparent propensity for occasional self-sacrifice have evolved? Formerly respectable theories of biological group selection have held that altruistic behavior evolves because groups tend to flourish or perish depending on whether their individual members will put group interests

ahead of their own. Ridley duly rejects those theories, recognizing instead that biological selection operates at the level not of groups but of individuals and their genes. Self-sacrificing individuals would be at a disadvantage in surviving and reproducing, leaving dominant those individuals who possessed the genes for pursuing narrower self-interest.

Yet, as Ridley shows, something remains valid in a theory involving group selection. Social animals can survive only in functioning groups. Groups whose members do not practice cooperation and fair play die out. But can this aspect of group life be reconciled with the reality of biological selection at the level of individuals?

The title of Richard Dawkins's 1976 book *The Selfish Gene* encapsulates the relevant principles. Selfish genes can perpetuate themselves through relatively selfless individuals. Such genes have built our minds to be social, trustworthy, and cooperative (249).

Focusing on genes clears up "behaviour that had seemed puzzling when seen through the lens of the individual or the species" (18). More specifically, the reconciliation appeals partly to the idea of kinship selection and inclusive fitness, which pertains to reproduction of genes like those of an individual even otherwise than by direct transmission of the individual's own genes to his or her own offspring. The process

The actions of hunters in exchanging giraffe meat for prestige were a forerunner of modern markets in financial derivatives; they were ways of hedging risks.

involves partiality to close relatives likely to share one's own genes for benevolence.

Another strand of reconciliation involves reciprocity — helping or playing fair with others in expectation that they will do likewise. The game of "prisoners' dilemma" demonstrates some aspects. (The game gets its name from a story in which the district attorney, negotiating separately with each of two robbery suspects, offers each an attractive plea bargain in return for his turning state's evidence against his partner in crime.) The game is so structured that in a single round considered alone, the best move for each of the players, regardless of what the other does, is to "defect," that is, try to exploit the other. Yet when both act that way, the result for both is worse than if they had cooperated. Still, if either forgoes the narrowly self-interested strategy, he risks winding up the victim. What incentive, then, does each player have to subordinate his own narrow immediate advantage to the interest of both combined? In repetitions of the game, each player's moves transmit signals to the other. In computer experiments conducted by Robert Axelrod and reported in his *The Evolution of Cooperation* (1984), the most successful strategy is "tit for tat": one begins by playing cooperatively but retaliates on the next round if the other player acts exploitatively. If the other

gets the message and returns to cooperation, so does the first player.

In the more complicated multi-person game of life, behavior transmits signals that become codified in persons' reputations. A good or bad reputation expands or shrinks a person's opportunities for reaping gains from trade with others, and not just from trade in the narrow business sense but from all sorts of voluntary interpersonal relations. People inherit some evolved predispositions to be trustworthy and some capacity to discriminate between their honest and dishonest fellows. Gene-linked social instincts have enabled humans to reap huge benefits from the division of labor, and make possible the rapid evolution of our brains and for our inventiveness. Our minds and our societies evolved in mutually reinforcing ways (249).

Competition between culturally different individuals and groups joins biological natural selection in the evolution of ethical standards. The direct person-to-person transmission of traditions, customs, knowledge, and beliefs makes for a whole new kind of evolution (179–180). Interaction between biological and cultural evolution appears in what the economist and computer scientist Herbert Simon identified as "docility" — a receptiveness to social influence and a readiness to accept instruction and follow examples. It saves much time and energy in unnecessarily repeated experimentation. It shows itself in conformism, which is reinforced by religious and other rituals. "[T]ribes . . . that found a way of drumming cultural conformity into the skulls of their members tended to do better than those that did not. . . . By taking part in a dance, a religious ceremony or an office party, you are emphasizing your willingness to cooperate with other people" (189).

An unfortunate side of group-oriented conformity, notes Ridley, is a concept of "them and us" and even an inborn tendency to wage war (chapter 9). "Human beings are terribly easily talked into following the most absurd and dangerous path for no better reason than that everybody else is doing it. . . . [Many examples illustrate] how easily we can be rendered obedient to the current fashion for no better reason than that it is the current fashion" (181).

But let us return to the bright side.

Neurological research supports the seemingly outlandish idea of faculties in the human brain that "enable it to exploit reciprocity, to trade favours and to reap the benefits of social living" (131). Adam Smith's "propensity to truck, barter and exchange" has such a basis (50).

In hunter-gatherer days, hunting for big game was a kind of lottery, often unsuccessful. When the hunters did succeed in killing a large animal, they could neither consume all the meat themselves nor store it for long. If trade for other goods and services was not well developed, they had to resort to implicit trade, giving away meat in exchange for prestige, meaning an implicit claim to share in the future good fortune of other hunters. The actions of hunters in exchanging giraffe meat for prestige were a forerunner of modern markets in financial derivatives; they were ways of hedging risks (115–116).

Besides a propensity to practice the division of labor and to trade, another idea of Adam Smith, that of "moral sentiments," finds support in modern research. Ridley draws on *Passions Within Reason*, by the economist Robert Frank. In social creatures, emotions help subordinate short-term expediency to long-term prudence.

Biological selection operates at the level not of groups but of individuals and their genes.

Emotions bring distant costs forward to the present. They transmit signals of reliability and cooperativeness; they aid in making credible commitments; they elicit or reinforce reciprocity and promote kinds of altruism that might pay off in the long run. "Rage deters transgressors; guilt makes cheating painful for the cheat; envy represents self-interest; contempt earns respect; shame punishes; compassion elicits reciprocal compassion" (135).

Ridley adopts, though only tacitly, the ethics of what is sometimes called "indirect utilitarianism," according to which institutions, precepts, inclinations, and character traits merit approval or disapproval to the extent

they support or undermine social cooperation. "We define virtue almost exclusively as pro-social behaviour, and vice as anti-social behaviour" (6; cf. 38). Ridley avoids making self-sacrifice or altruism the essence of ethics. He never explicitly asks the key question "Why be moral?" but he contributes to answering it. Moral sentiments benefit not only the group but also the individual (in a long-run and probabilistic sense, as Moritz Schlick and Henry Hazlitt duly qualify that proposition). Virtue enables the virtuous to join forces with other virtuous people, to their mutual benefit. Moral behavior need not be disparaged, because at bottom it reconciles with self-interest.

Ridley develops a case for classical liberalism consistent with scarcity of resources, biologically and culturally determined human nature, historical experience, and his (tacit) utilitarianism. Chapter 12, "The Power of Property," shows how people, left free from government interference, find ways to work out property arrangements among themselves that avoid wasteful demands on the environment. In particular circumstances where delineating private property rights is difficult, common property governed by rules suitably evolved through custom can serve the purpose. The medieval commons was not the disastrous free-for-all that "authoritarian biologist" (231) Garrett Hardin envisioned in his celebrated "The Tragedy of the Commons." Instead, Ridley notes, commons were subject to "a complex spider's web of jealously guarded property rights" in effect owned by individuals (232). "Hardin's legacy was to rehabilitate coercion by the state. . . . Leviathan creates tragedies of the commons where none were before . . ." as with restrictions on the commercial management of African wildlife (236).

Although no anarchist, Ridley is far from crediting all beneficial arrangements to government. "[T]here was morality before the Church; trade before the state; exchange before money; social contracts before Hobbes; welfare before the rights of man; culture before Babylon; society before Greece; self-interest before Adam Smith; and greed before capitalism. These things have been expressions of human nature since deep in the hunter-

gatherer Pleistocene" (249–250). Merchants themselves, not governments, devised and enforced modern commercial law. Henry II of England was not a great law giver but a great law nationalizer — he did not originate commercial law, but rather took the merchants' common law and made it the law of the land, subject to enforcement by the courts. The threat of appeal to royal courts undermined the system's reliability and adaptability (203). "Only the restrictive practices of lawyers prevent the civil law gradually privatizing itself again" (203).

"Trust" is the theme of Ridley's concluding chapter. An advanced economy or indeed a primitive economy cannot function without some spirit of fair play and cooperation. Government often destroys local mutual institutions based on trust, making people more selfish, not less. Individualists justifiably argue that government is the problem, not the solution. Margaret Thatcher recognized that government is composed of self-interested human beings, not saints. Government is a tool for interest groups and budget-maximizing bureaucrats.

Ridley makes many amusing asides. He shows that, contrary to myth, American Indians and other primitive peoples have not been conscientious stewards of the natural environment. The noble-sounding speech of Chief Seattle, much quoted by Al Gore and others, is a work of modern fiction. Ridley retells the story of how Margaret Mead's prankish native informants conned her into believing that Samoa was a paradise of free love and

other delights. Mead, followed by many modern sociologists, anthropologists, and psychologists, committed a reverse naturalistic fallacy. "Because something ought to be, then it must be. This logic is known today as political correctness" (258).

Ridley enhances (or pads, depending on your taste) his core arguments with many barely relevant snippets of natural history and human history, but writes in a lively, engaging style. One story, he assures the reader, teaches "a simple lesson which might serve you in good stead if you are ever reincarnated as a baboon" (153). One annoyance: The use of endnotes rather than footnotes without providing any means to help the reader connect notes and text.

But I must not end on quibbles. It is a joy to see both utilitarian ethics (even if not explicitly so called) and classical-liberal political philosophy tied to the findings of genetics, natural history, and cultural anthropology. Ridley draws on Adam Smith for points of ethics and economics. He cites, but only incidentally, David Hume and Nobel laureate economist F. A. Hayek. He philosophizes without reference to writers whose ideas I would consider central, including John Stuart Mill, Moritz Schlick, Ayn Rand, Paul Edwards, R. M. Hare, and the economists Carl Menger, Ludwig von Mises, and Henry Hazlitt. But these omissions are no grounds for complaint. On the contrary, the fact that Ridley arrives at his utilitarianism and his libertarianism by independent routes, with heavy emphasis on biology, only strengthens those doctrines. □

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The Argument Culture: Moving From Debate to Dialogue, by Deborah Tannen. Random House, 1998, 304 pages.

The Argument Against Argument

Michael Drew

"The world's most famous linguist" is now "widening her lens to examine the way we communicate in public" — so proclaims the cover of Deborah Tannen's latest book, *The Argument Culture*. Like many of her fellow citizens, the renowned expert on gender communication (*You Just Don't Understand*) laments the polarization of American social discourse and the "atmosphere of unrelenting contention" emerging in recent years (3).

For Dr. Tannen, the chief culprit is "agonism," a suggestively painful term she has coined to mean "an automatic warlike stance . . . a prepatterned, unthinking use of fighting to accomplish goals that do not necessarily require it" (8). Through a survey of recent patterns in three professions — journalism, politics and law — Tannen examines the corrosive effects of "the argument culture" on the current body politic. She then deepens the search by exploring the influence of gender and technology on our "agonistic" thinking and looking beyond our own culture to see how other societies process conflict.

Unfortunately, as Tannen "widens her lens" she appears to lose much of the sharp focus of her earlier work. At the outset she identifies a major obstacle at the root of our thinking: the very notion that there are two sides to every issue. This dualism originates with early Aristotelian logic and is founded on "the conviction that opposition leads to truth" (6). With our need to find an "other side" for its own sake, we thus "end up scouring the margins of science or the fringes of lunacy to find it . . . so kooks who state outra-

geous falsehoods are given a platform in public discourse" (11). All the while our most creative minds must waste time and energy responding to "unfair criticism" (19). In fact, says Tannen, sometimes there are more than two sides to an issue, and "sometimes there is only one side: truth" (37). Ouch.

In her earnest desire to convey the slam-dunk truth of such phenomena as global warming, the Holocaust and the theory of evolution, Tannen overlooks an elementary truth about democracy: that we have no official referee to determine just what the "truth" is, who the "kooks" are, or what is "unfair" in a given situation. This sometimes irritating fact is also our greatest asset. For example, any belief that vitamin supplements could combat cancer or heart disease was dismissed as hippie quackery only a few years ago; no longer. A century earlier the "fringe of lunacy" was occupied not by creationists but by the first evolutionists who opposed a "truth" which up until that time had been the sole province of the Church. In our own time, allowing open debate about the Holocaust may raise public awareness of historical facts, such as the extreme measures taken to conceal the murder of the Jews in what SS Reichsfuhrer Heinrich Himmler called "the chapter in our history which must never be written," which in part forms the basis of Holocaust denial today. Our knowledge is inevitably sharpened as the truth is forced to find its way out on its own power.

By contrast, Tannen seems to envy the Japanese approach to ideological conflict. She notes approvingly that when "a reputable magazine printed an article" denying the Holocaust in that country, the "publisher . . . recalled all

copies of the issue and closed the magazine for good" (39–40). Well, that's one way to end an argument.

Significantly, it is not long before she progresses from the straw man of Holocaust denial to the murkier subject of abortion, where she maintains that the National Abortion Rights Action League and Operation Rescue occupy such "very different moral landscapes" that the latter should not be "legitimized as the other side in a debate" (41). Wow. That the anti-abortionists happen to use a different yardstick to measure their own moral landscape does not appear to concern the author. Claiming that the whole abortion debate is "needlessly polarized" to begin with, she advocates that we

The fact that the anti-abortionists use a different yardstick to measure their own moral landscape does not concern Tannen.

frame the issue differently: "on one hand, the desire to reduce the number of abortions, and on the other, the desire to give women control of their own bodies and lives" (42). While the usefulness of this model might be limited by its failure to acknowledge the actual goal of anti-abortionists — to stop abortion, not just reduce the number — the heading for this section tells us all we need to know: "Two Sides Gets In the Way of Solving Problems" (41).

More useful is Tannen's study of public communication as the measure of our agonistic mania, probably the high point of *The Argument Culture*. Not only has the average citizen been turned off — heard any good lawyer jokes lately? — but even veteran practitioners suffer battle fatigue from the attack dog mentality in journalism, the breakdown of compromise and fair play on Capitol Hill, overly "zealous advocacy" on both sides of the courtroom; in short, a growing "take no prisoners attitude" on all fronts (52, 54, 61, 88–90, 99, 104, 145, 159).

The line between editorial opinion and "news" has blurred in the competi-

tion to inflame our senses (93). Technology exacerbates the problem as competing sources of information literally scream for attention, while the anonymity of such media as the Internet enables us to escape personal relationship, and hence responsibility, in our attacks on others (47, 238–242).

Yet our anti-culture-war activist undermines her own cause by again entering too far into the fray to be an entirely credible observer. We are treated to detailed analyses of how Hillary Clinton's remarks have been twisted by the media, the "heartbreaking tale of public opposition" to the Clinton health care plan, "based entirely on misconceptions," the time and money wasted on the Whitewater investigation fueled by Republican "dirty tricks" and headed up "by a prominent Republican known for his animosity toward the president" (65–67, 108, 124–126).

Meanwhile, poor Mike Espy, Clinton's former Secretary of Agriculture, is indicted for "having accepted \$35,458 worth of inappropriate gifts, including such items as tickets to a basketball game priced at \$90"

She goes to great lengths to show that males "are more likely to take an oppositional stance" and hence are more agonistic in general than females.

(125). (Dr. Tannen might be interested to know that the cash value of such gifts is not as important as the political influence they might have on the cabinet officer who receives them.) The author begs off any discussion of the First Couple's own possible role in the agonistic tango on the grounds that this would be "in itself evidence of the culture of critique by which only criticizing seems like worthy intellectual work" (97).

But if she blames editors for treating Hillary more like a Democratic politician than a first lady, she might consider that Mrs. Clinton has had a bit more on her plate than hospital visits and highway beautification (113–114).

Suffice to say Tannen is not shy about employing the "culture of critique" when it comes to the "verbal manipulations" of right-wing talk radio versus the "uniquely thoughtful NPR," or the relative lack of press coverage of the Iran-Contra arms sales, which occurred "in direct defiance of laws passed by Congress," compared with the extensive coverage of Whitewater (84, 92, 116).

While these are all valid viewpoints, they hardly set the stage for the "general truce" called for by Tannen to begin moving us away from the paradigm of two-sided battle. She further muddies her theme by qualifying it at regular intervals, so that sometimes it's appropriate to be critical, dualistic, even devious (19, 52, 53, 71, 129, 272). Exactly when would that be? Well, that depends. "Sometimes passionate opposition, strong verbal attack are called for," as in the case of "those who live under repressive regimes . . ." (7). Fair enough, but are not abortion, affirmative action and other issues perceived as gravely affecting the lives of millions within our own society, no matter which side one takes? How do we pick and choose our passions for the author's purposes?

Tannen being Tannen, she inevitably highlights the role of gender in our increasingly warlike culture ("Boys will be Boys," 166). The war metaphors used to describe American discourse are seen as aggravating the agonistic tendencies already inherent in our two-sided thinking (13–20, 191–194). She goes to great lengths to show that males "are more likely to take an oppositional stance" and hence are more agonistic in general than females (166).

While she makes a case based on clinical research (well supported by everyday observation) that men and boys are more likely to enjoy arguing as a game or ritual, her larger theme begs the obvious question. If "agonism" and opposition are more a masculine phenomenon, why has our society entered this recent phase of hyper-conflict precisely when women's voices are being heard in large numbers for the first time, especially in the professions scrutinized by Tannen: media, politics and law? Ironically, the waning spirit of compromise and all-around public decency mourned by

Tannen previously existed in an almost all-male context (97–99, 182–197). Why weren't these testosterone-laden warriors tearing each others' figurative heads off during the *Leave it to Beaver* days? Perhaps Tannen misses the sig-

A century earlier the "fringe of lunacy" was occupied not by creationists but by the first evolutionists who opposed a "truth" which up until that time had been the sole province of the Church.

nificance of her own evidence that males enjoy the game of combat more, but are also more likely to remain friends afterwards (182, 195).

Stressing the masculine tendency to engage in ritualized conflict as the core of the argument culture, Tannen describes similar phenomena occurring in non-Western societies: the verbal contest of wits and insults in Hawaii, and cockfighting in Bali (224–228). Only now she arrives at the strange conclusion (given the theme of the book) that we can learn something here about "the benefits of ritual fighting" and "the futility, and even the danger, of trying to prevent" it! (228)

Similarly, she shows how other Western peoples such as the French, Germans, Greeks and Italians are actually more argumentative than ourselves, that Americans are often intimidated by the combative reception they receive in these countries (209–210). Yet by the author's own assertion, "the United States in particular" seems to exhibit the worst degree of what we might call "argument culture syndrome" (3). Again, if our underlying oppositional mind set is at fault, it's hard to see why these admittedly more "agonistic" societies would not be experiencing as much or more actual social strife than our own. What gives here?

Tannen touches on the root of the problem earlier in the book when she describes "the breakdown of a sense of community," through which "community norms and pressures exercise a restraint on the expression of hostility. . . . American culture today often

lacks these brakes. Community is a blend of connections and authority, and we are losing both" (24). Bingo.

However, she fails to develop this theme, perhaps because it has all been said before, perhaps because it has no linguistic solution. Ours is a society in which victim ideology is in the ascendant, in which subgroups from women to the handicapped have proclaimed separate cultures — concurrent with the rise of fundamentalist religion. Each group is "empowered" with its own set of values and newfound political clout, creating a culture in which every form of authority and convention has been either questioned or dispensed with completely. Thus it is perhaps inevitable that something very much like war — by that or any other name — would erupt. The defining characteristic of the Asian cultures Tannen offers for comparison, with their observably lower levels of internal conflict, is a strong hierarchical structure (212–213). Indeed, the dispute resolution she admires in other cultures always takes place in the context of tight social relations, exactly those which have dissolved within our own society. As the author correctly observes, "It takes a village to settle disputes" (222).

What to do about it all? Aside from her earlier call to the media that "changes need to be made in the way that all material is presented," no mean task in itself, Tannen shares with us Amitai Etzioni's "rules of engagement" for constructive dialogue (52, 288):

- "Don't demonize those with whom you disagree" (read: unless you really disagree, as with the "evil" of Holocaust denial or "fringe" talk radio) (38, 116).
- "Don't affront their deepest moral commitments" (unless they happen to "occupy a very different moral landscape" from your own, such as "the ranks of Operation Rescue") (41).
- "Leave some issues out" (unless you intend for your book on conflict resolution to be a platform for all your favorite causes and pet peeves).
- "Engage in a dialogue of convictions: Don't be so reasonable and conciliatory that you lose touch with a core of beliefs you feel passionately about" (not a problem for

our author) (288).

Interestingly, Tannen declares at the outset that "This is not another book about civility" (3). Perhaps it should have been, for it would seem the level of rancor in American society today is less a product of the two-sided argumentation model, which as the author

points out goes back to the time of Aristotle, than of the genuine stresses shaking our social foundations. Rather than this unconvincing attempt to deconstruct the dialectic, we might have been better served by a more even-handed call for tolerance as our cultural stew boils over. □

On Nationality, by David Miller. Clarendon, Oxford, 1995 (Paperback edition, 1997), 210 pages.

The Logic of Nationalism

Martin Tyrrell

David Miller's *On Nationality* differs from earlier accounts of nationalism in several interesting ways. For one thing, as the title implies, its ostensible emphasis is not nationalism, but nationality, the individual sense of identity that people acquire once they believe that they are part of a national community. More importantly, Miller is no neutral commentator and does not pretend to be one. He is convinced that nationality is a good thing, from which we can all benefit.

Miller's earlier work, *Anarchism* (1984), disputed the feasibility of society without government on the grounds that there exists a deep human need for collective, political identity, a need that anarchy cannot meet, but which nationalism abundantly satisfies. *On Nationality* develops this thesis so much that *For Nationality* might have been a more appropriate title. Significantly, however, the book is only occasionally about nations and nation-states as they have actually been. More often, it is about nations and nation-states as David Miller would like them to be, which is not at all the same thing. Disappointingly, therefore, the book is not the wickedly unfashionable essay one might have expected.

The kinds of nation-state that its

author has in mind (peaceful, open and pluralist) are imagined communities indeed, quite unlike any nation-states ever known. Their bland, Barbie Doll perfection is so unreal that, almost inevitably, readers are alerted to the darker side of nationalism (war, imperialism, visceral and enduring prejudice) here played down. Miller gives critics of nationalism such as Isaiah Berlin, Elie Kedourie and Kenneth Minogue short shrift. Their common complaint that something inherent in nationhood is corrosive of, for example, peace or personal freedom, deserves a better answer than Miller provides. And anarchists, too, are due some apology. Even his improbably well-behaved nationalism is, on inspection, not obviously superior to the anarchy he dismissed in *Anarchism*.

Consider nationality itself. It is never a coincidence when large numbers of people happen to share a particular national identity. Nationality is political. People who have the same nationality have also had the same political and ideological influences. Maybe these influences were subtle, almost imperceptible; maybe they were far from subtle. Regardless, they derive from the same sources: either national governments, or political movements that aspire to be national governments. Both of these sources have the same broad aims: to make people identify

with one another and with the state, and to advance an alleged common interest.

Before there can be nationality, then, there must necessarily be nationalism. Before there can be nationals, there must first be nationalist ideologues and activists increasing the role of government in areas such as education, the mass media and the creation and custody of the historical record. As each of these areas takes a nationalistic turn, so too do many of the people who come into contact with them. In this way, they acquire nationality. The causal relationship between these two phenomena — nationalism and nationality — is so strong that a book about one is inevitably also a book about the other. Miller's big distinction is, therefore, on reflection, not so big at all; *On Nationality* might just as easily have been called *On Nationalism*. And, being for nationality, it cannot but be for nationalism as well. But maybe nationalism is not so bad. Perhaps it can, indeed, be as benevolent as the author hopes.

It is true that nationalism, as Miller suggests, can create mutual obligations

"On Nationality" is about nations and nation-states as David Miller would like them to be, not about nations and nation-states as they have actually been.

between co-nationals and that this can, in turn, make for a potentially more cohesive and orderly society. Necessarily, however, it also involves a process of exclusion, since people who are outside of the national community in question will not benefit either at all or as much from the privileged exchanges and transfers going on within.

But when nationalism emphasizes mutual moral obligations among nationals, it suggests that the very same people have much more limited obligations beyond the national in-group. Many activities of the national state, like subsidies to agriculture and industry, tariffs on imported goods, and

restrictions on entering the country or its work force amount to disadvantaging non-nationals in the expectation that at least some co-nationals might thereby benefit.

Likewise, welfare states institutionalize the redistribution of resources from the more affluent to the more needy members of a single national community. The extent to which non-nationals are entitled to a share in the benefits of such an arrangement has been an important political issue in many states and a significant factor underlying attempts at limiting or preventing immigration. It is quite possible, in fact, that the more mutually supportive and communitarian the members of a given nationality become, the greater their incentive to exclude and the stronger their reluctance to tolerate newcomers. Foreigners, by the very fact of their being foreign, violate the preconditions of entitlement to nationalist welfare.

So it is not surprising that nationalism, then, initiates a succession of discriminatory behaviors. With nationality, as with any sense of collective identity, there is a differentiation of "us" from "them," and then discrimination between the two. Typically, as the familiar cues signifying that someone is an out-group member are recognized, that person is treated differently from the way in which an in-group member would be handled. Ethnicity, with its suggestion of a cultural as well as a genetic heritage, is usually a factor in this kind of differentiation. The factual, historical basis to this ethnicity is not the point; what matters is that people believe in it and perceive it to be valid. They believe that they and their co-nationals constitute a distinctive and enduring "stock" and that the kinds of tie which link, say, one member of a family to another, hold also for the nation as a whole. Thus each national is, somehow, however distantly, kin of every other. This, in turn, inspires a great deal of the solidarity between nationals and a great deal of the animosity outsiders get to feel.

It helps considerably if such a belief has at least the semblance of truth. People are, in general, less likely to read the substance of homogeneity into a given community if that community does not first have the appearance of it. Ethnicity need not be real, just realistic.

Nationalism has therefore tended to spread fastest among communities already broadly similar; communities which, for example, spoke related dialects, if not a common language, and whose members at least appeared to be

Many activities of the national state, like subsidies to agriculture and industry, tariffs on imported goods, and restrictions on entering the country or its work force amount to disadvantaging non-nationals in the expectation that at least some co-nationals might thereby benefit.

homogeneous. Writers on nationalism as conceptually diverse as Anthony Smith and Ernest Gellner acknowledge this. The political construction of a national community benefits from being based on existing, relatively homogeneous, pre-national groups. But whether initial differences are great or small, the process of developing a nation has, historically, involved trying to move from a situation of less to one of more homogeneity. This is what nationality amounts to; a somewhat paradoxical situation whereby the members of the in-group are first identified and included, then members of out-groups identified and excluded.

Miller's nationalism is no different. It is the price that the kind of communal solidarity and mutual support he commends always carries. Miller, himself would, of course, dispute this. He suggests that nationality can be otherwise; that there can be a "civic" nationalism, based upon an open and inclusive citizenship. If you carry the passport, keep the law and pay your taxes, he alleges, you are a national and that is that.

But just what would such a civic nation look like? One possibility is that it would be a society in which different ethnic groups co-existed within the context of a single citizenship but were otherwise quite culturally diverse. It is

not apparent, though, how such an arrangement could be said to constitute nationalism. Something like it already characterizes most Western states, for instance, but, far from being seen as a new form of nationalism, it has usually been attributed to or blamed for the demise of nationalism in those countries. Moreover, many researchers have argued of such societies that, while the members of their different groups do

In practice, liberal variants of nationalism tend to be too nationalistic to be meaningfully liberal or too liberal to be meaningfully nationalistic.

indeed have a degree of involvement in and an identification with the state, only rarely is this sense of belonging experienced equally, across all groups.

In practice, some groups tend to be better represented within the state and are better able to have it serve their respective political interests. In addition, it is not common for the members of such culturally diverse societies to share a widespread, intergroup sense of community with one another. Cultural fragmentation (in, for instance, Belgium, Switzerland and, increasingly, the United Kingdom) has tended to precipitate political fragmentation, too (through, for example, the decentralization of political power).

Thus, where a state tolerates the existence of a series of distinctive communities, two fundamental national identifications tend to be lost — people do not share any widespread sense of nationality with one another and they do not share an identity with the state. Miller himself clearly recognizes that an excessive level of such communitarianism potentially undermines nationalism. It is on this basis that he is critical of multiculturalism, dismissing it as contrary to the nationalist goal of assimilation (compelling Spanish speakers to use English and so on). There is little concern that multiculturalism might intrude upon individual choice (by, inter alia, discouraging native speakers of Spanish from adopting English) for multiculturalism and

nationalism are illiberal in much the same way. Both, after all, aim at the same type of homogeneity, albeit on a different scale. And both tend towards, if not coercion, then restriction and limitation of choice.

However carefully liberal Miller attempts to be, there is something in nationalism that will not move in that direction. Even the most minimalist national culture will provoke dissent, for there will always be people who want to be different and who want their children to carry on that difference. The establishment of even a slightly more homogeneous national community in Britain or America today would, for example, be a daunting and thoroughly repressive project, almost certain to fail. It would represent a return to the process of “nation building” but on a much larger and more problematic scale. To have any prospect of success, the state would need to become a still more permanent and intrusive feature in all areas of life, inhibiting tendencies towards separation, reinforcing moves in the direction of integration. It is not obvious that a regime of this kind could remain fully democratic or, indeed, democratic at all. And it is not obvious that a state of this kind could avoid provoking unrest among those very groups it was trying to assimilate. Given this, “liberal nationalism,” if not quite a contradiction in terms, can only be the most relative of concepts. All nationalist systems are essentially illiberal, for all aspire to heighten or impose uniformity.

In practice, therefore, liberal variants of nationalism tend to be too nationalistic to be meaningfully liberal or too liberal to be meaningfully nationalistic. David Miller, despite clear liberal values, is as yet in no danger of being too liberal. It is not only that he has opted for uniformity over pluralism, but also his recommendations regarding the national culture on which that uniformity is to be established suggest a decidedly prescriptive outcome. Not that he is overtly dictatorial; prescriptivism is merely the illiberal rut into which his position necessarily slips if it is followed where it leads. It is worth seeing how this happens.

In place of any rigidly defined national culture and the kinds of cultural prohibition which this has sometimes initiated, Miller advocates

instead an environment of subsidies and incentives. Given such positive encouragement, he reckons, a truly national culture will evolve. But where there are subsidies, there must also be people empowered to decide who should and should not receive them. Not everyone, after all, can receive a handout, for even the most generous of subsidy regimes will have limited resources, and not every aspirant beneficiary will be equally worthy of support. So some people will need to be delegated to decide what is and is not deserving. The idea of a prescriptive, working definition of national culture cannot, therefore, be eased out of the argument quite as readily as Miller supposes. Nor can national culture, even in this variant, be without an element of compulsion. If some culture is to be subsidized, some people will have to provide the subsidy. They will therefore be required to pay for something they would probably not have purchased voluntarily and so have to forgo something that they probably would.

There is more to this, however, than familiar market liberal objections to the public subvention of allegedly “high” or worthy culture. Here, the subsidy is more highly politicized, for it is part of a nationalist program. And since nationalism tends towards homogeneity, official national culture is likely to tend in that direction as well. With national culture, therefore, some people might end up funding a culture that they reject and which, elsewhere, they actively resist. In effect, they might be made to pay for at least part of their own assimilation. Secession — and the establishment of a new nation-state of their own — offers such people an opportunity to exit a process of assimilation. Historically, however, existing nation-states have usually tried to prevent secession just as they have tried to work against excessive cultural pluralism. Certainly, the entire issue touches off a series of problems fundamental to nationalism and, indeed, nationality, for few secessions are without their dilemmas and this is particularly true where the aim is to be fair and democratic. Drawing and redrawing borders in response to the results of referenda is a process that can, in theory, go on indefinitely until borders are being drawn through towns or streets. And

even then there would still be disappointments on both sides, some pockets of anti-secessionism on the secessionist side of the border and vice versa.

At some point, therefore, the appeal to democracy and self-determination must break down. People simply do not form the neat, territorial packages of ethnic homogeneity nationalists and seceding nationalists require. Yet, fired up by nationalist ideology, they might feel inspired to create precisely such a space through ethnic cleansing. In this way, nationalism begets demographers of a decidedly mean streak, capable of sustaining lengthy and destructive conflicts for many generations.

Miller reviews some academic work on this issue to see if there are any principles which might be generally applied. But what he finds is arbitrary.

I doubt that it could be otherwise. Simply listing some rules whereby legitimate and illegitimate secessions can be distinguished will not prevent illegitimate secessions from taking place. Secessions are justified because they justify themselves. Their success is their justification. And their success/justification is a matter of power. There are no rules or principles that can govern them; none that can be set up and imposed with any realistic prospect of being applied universally. Historically, superpower caprice and realpolitik are what have mattered, not the strictures of a principled legal order. Secession is not the only subject of so-called "international law" vulnerable to this criticism. The concept as a whole is diaphanous.

Some years back, a violation of the

territorial integrity of Kuwait provoked the shrillest of high moral tones; but a violation of the territorial integrity of East Timor, a few years before that, provoked next to nothing. Such is the "law" of international relations. Miller should not, then, expect good behavior between states, even if all of them could be signed up to the kind of code of propriety he advocates. Nation-states and their rulers will not be good simply because there exist some desiderata of civilized international conduct. They will be as bad as they can get away with being; as bad as the balance of power allows. Any widespread sense of nationality will minimize the resistance they face at home. The liberal order David Miller obviously desires is not to be found in nationalism. He should look elsewhere. □

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"The Bum Thrown Out," *continued from page 28*

able — I don't think I'm giving away any deep, dark secrets when I say that he is an instinctive authoritarian. He believes — no doubt sincerely and with some conviction that his belief is good for society — that people have a lot of evil and mischief in them if left to their own devices, and that they need a good deal of supervision from government that is ready to punish them for their slightest misdeed. The NRA endorsed him, but his record on gun control is mixed enough that most rank-and-file gun owners dislike him and probably voted against him. He's been an enthusiastic and proud builder and filler of prisons. Perhaps he would

have been better than Gray Davis when it came to overall tax-and-regulation issues, but not much. On almost every issue he is inclined to rely on government power to straighten out the wayward elements of society, of whom there are far too many for his liking.

Now most Californians haven't had that much personal contact with Dan Lungren, but I think this instinctive authoritarianism comes across in public — perhaps not so much that most people would identify it with the same words I would use, but enough that it makes most people at least mildly uneasy. People might not have known why the idea of Dan Lungren with a lot

of power made them uncomfortable, but it did. They looked at Gray Davis, who has climbed the political ladder painstakingly and almost invisibly, revealing as little of his personality (assuming he has one) as possible, offending almost nobody while being faithful to government unions and trial lawyers, and figured he might boost taxes, but he wouldn't go out of his way to put as many people as possible in prison. So they gulped and voted against Dan Lungren.

Including lots of Republicans.

So Californians can recognize an authoritarian and reject him? It's not much to brag on, to be sure, but it's something. —Alan Bock

Popp, "Flight Plans," *continued from page 51*

"Like when I decided to go to work with Dad."

"She's used to the idea now."

"Sure she is."

"Okay, maybe she isn't. She wants you to do better than him."

Paul slid a book into his back pocket. "I am doing better. I'm married to a good woman, and I'm staying married. Joy and I are a team."

Joy had dished up cake and strawberries and asked Paul to get the ice cream. He scowled into the freezer, unable to find any. Sylvia saw the bulging grocery sacks still on the counter, a dark pool under one of them. At the bottom she found a carton oozing its contents.

"Swell," Paul said. "There goes five bucks."

Sylvia looked for a sponge, but Joy said she would take care of the mess.

"It's only ice cream," Sylvia said to her brother, as she left him in the kitchen and carried two plates outside. Her father had fallen asleep in his chair, and the fire had gone completely out.

"Dad, wake up. I brought you dessert."

It took him a moment to orient himself. Under the chair lay several empty beer cans, but he seemed more tired than drunk. Sylvia said they should wait until the happy couple joined them. From inside the house, someone switched on the yard light. Art blinked. He took the plate but didn't touch the dessert.

"They're arguing, I think," Sylvia

said.

"It goes with the territory. When you're having your first kid, it's tough. But . . ." He shrugged and dug into the cake. "It's worth it."

"Even when your kids are all grown up?"

"Nobody's ever all grown up."

Sylvia kicked at the grass until she made a hole in the sod. She tamped the dirt back in with her heel, but Art paid no attention to the damage or cover-up.

"Your mom's dating some guy," he said.

"She likes being single, she says."

"Don't believe it. She's after this geezer because he's loaded. If she marries him, she'll be set for life. Wouldn't that be something. She'd be laughing behind my back."

"Is business really that bad? Paul's worried." Sylvia wondered, not for the first time, why her father had taken Paul on as a partner. "There doesn't seem to be enough work for two of you. Paul might do better at something of his own."

"Like what? Pumping gas, bussing tables at Denny's? He used to have swell jobs." He forked cake into his mouth. A strawberry fell onto his shirt, and he flicked it to the ground. She didn't point out the wet spot it left. He had a napkin and knew how to use it.

Her father and brother exasperated her so much, but she loved them. She'd given Paul money so many times, but he never remembered that. Now her savings could fill the baby's room with

furniture, and her mother's loan could help pay for Joy's hospital stay. She could cancel her flight. A selfless sister would do that. But she wasn't that selfless, not this time, with Ayers Rock waiting. She had to see Australia.

"Dad, do we disappoint you?"

"Nope. Paul's got a strong back and a good brain. And you're a laboratory technician first-class."

"No, Dad, I've told you. A Lab Tech I, with a Roman numeral. Not first-class like in the military."

"And you can test my blood for how many diseases?"

"Dozens, any time you want."

He put down the empty plate. "You make this cake from scratch, Sylvie?"

"Sure." A small lie.

"Dee-licious." He didn't add, the way he did before the divorce, that her desserts were almost as good as her mother's. She missed hearing that.

He looked out toward the freeway. "I liked those *Crocodile Dundee* shows. Paul Hogan's okay in my book."

"Yeah, he's funny."

"They grill a lot of seafood, don't they. 'Throw another shrimp on the barbee.' You need some adventures while you're young, before you're tied down. Hell, you're only 25 years old."

Sylvia moved from the picnic table to a chair close to her father. "On the Discovery Channel, they showed this turtle that only lives in Australia, nowhere else. It has a real long neck, too long to pull inside its shell. I want

Notes on Contributors

to see one of those."

"You bring me a picture. Now who's this girlfriend you're going with?"

Sylvia sighed elaborately. "You never keep my friends straight. You've met Julie. I'll bring her by your place before we leave."

"That'll be fine." He added wood to the fire.

When Joy and Paul emerged from the house carrying their desserts, neither said a word. Joy took the bench seat, Paul a chair. Sylvia moved next to Joy. "You guys okay?" she whispered.

"Paul's just tired," Joy said.

Art prodded the logs until he got a half-hearted blaze. He insisted Joy move to the lounge, then made Sylvia get up while he pulled the picnic table closer to the others. "Hey, Joy, did Paul mention what we found today? No? Tell her, Paul."

"No, you tell it."

Art lit a cigar, making them wait for the story. "See, this lady's wash water wouldn't drain, and her utility room filled up like a lake. For the life of us, we couldn't figure out what that line connected with. Then Pauley boy here got the idea maybe it didn't connect with anything. We dug 'er up, and sure enough, that line ran about forty feet underground to a gravel bed and petered out. All these rains soaked the soil until that wash water had nowhere to go."

Joy said, "They didn't hook it to the city line? Can they do that?"

Art put on his wise man's face and expelled a mouthful of smoke. "Now it's illegal. But not when they built these neighborhoods."

Freeway noise droned in Sylvia's head. At one time Paul had wanted to be a truck driver, then a state policeman. Then came his astronaut stage. His toys were always exciting vehicles of one kind or another — matchbox race cars, mud bog trucks, bulldozers, tanks, spacecraft. She never thought he'd settle for a plumber's van, or that she'd be the one headed for distant places.

Art pointed to the blackening sky and predicted rain before morning.

"Suits me," Paul said. He stuck out his chest and grinned. "Basements will flood, sump pumps will quit, and we'll be up to our necks in work." □

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Coming in *Liberty*

"The Liberty Poll" — A special report on the past decade's major changes in libertarian beliefs.

"It Usually Begins with Roy Childs" — *Barry Loberfeld* makes the case against anarchism.

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Terra Incognita

Richmond, Va.

The progress of Democracy in the Old Dominion, reported by the *Washington Times*:

The Joint Legislative Audit and Review Commission reported that 44,221 felons and 1,480 dead people who have been disqualified to vote remain on voter rolls in the state, and that more than 1,700 of the felons and 140 of the dead people exercised their right of franchise in the last election. M. Bruce Meadows, Secretary of the Board of Elections explained, "I'm not the best day-to-day manager in the world."

Racine, Wisconsin

Innovation in public school discipline, as reported by the *Milwaukee Journal Sentinel*:

At Dr. Beatrice O. Jones Elementary School, students who fight are asked to go outside and "lower the peace flag," which flies next to the stars and stripes on violence-free days.

New York, New York

Innovative proposals by Bernhard Goetz, candidate for Mayor of New York, from an interview in *The New York Times Magazine*.

I would like to see some type of vegetarian diet offered as an alternative in the New York public school system. I think circumcision shouldn't be allowed in the city of New York. And I think that generally there should be the death penalty for the first violent sexual offense.

Sao Paulo, Brazil

Progress of recycling in the world's fifth largest country, as illustrated by a photo caption from the Associated Press:

A steam roller crushed thousands confiscated guns in Sao Paulo, Brazil, on Wednesday as part of a celebration marking the 50th anniversary of the Declaration of Human Rights. The destroyed guns will later be used to make a sculpture promoting non-violence.

Russia

Interesting scientific experiment, reported by *Aerospace Daily*

The Russian space program plans to land a meter-high statue of the Buddha on the moon and, in a separate spacecraft, a camera that would beam pictures of the statue back to Earth.

Newark, N. J.

Government vigilance in protecting privacy, as seen in *The New York Times*.

Strewn about the ruins of the Essex County Jail in Newark are hundreds, perhaps thousands, of records of suspects investigated by narcotics authorities. The records, dating from about 1970 to the mid-80's, include arrest reports, the social security numbers and addresses of suspects, police booking photos, rap sheets and transcripts of wiretapped phone conversations. The building is currently inhabited by drug addicts and squatters.

Orleans Parish, La.

A setback in the War on Drugs, reported by the *American Bar Association Journal*.

"Oh Lord! What can I say about this?" wondered Chief Judge Leon Cannizzaro when marijuana was found growing on the grounds of the courthouse. "What do you do? Charge the building with possession of marijuana? Arrest everyone in the building for constructive possession?"

Japan

Innovative economic stimulant measure, as reported by *The New York Times*.

A senior adviser to Prime Minister Keizo Obuchi said in an interview today that the Government was highly likely to adopt a plan to issue gift certificates in an effort to spur consumer spending.

Komeito and Heiwa Keikaku, effectively the Upper and Lower House branches of the same party, contend that the gift certificates would be more effective than tax cuts in having consumers spend, because they could not tuck the vouchers into savings accounts.

New York

Interesting semantic development, reported by Frank Rich of the *New York Times*:

We live "in a time when even the word 'liberal' is considered obscene."

Canada

New regulations to control tax evasion on salads, from *Canada's General Sales Tax News*:

Tax Status of Salads: Food containing ingredients, whether mixed or not, such as chopped, shredded, diced, sliced, or pureed vegetables, meat, fish, eggs, or other food when supplied with a dressing and/or seasoning(s), whether or not the dressing is mixed with the other ingredients, is considered to be a "salad" for purposes of determining its GST/HST [tax] status. A combination of one ingredient and a dressing or seasoning(s), which is sold or represented as a salad, is also considered to be a salad.

All supplies of salads, except those that are canned or vacuum-sealed, are taxable at 7% (15% in the participating provinces). Generally, if there is no dressing or seasoning applied to the ingredients, and no dressing or seasoning is packaged separately with the ingredients, the package is not considered to be a salad and is zero-rated. However, supplies of fruit salads or gelatin salads are taxable at 7% (15% in the participating provinces), even though they generally do not contain a dressing.

Supplies of salads that are sold in cans or containers that are vacuum-sealed are zero-rated. Supplies of mixed, cut vegetables that are packaged and promoted as "stir-fry" or "chop suey mixes" are also zero-rated, since they are not considered to be salads.

(Readers are invited to forward newsclippings, documents or other items for publication in *Terra Incognita*.)

Liberty's Future . . .

and Your Future!

Here they are — some of the most brilliant libertarian thinkers and writers speaking on the topics that matter to you — the future of libertarianism, science, culture, politics, economics, and, of course, investments. Fascinating, engaging, amusing, important . . .

Are We Winning the War of Ideas? • Times have changed, and liberty is no longer a notion that embarrasses the intelligentsia or is honored by voters and politicians only in the breach. Liberty publisher **Bill Bradford, Harry Browne, Sandy Shaw, David Friedman,** and **Timothy Virkkala** explore what this change means for the future of freedom. (audio: A301; video: V301)

Liberty for Sale • How to sell the idea of freedom in one quick, easy lesson. **Harry Browne** is libertarianism's greatest salesman, and he's at the top of his game here: clear, humorous, and insightful. (audio: A302; video: V302)

Will Technology Advance Liberty or the State? • For every glowing prediction of the liberating effects of technology, there is a clipper chip, a phone tap, or a spy satellite. **Harry Browne** presides while **Ross Overbeek, David Friedman, Bill Bradford** and **Sandy Shaw** measure the capabilities of Freedom and Leviathan. (audio: A303; video: V303)

The New Libertarianism • Something has changed in libertarian discourse over the last decade. **Bill Bradford** talks about this shift in the foundation of rights theory and exposes the nature of consequentialism and the consequences of natural rights. (audio: A304; video: V304)

A Positive Account of Property Rights • **David Friedman** takes an economist's-eye view of the question "what is a right?" and explains why certain rights keep on coming back to haunt those who would like to govern without constraint. (audio: A305; video: V305)

Paper Money, Gold, and Inflation • **Bruce Ramsey** makes a libertarian case for fiat paper money. Here we put him on the spot, with **Richard Timberlake, David Friedman, Bill Bradford,** and **Harry Browne** providing some free-market alternatives. (audio: A306; video: V306)

In-Group vs. Out-Group/New Frontiers in Biology • **Timothy Virkkala** explores the darker side of human nature: dumping on other people with self-righteous gusto. Also, **Ross Overbeek** explains what breakthrough discoveries in the life sciences will mean to us in the future — and what they should mean to us right now. (audio: A307; video: V307)

The Economy of the Twenty-First Century • Sparks fly when world-famous commodity speculators **Victor Niederhoffer** and **Jim Rogers** join investment advisors **David Friedman** and **Harry Browne,** and economists **David Friedman** and **Leland Yeager,** on a voyage into the fascinating future! (audio: A105; video: V105)

Investment Advice: Bonanza or BS? • Do investment advisors have anything to offer, or are their newsletters just expensive hot air? Newsletter authors **Harry Browne, Douglas Casey,** and **Bill Bradford** debate **David Friedman** and speculator **Victor Niederhoffer.** Provocative and valuable! (audio: A143; video: V143)

The Best — and Worst — Places to Invest and Live • World traveler and wit **Doug Casey** has scrambled through Third World backwaters and chatted with dictators from Cuba to Central Asia. Here he recounts his most recent adventures — and reveals profitable secrets for protecting your wealth. (audio: A142; video: V142)

Camouflage, Deception, and Survival in the World of Investment • **Victor Niederhoffer** offers his model on how markets function. Complex and in-depth. (audio: A144; video: V144)

📖 Books 📖

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- Ⓞ **Alvaro Vargas Llosa** (Peru), philosopher, author;
- Ⓞ **Cristián Michel** (Switzerland), international businessman & philosopher;
- Ⓞ **Plinio Apuleyo Mendoza** (Colombia), journalist and author;
- Ⓞ **Carlos Alberto Montaner** (Spain), Cuban-born philosopher, co-author of current best-seller *Manual of the Perfect Latin American Idiot*, and vice-president of the Liberal International;
- Ⓞ **José Piñera** (Chile), former Chilean Minister of Labor (the man who privatized Chile's Social Security system), & international advisor and co-chair of the Cato Institute's Social Security Privatization Project;
- Ⓞ **Armando Ribas** (Argentina), former Argentine congressman, lawyer, and former economist with IMF;
- Ⓞ **Roberto Salinas** (Mexico), libertarian economist and vice-president of TV Azteca;
- Ⓞ **Ken Schoolland** (USA), economist, author of the fable *The Adventures of Jonathan Gullible: A Free Market Odyssey*;
- Ⓞ **Rigoberto Stewart** (Costa Rica), co-founder of the Movimiento Libertario, founder of the libertarian thinktank INLAP, and former agricultural economist with the World Bank.

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