

Liberty

July 2003

\$4.00

The
Greening of
the Bronx

The Federal Bureau of Marriage?

by Stephen Baskerville

The First Ground Zero

by Ralph Pray

Just How Much Liberty Can People Stand?

by Bruce Ramsey

Skateboarding to Freedom

by Michael Christian

Also: *Bettina Bien Greaves* exposes FDR's final treachery, *Jo Ann Skousen* visits the Warsaw Ghetto under Nazi occupation, *Martin Morse Wooster* explores the perfidy of lawyers (surprise!), *Jeff Riggenschach* takes a ride in an SUV . . . plus other articles, reviews & humor.

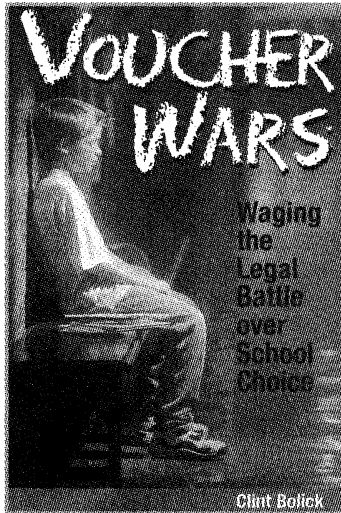
"Above all things—Liberty!"

—John Selden



NEW AND FORTHCOMING BOOKS

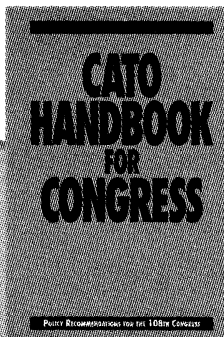
CIVIL SOCIETY • INDIVIDUAL LIBERTY • FREE MARKETS • LIMITED GOVERNMENT



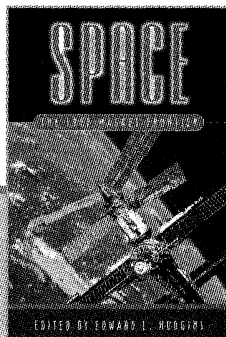
Voucher Wars: Waging the Legal Battle over School Choice

Clint Bolick

The recent Supreme Court school voucher decision has brought the issue of educational freedom and quality to national attention. This book recounts the drama and the tactics of the 12-year battle for choice and, in the process, distills crucial lessons for future educational freedom battles. March 2003
277 pp./Cloth \$20.00 ISBN 1-930865-37-6
Paper \$12.00 ISBN 10930865-38-4



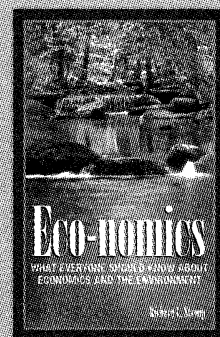
With federal spending out of control under a Republican Congress, the cuts in taxes and spending proposed in the *Cato Handbook for Congress* are needed now more than ever. It covers such hot topics as the federal budget, Social Security, Internet regulations, corporate governance, the war on drugs, and civil liberties, since 9/11. 700 pp./\$25.00 paper ISBN 1-930865-39-2



Dennis Tito wasn't the only entrepreneur interested in exploring the final frontier. The issue is how to open space to private travel and other commercial ventures. Edited by Ed Hudgins, the book includes Buzz Aldrin on space tourism, Liam Sarsfield on NASA in the 21st century, and Wayne White on property rights in space. 250 pp./\$25.00 cloth ISBN 1-930865-19-8/\$15.00 paper ISBN 1-930865-18-X



Open access, the policy requiring that a company or industry share its network, facilities, or specific technologies with rivals, is now viewed by legislators and bureaucrats alike as the preferred method of regulation. Adam Thierer and Clyde Wayne Crews Jr., however, show how regimes that respect property rights—including the right to exclude rivals—better serve consumers and innovation. 131 pp./\$12.95 paper ISBN 1-930865-42-2



It's one thing to be passionate about protecting the environment. It's another to be successful at it. In this book, Richard Stroup explains why many of our environmental laws have failed us and how we might improve environmental protection. *Eco-nomics* is an indispensable guide to learning how to think about both economics and the environment. 100 pp./\$9.95 paper ISBN 1-903865-45-7

To order call 1-800-767-1241 or visit www.cato.org.

Cato Institute • 1000 Massachusetts Ave., N.W. • Washington, D.C. 20001 • www.cato.org.

Liberty

R.W. Bradford
editor & publisher

Stephen Cox
John Hospers
Bruce Ramsey
Jane S. Shaw
senior editors

Brien Bartels
David Boaz
Alan W. Bock

Douglas Casey
Eric D. Dixon
Brian Doherty

David Friedman
J. Orlin Grabbe
Bettina Bien Greaves
Leon T. Hadar
Gene Healy

Robert Higgs
Bill Kauffman
Dave Kopel

Bart Kosko
Richard Kostelanetz

Loren E. Lomasky
Sarah McCarthy
Wendy McElroy

William E. Merritt
Robert H. Nelson
Randal O'Toole

Ross Overbeek
Durk Pearson
Jeff Riggenbach

Scott J. Reid
Sheldon Richman
Timothy Sandefur

Sandy Shaw
Jo Ann Skousen
Mark Skousen

Tim Slagle
Fred L. Smith Jr.
Martin M. Solomon

Clark Stooksbury
Thomas S. Szasz
Martin Morse Wooster

Leland B. Yeager
contributing editors

Thomas Fuller
Kathleen Bradford
assistant editors

John Bergstrom
S.H. Chambers
Rex F. May
cartoonists

Jon Kalb
computer consultant

Jim Switz
associate publisher

Katelyn B. Fuller
Patrick Quealy
editorial interns

Inside Liberty

July 2003

Volume 17, Number 7

- 4 Letters** Go ahead, we can take it.
- 7 Reflections** We fight through Jesus' traffic jam, train our birds, spend eternity in our physician's waiting room, take a close look at our pocket money, tighten Lady Liberty's belt, and wish upon a star.

Features

- 20 The First Ground Zero** The desolate site of the first man-made atomic explosion was enclosed, padlocked, and forgotten when *Ralph Pray* went on a mission to give it closure. He shares his story.
- 23 Healthy Marriages** A Federal Bureau of Healthy Marriage? President Bush wants it and Congress is ready to create it. *Stephen Baskerville* has a few doubts about it.
- 29 Dialogue With an In-Your-Face Libertarian** *Bruce Ramsey* wonders what's wrong with a little moderation and practicality.
- 31 Lafayette Is Dead** In the June *Liberty*, *Veronica Menezes Holmes* took too rosy a view of Franco-American relations, says *James K. Lambert*. France is not, and has not been, any special friend to America.
- 33 The Dubious Virtue of SUVs** You can support the consumer's right to buy SUVs, says *Jeff Riggenbach*, without wanting to drive one yourself.
- 35 Deceit, Death, and the Pursuit of Power** At the height of World War II, when grave decisions rested on his shoulders, President Franklin Roosevelt was too ill to function, but not too ill to be re-elected, thanks to a conspiracy to keep secret his terminal illness, writes *Bettina Bien Greaves*.

Reviews

- 43 The Polyurethane Revolution** *Michael Christian* remembers when you could flunk out of school, fail at all team sports, and earn the ire of mom and dad, yet still achieve greatness on a skateboard.
- 45 War, Crisis, and Character** *Jo Ann Skousen* visits the Warsaw ghetto under Nazi occupation — and learns that sometimes hell on earth can bring out the best in people.
- 46 Lawyers vs. the Law** The price of liberty is eternal vigilance against the government — and trial lawyers, too, *Martin Morse Wooster* discovers.
- 47 Colder, Not Wiser?** *James Barnett* looks at the very cool history of air conditioning.
- 50 Saving the Bronx Ecosystem** Passion and good intentions are no substitute for careful planning and good business sense, says *Jane S. Shaw*.



- 51 Notes on Contributors** It takes all kinds, and boy, have we got 'em.
- 54 Terra Incognita** Don't shoot the messenger.

About Your Subscription

Q: When does my subscription expire?

A: Please look to the right of your name on your mailing label. There you will find (unless you are getting a renewal notice) the number of issues left in your subscription, followed by the word "left," as in "3 LEFT."

Q: I've moved. Where do I send my change of address information?

A: Liberty, P.O. Box 1181, Port Townsend, WA 98368. Please include your previous address (it's best to send us your label from your magazine) and telephone number. Allow us six weeks to receive and process your address notification.

Q: I'm receiving duplicate copies; what should I do?

A: Take a look at both mailing labels, clip 'em out and send 'em to us. We'll make sure that you receive all the issues you've paid for.

Q: I think you've charged my credit card incorrectly; what can I do?

A: Call us at 800-854-6991 (during normal business hours on the West Coast) or email us at

circulation@libertysoft.com

We'll take down your information and then try to solve your problem as soon as possible.

Q: Can I change my address on your toll-free number, too?

A: No. We must get your address corrections in writing, either by U.S. mail or by email.

Q: Can I communicate with your fulfillment department by email?

A: Yes; send your communications and queries to us at

circulation@libertysoft.com

We'll try to get back to you as soon as possible.

The editorial offices can be reached at 360-379-0242.

Our sales and subscription fulfillment office can be reached at 800-854-6991 (foreign callers call 360-379-8421).

Letters

D.A.R.E. to Distinguish

In regard to the article by Judge James Gray (May), I think it is great that a judge is supporting the idea presented by R.W. Bradford to make drug laws the issue for the next Libertarian Party campaign.

One point that I think should be emphasized is that drug *laws* should be the issue, not drugs or drug use. If a candidate is asked if he or she favors legalizing drugs, the reply should be: "No, I do not favor legalizing drugs, and I do not favor drug use. I favor repealing the bad drug laws, which have proven to be unenforceable. These laws are destroying families and incarcerating thousands of peaceful people who have not initiated violence in human relationships or done anything wrong."

If the Party can keep the issue focused on the bad laws, instead of on drugs or drug use, then it will hold the high moral ground in the debate.

Personally, I doubt if the Party can take a principled stand against the bad drug laws without getting bogged down by the distinction between legalizing drugs and eliminating bad drug laws. It may seem a trivial difference, but I am convinced it could make the difference between 2 percent of the vote and a more significant 10 percent or so. It would take a determined person with great character to stick to opposing bad drug laws without getting distracted by the media and the antidrug people. Is there such a person in the Libertarian Party?

Dale G. Green
Middleton, Ida.

America's Holy War

A friend was complaining about his wife getting called ugly names and having beer bottles thrown at her while protesting the war in Iraq. I told him that, if his group was marching to end the holy war on *us*, I'd be out there with them. He acted like that could get them killed or something. "You have to choose your battles," he said.

That got me thinking: in my years of activism against America's holy war — the War on Drugs — I never got any real negative reaction from the general public. Nor has my subsequent conviction been a problem in my gardening business. It seems to me that most people are sick of the drug war, but are afraid to stick their necks out, because they think most people support it.

For twenty years, I've waited for the Libertarian Party or somebody to start organizing antidrug-war marches. I've found that the Libertarian Party doesn't organize much more than fundraising to limply support mealy-mouthed campaigns that dance around the central issue of our age. If I want to be in a protest march, I'm going to have to start it myself. The Libertarians can join in if they're paying attention.

Why protest marches? Because we have been frozen out of the legislative and judicial process, blocked at every turn. In most states, felons can't vote, so holy war prisoners are disenfranchised. Appeals courts keep supreme courts from having to rule on any substantive challenge to vice laws by issuing "not for publication" memorandum decisions. Protest marches — big ones — are needed to make the will of the people real to politicians.

Sure, tell the Libertarian Party to push the issue. But don't depend on them to make it real. Get out there and organize your own protests.

Rycke Brown
Grants Pass, Ore.

That Dog Will Hunt

While I usually like what Stephen Cox writes, I was not impressed by "That dog won't hunt" (Reflections, June), in which he argued against libertarian opposition to the Iraqi war on the basis of its being a war of aggression against a "state." I opposed the Iraqi war because it was a war of aggression against the people who live in Iraq, not because it was a war on the government of Iraq. As a Christian, I believe I have a moral and theological obligation to be a

Liberty (ISSN 0894-1408) is a libertarian and classical liberal review of thought, culture and politics, published monthly by the Liberty Foundation, 1018 Water Street, Suite 201, Port Townsend, WA 98368. Periodicals Postage Paid at Port Townsend, WA 98368, and at additional mailing offices.

POSTMASTER: Send address changes to Liberty, P.O. Box 1181, Port Townsend, WA 98368.

Subscriptions are \$29.50 for twelve issues. Foreign subscriptions are \$34.50 for twelve issues. Manuscripts are welcome, but will be returned only if accompanied by a self-addressed, stamped envelope (SASE). A writer's guide is available: send a request and an SASE.

Opinions expressed in *Liberty* are those of the authors and not necessarily those of the Liberty Foundation. Copyright © 2003 Liberty Foundation. All rights reserved.

libertarian. I believe that means that I should evaluate the justice of a war on either the pre-Constantinian Christian position of nonviolence or the post-Constantinian theory of just war. In neither case was the Iraqi war justified.

Sam Treynor
Houston, Tex.

Saudi Arabia Next

Stefan Herpel's "The Logic of War" (May) contains some good insights into the Bush administration's rationale for war against Iraq, but I believe it also misses some important points.

While Herpel correctly notes that the Saudis have purportedly been acting in America's interest by counteracting periodic oil cutbacks by Iraq, his only conclusion with respect to Saudi Arabia is relatively tepid: "War would simultaneously eliminate our principal oil adversary [Iraq] and create a new oil ally to supplement or perhaps replace the questionable Saudis." The Saudis play a far more important role than merely serving as a "questionable" source of oil. Saudi Arabia's state ideology, Wahhabi fundamentalism, is the source and center of militant anti-modern Islam, and the Saudi government actively finances mosques in the West, as well as the Islamic world, which serve as recruiting centers for terrorists.

In reality, Saudi Arabia has been a much greater threat to America than Saddam Hussein's unattractive, decrepit dictatorship, with its probably inconsequential weapons of mass destruction and questionable ties to al Qaeda. The Saudi royal family has been playing both sides, serving as America's faithful "oil buddy" while simultaneously buying off its domestic Islamic militants by funding the spread of militant Islam, confident that American dependence on Saudi oil would prevent any explicit U.S. identi-

fication of Saudi Arabia as a sponsor of terrorism and any action against it.

By attacking Iraq, the Bush administration really was fighting terrorism, but — I would hypothesize — not by virtue of Iraq's alleged WMD or ties to al Qaeda. Rather, the Bush administration's real target is Saudi Arabia; once Iraqi oil is secure, I expect the Bush administration to turn its attention to the Saudi sponsorship of terrorism.

Frank Bubb
Boca Raton, Fla.

The Need for "Special Sympathy"

It makes perfect sense for a traditionalist to agree with Joseph Sobran that the state of South Carolina had the right to secede from the Union. The government that seceded traced its authority directly back to the government that ratified the Constitution.

But it makes no sense to this libertarian for Sobran to claim that the people of South Carolina seceded. Fully half the people of South Carolina were deprived of their rights to life, liberty, and the pursuit of happiness by an armed and relentlessly violent faction.

That armed and violent faction rebelled against the president of the United States because he asserted that every person among the people of United States had the right "to eat the bread, without leave of anybody else, which his own hand earns." What lover of liberty could disagree?

The slave-owning and secessionist faction of South Carolina had no more claim to speak for the people of South Carolina than Fidel Castro had to speak for Elián Gonzales.

Lincoln wanted to prevent the people of South Carolina from being kidnapped from American law. Sobran thought the war wasn't worth it: "I would have opposed the war to prevent secession, not out of any special sympathy for the South, but because the rights of my own state, and therefore my own rights, were also at stake."

Sorry, Mr. Sobran. Life is unfair, and to live is to choose. And yes, some rights were lost in the triumph of the Union. But more would have been lost if Lincoln, and most of those who voted for him, had no more "special sympathy" for the slaves than you, Mr. Sobran, seem to have for the South.

Those Americans of the 1850s were willing enough to live with the contradiction between the principle that all

How to Subscribe to

Liberty

Liberty takes individual freedom seriously . . . and the status quo with more than one grain of salt!

Every issue of *Liberty* brings you news you can't miss, opinions you won't find anywhere else, and the best libertarian writing in the world.

You won't want to miss a single issue!

Act Today!

Liberty offers you the best in individualist thinking and writing. So don't hesitate. You have nothing to lose, and the fruits of *Liberty* to gain!

Use the coupon below or call:

1-800-854-6991

Please enter my subscription to *Liberty* immediately!

12 issues (One Full Year) \$29.50

24 issues (Two Full Years) \$56.00

Add \$5 per year for foreign subscriptions.

name

address

city

state zip

I enclose my check (payable to Liberty)

Charge my VISA MasterCard

signature

account #

expires

Send to: Liberty, Dept. L,
P.O. Box 1181, Port Townsend, WA 98368

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

Mail to: Liberty Letters, P.O. Box 1181, Port Townsend, WA 98368. Or email to: letterstoeditor@libertysoft.com.

men are endowed with unalienable rights and the reality that some men had none. But, when the contradiction became untenable, enough chose the principle of liberty over the practice of indifference. Had they not, it is not at all certain that liberty would have survived.

Robert R. Weed
Falls Church, Va.

Abolitionists in the Confederate Ranks

I enjoyed Jo Ann Skousen's review of *Gods and Generals* and certainly won't waste any money on it. But I think that Skousen was off base when writing about Stonewall Jackson and his slave praying. Actually, my reading indicates that Jackson was an abolitionist by personal conviction, yet served the Confederate States for other reasons.

It mildly annoys me that in this day and age the entire Civil War is reduced to a conflict over the issue of slavery. Unless I am mistaken, average Southerners did not own slaves, and did not fight for such reasons.

Rick L. Davis
Seattle, Wash.

Good News

A Christian libertarian "thank you" to Stephen Legate for his article, "The Call of Christ to Freedom."

He reassured me that I am not the only Christian in the libertarian camp. It certainly feels that way at times. I hope other libertarians will take his challenge to heart and show Christians that they can and should be libertarians.

I would add another argument to Legate's case. The children of Israel were bound by the Old Testament law because they *chose* to be. God gave them the choice to serve him or not. He laid out the requirements and argued the benefits, but left the decision up to them. Once they accepted his covenant, his laws became binding on them and only on them. The Philistines, Hittites, Jebusites, etc. were *not* required to adhere to that law. The only time God "judged" these other peoples was when they messed with "his" people, and he did that in fulfillment of his end of the covenant with his people.

So despite the fact that most Christians think God is a Republican, the truth is that God is a *Libertarian!*

Scott Howard
Perry, Ga.

Bad News

Mr. Bradford wrote a nice article in the June issue about American gullibility. I would extend that charge to libertarians who think Jesus had libertarian inclinations. I'm referring to Stephen Legate's "The Call of Christ to Freedom" and "Michiganistan" by Leon Drolet. George Bush and Pat Robertson think Jesus is on their side, too. There is something wrong with this picture.

First of all, there is nothing libertarian about a supreme ruler of the universe who judges whether you will go to heaven or hell, and whose laws are more conflicting and arbitrary than the federal tax code.

Second, I submit that religion is an ideology like socialism and that churches are political institutions. That the phrase "the will of God" is just as much of a meaningless abstraction as terms like "the will of the people," "history is force," and "social contract." Religion has nothing to do with salvation; it's about social control.

Third, besides Jesus being an abstract fiction, the reason why statist and libertarians think he is on their side is because he had the character of a double talking politician. I close with a sampling:

Name-callers go to a fiery hell (Matt. 5:22). Fundamentalist Jews can't escape hell (Matt. 23:33). Who is not with him is against him (Matt. 12:30). Blasphemers not forgiven (Matt. 12:32). Anger liables you to judgment (Matt. 5:22). Endorsed decapitation (Matt. 18:9). Sent disciples to steal (Matt. 21:1-3). Did not come to bring peace, but a sword (Matt. 10:34). Came to break up families (Matt. 10:35-36). Disobedient children should die (Matt. 15:3-5). Endorsed self-castration (Matt. 19:12). Kill nonbelievers (Luke 19:27). Buy a sword (Luke 22:36). Nonbelievers will burn in hell (Matt. 10:28, 12:36-37, 13:49-50, 16:27; Luke 12:5, 13:2-3).

Raymond Hewitt
Parsippany, N.J.

A Gold Star for Ayn Rand

So Buckley has joined the Ayn Rand crotch-sniffing trend and wants to tell us just how it was and what it means. Sorry, but we've heard it before. As to the relationship of Buckley to the history of Rand, that was settled when she died. His column on her death reeked of choked, putrid malice.

Like his hero, that snitch W. Chambers, there is only one thing on Buckley's mind when it comes to Rand, and that is hate. So despite the history Buckley wants to paint in his dull and sloppy colors, the real history is already clear. In the silver-stream sky of the American dream, there will always be a singular gold star called Ayn Rand.

Don Johnson
Seattle, Wash.

Scoring Bush

In his June reflection ("Let's not be moronic,"), David Kopel reports George Bush's SAT scores to be 566 verbal and 640 math. He says that these scores put Bush in the 95th and 98th percentiles respectively. These are not quite accurate.

Having just gone through the SAT testing and college application trauma with my son, I happen to have some College Board statistics at my fingertips. For 2002 college-bound seniors, Bush's scores translate into the 70th and 84th percentiles, respectively. But this is not a fair comparison. In 1996, to offset the withering criticism U.S. schools were getting for declining SAT scores, the College Board "recentered" these tests by adding 75 points to the verbal scores and 25 points to math scores. Thus, in order to more accurately compare Bush's scores of the early 1960s to the 2002 college-bound seniors, these points should be added to his test scores. That brings his scores to 641 verbal and 665 math, which translates into the 88th and 89th percentiles. Clearly, these are well-above the average of all college-bound students who took the SAT, and not moronic, but they are not quite the lofty level reported by Kopel.

It is interesting to compare Bush's scores with present Yale students. In the most recent year available, Yale reported that the middle 50 percent of its entering freshmen had SAT scores between 680 and 770 for both verbal and math. These ranges translate into 94-99 percentiles for verbal scores and 91-99 percentiles for math. Thus, Bush's scores would have been in the 20-25th percentile range of recent Yale freshmen. Everything is relative.

Jack Wenders
Moscow, Ida.

continued on page 42

Reflections

Where no Clinton has gone before — It was fun to see President Bush's tailhook landing on the aircraft carrier *Abraham Lincoln*, but Democratic outrage over the political stunt was even more fun. I particularly enjoyed hearing Sen. Robert Byrd, who has prospered politically for more than a half century by grabbing federal tax money for his constituents in the Mountain State, denounce the use of federal tax money as a re-election tool.

The real reason the Democrats were furious, of course, is that the presidential landing was such a sharp contrast to anything Bush's predecessor could do. Bill Clinton could not even fit into a flight suit, and wouldn't have dared to stand in front of so many troops without wearing Kevlar™.

— Tim Slagle

Defending our lesbian brothers

— "We need to add the category of sexual orientation because it is so critical that we say to our lesbian brothers and gay brothers and sisters that we care about you, we include you, we want to defend you," said Sen. Gordon Smith, R-Ore, commenting on the bill he's co-sponsoring with Ted Kennedy to expand hate crimes legislation.

I'm thinking their real goal is to make it illegal to hate politicians. Then there'll be three types of Americans: those in Congress, those that love them and re-elect them, and those in jail. The real question will be how the small number in the second group will be able to afford to continue paying for the first group, to say nothing of the massive hoard in the third group.

By the way, isn't it amusing when smarmy politicians like Gordon Smith are so devoted to kowtowing to special interests that they do so even before they understand the nature of the special interest? What else could explain him pledging to defend his "lesbian brothers"? — Ross Levatter

Terrorist switcheroo — When I was in high school, I recall being told how one of the Crusades — whose purpose ostensibly was to rid the Holy Land of "Mohammedan" infidels — had somehow ended up invading and conquering Byzantium, the capital of a large and

prosperous Christian empire. I've always wanted to read Gibbon and get the straight skivvy on this, but I've never found the time.

Yet I think of it when I look at what's happened in the War on Terror. It astonishes me to see how little we've done to prevent another terrorist attack and how much we've done that, well, actually seems to undermine our ostensible purpose. Last time I flew, a uniformed policeman demanded to search my wallet. I hadn't set off a metal detector, but he thought I might have been carrying a "card knife" (whatever that is) in my wallet, or so he said. I don't know about you, but when policemen can search people on a whim, Americans are facing a new kind of terror.

Of course, the biggest switcheroo is the conquest of Iraq — oops, I mean "Operation Iraqi Freedom." Saddam Hussein's Iraq was an awful dictatorship and Hussein helped maintain his popular support by saying nasty things about the U.S. But he didn't try to do anything to us, and didn't even have the means to try, despite our government's repeated claim that he had "weapons of mass destruction" (i.e. military weapons that might actually be effective against America's nuclear arsenal). Nevertheless, we invaded Iraq, conquered it in a few weeks, deposed Hussein, and celebrated our great victory.

Meanwhile, Osama bin Laden, the perpetrator of the terrorist attack on the U.S., is a free man, more capable than ever of committing further terrorist attacks, thanks to America's invasion of Iraq increasing his popular support among Arabs. — R. W. Bradford

Santorum's epiphany — In an April 21st interview with the Associated Press, Pennsylvania Sen. Rick Santorum criticized homosexuality while discussing a pending Supreme Court case over a Texas sodomy law. "If the Supreme Court says that you have the right to consensual sex within your home, then you have the right to bigamy, you have the right to polygamy, you have the right to incest, you have the right to adultery. You have the right to any-

THAT'S IT FOR THE BANG-BANG'S
ON TONIGHT'S NEWS!
STAY TUNED FOR THE BOO-HOO'S
AND THE OOH-LAH-LAH'S!



SHCHAMBERS

thing," Santorum said. For the first time, I'm surprised to hear a Republican senator get it right. I only wish he wasn't using the example as a negative.

— Tim Slagle

The fabulous Communists — On May 5, Sen. Joe McCarthy was once again in the news. The U.S. Senate unsealed transcripts of closed sessions with suspected Communists. The press coverage was predictable.

The Reuter account, by Joanne Kenen, began thus:

Fifty years after Sen. Joseph McCarthy's scorched earth investigation into supposed Communist infiltration of America's most sensitive institutions, secret transcripts released on Monday add another layer of tarnish to his place in history. The 5,000 pages from his closed-door hearings show no smoking guns, no uncovered spies, no verification of conspiracy theories on which he built his political career.

The article went on at some length about McCarthy, with one paragraph near the bottom about the wider context:

But McCarthyism was longer and deeper than Joe McCarthy himself. Anti-Communist probes, sometimes camouflage for attacks on labor or early civil rights activism, dated back to the 1930s and intensified in the late 1940s with the Cold War.

I quote this not because it is exceptional, but because it is typical. Outside of the conservative press, there is rarely any mention that Communists existed in the government in the 1940s, or that with what was going on in the world then, there might have been good reasons to worry about them. There is no reference to the Communists in the Roosevelt government or of Stalin being our ally; of Elizabeth Bentley, Whittaker Chambers, and Alger Hiss; of Klaus Fuchs and the Rosenbergs and the atom bomb; or of the "girl" spy Judith Coplon. Above all, the pursuers of Hiss, Coplon, and the Rosenbergs are never credited with being right.

The Left — indeed, the mainstream, which on this issue is the same as the Left — doesn't focus on Communists in government, but upon the investigations of screenwriters, musicians, and academics. They tell the story they want to tell — and they make it the only one.

— Bruce Ramsey

An amendment is a wish your heart makes! — In a recent speech, Democratic presidential candidate Al Sharpton promised to fight for the constitutional right to health care. I was taken aback by the ignorance of the statement, and aghast that nobody criticized him on the remark. Even FDR knew that his freedoms from fear and want were extra-constitutional. Perhaps the statement was ignored because it came out of Al Sharpton, but quite possibly, it was ignored because a lot of modern journalists didn't realize that the word "health" is never once mentioned in the Constitution.

I have been rethinking the constitutional ban on immigrants running for president. One advantage that immigrants have over the majority of natural-born citizens is that reading the Constitution is a requirement for all those who wish to be naturalized, while most of those born here never bother.

— Tim Slagle

Dispatch from Millinocket — A staff study of internal editorial department documents has revealed that top editors at *The New York Times* were already alarmed by possible errors and plagiarism in Jayson Blair's work for the

newspaper almost six weeks before another newspaper's complaints forced his dismissal. For instance, a feature story by Mr. Blair that appeared in late March of this year, just after the beginning of the war in Iraq, occasioned an urgent exchange of editorial memos, suggesting that there was never any inclination at the *Times* to bend over backwards to excuse lapses in the affable, engaging, gifted, diverse young reporter's work.

The first paragraph of the story, datelined Millinocket, Maine, on March 26, ran as follows: "It was the best of times, it was the worst of times," said Forrest H. Gump as he

There was never any inclination at the Times to bend over backwards to excuse lapses in the affable, engaging, gifted, diverse young reporter's work.

recalled his childhood spent amid the thick woods that surround his modest hilltop home on Deep Hollow Road in the treeless tundra of northern Maine. Now, as Sergeant Gump, 22, prepares to leave for a faraway war, following in the footsteps of his father, who served in the first Iran-Contra conflict in 1991, he is in a reflective mood. A red pickup truck sits in front of the house, and on the porch are a rocking chair, what looks like a piano or maybe an old bureau, and something a little blurry in the lower lefthand corner that can't be made out. Pvt. Gump walks slowly to a nearby Starbucks and orders a Grand Mocha Latte, staring out the window at the lively street scene that is rural Maine but could just as easily be Brooklyn. 'Sometimes I think that war is merely a continuation of politics by other means,' he says quietly a little later over a plate of delicious penne marinara at Tutta Pasta, a favorite local restaurant whose down-home fare draws rugged Maine farmers, fishermen, and aspiring screenwriters from miles around. 'And war is hell, as my father, a lifelong pacifist, often said. Yet it is a far, far better thing that I do, than I have ever done.'

The first memo reads: "Some of this doesn't quite track. How much time did Jayson really spend in Maine? He kept calling in on his cell phone, but I could swear it was a subway I heard in the background, though he claims it was a moose. Do moose announce that they make express stops only to 14th Street? We have his expense-account receipts, of course, but so far we haven't verified that there's a Waldorf Astoria Hotel in Millinocket. Would it be okay to ask him for sources or at least souvenirs from Maine, or would that seem insensitive? — Gerald." In reply, there was this memo: "Thanks, but if it turns out that there's anything wrong, we'll find out in a month or two and promptly issue a correction. After that assignment last month where he was supposed to visit a battleship off the North Carolina coast and it sounded exactly like the Staten Island Ferry we put him in a counseling program and then promoted him so everything should be okay now — Howell." And finally, underscoring the deep concern, a note arrived from the publisher of the *Times*: "Howell — Great piece on Maine, we used to summer there. But we've clearly got a problem here, and let's get

right to the bottom of it. Scores doesn't open till 4, but we'll be back from lunch at Hooters by 3, so we're going to have to find something to do for an hour or so. What time does Judge Judy come on? — Pinch."

— Eric Kenning

Brave new day care — To make a bird a good pet, you take it from the nest before it can see, and start feeding it in human hands. That will imprint onto the bird that human hands are its mother, and the bird will mature into an adult that likes to be petted.

In the same fashion, kids taken from their parents' home and put into state facilities will grow up to recognize the state as their parents. In books like *1984* and *Brave New World*, totalitarian governments assume all the responsibility for raising children. It is imperative to instill a love of the state into kids' minds at a very young age. The younger they can start loving the state, the better.

About 50 years ago, leftists decided that first grade was not early enough to begin imprinting children, so they instituted kindergarten. About 20 years ago, Operation Head Start was instituted as a pre-kindergarten measure. Even though studies indicate there is no benefit to a child's education from being in Head Start, the funding for the program has increased every year since its inception. Now all the talk is of state-financed day care for kids not old enough to get into Head Start.

Look in the coffeehouses of America if you want to see the end result of day care. A bunch of bitter, unemployed, vegetarian art school graduates who didn't believe their parents when they were told they would never get a job with a degree like that, waiting for a government handout. Where do you think they learned that hanging out with your friends and making pretty pictures is more important than work?

— Tim Slagle

Government schools: exit strategy —

School vouchers were the subject of a debate held at a Conservative Policy Conference in my state — a state in which voters have rejected both charters and vouchers. The conference was, in fact, an all-shades-of-the-Right conference, with attendance by the state Libertarian Party chairman and sundry libertarians as well as more numerous Republicans.

"Of all the people right of center, there is no agreement on this topic," one of the organizers told me. In the past, her group might have only had a speaker supporting vouchers. Now she was including a speaker opposing vouchers from the Right.

That was Marshall Fritz, president of the Alliance for the Separation of School and State. Fritz argued that vouchers would not change state control of education — that the money would come with strings. Nor would they change state financing of education, and they could even make it worse. Already 88% of school-age children are state-supported, he said; with vouchers it will be 98%. He asked, "What is the mechanism by which we're going to get to zero?"

Fritz held out for zero. His mechanism for getting there was to convince parents to pull their kids out of government schools.

His opponent, Krista Kafer of the Heritage Foundation,

did not argue with his goal, nor for it. "The biggest obstacle I have is the lack of a road map," she said. Asking ideological opponents to pull their kids out was not going to change the system.

Her argument was that tax credits and vouchers were an immediately workable mechanism to teach parents to think and choose, and to break the state's monopoly. "We're competing against a free entity," she said. "We need the means for opening the market."

As for strings on the voucher money, Kafer said the answer was "eternal vigilance." Political pressure.

My purpose in reporting this debate is not to point out who "won." The significance is in what was debated. And what was not debated. It is in where the center of gravity was, and was not, in a *conservative* policy conference in the year 2003.

— Bruce Ramsey

The politics of secondhand science —

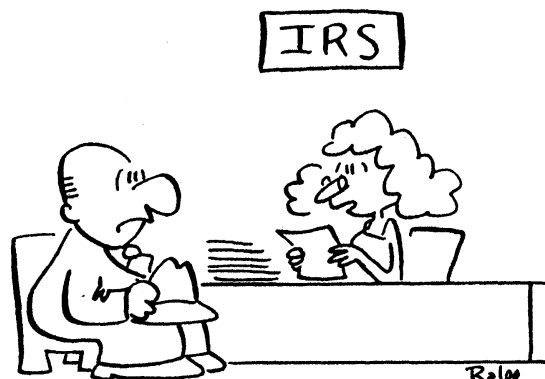
Only a few days after the *British Journal of Medicine* published an epidemiological study which concluded that secondhand smoke has little or no effect on people's health, the Bush administration announced that the U.S. will support a treaty that "endorses" the conclusion of some other scientists that secondhand smoke is a major cause of death.

Apparently, questions of science are now to be decided by politicians. I am tempted to pine for the good old days when treaties limited their scope to matters of state. But of course, these days everything is a matter of state. So the fact that guys like former Wisconsin governor Tommy Thompson, now Secretary of Health and Human Services, and dimwits like the Hon. Charles Grassley and the Hon. Patty Murray will be deciding matters of science should not be surprising.

And what about James Enstrom, the UCLA epidemiologist who headed the team of scientists who conducted the secondhand smoke study? I think he has a pretty good idea of how Galileo felt when he was called into a Papal court to defend the conclusions he had drawn from mere scientific evidence.

— R. W. Bradford

Pollster outgunned — In a 1994 speech in Key West, Florida, political pollster Lou Harris guaranteed that handguns would be outlawed in two to three years. "Mark my word," he said, "and hold me to it." Well, it's nearly a decade later, and the country isn't even close to banning



"This is the first time I've ever seen the square root of minus one on a tax return."

handguns.

Harris had spent a lot of time before his Key West speech conducting polls that were used to produce ridiculous, untrue factoids about kids and guns, on behalf of the prohibitionist Joyce Foundation. Harris claimed that public uproar over the facts which he had created would lead to a complete handgun ban.

In the 1994 speech, Harris also claimed that the passage of the Brady Bill had broken the back of the National Rifle Association. Not quite. In November 1994, the National Rifle Association broke the back of anti-gun politicians all over the country, including the mighty Speaker of the House, Tom Foley. President Clinton said that the NRA was the reason that the Republicans took control of Congress in the November 1994 elections. After the 2000 elections, Clinton said that the NRA was decisive in the Republicans retaining control of the U.S. House of Representatives, and in Gore losing several key states which cost him the presidency.

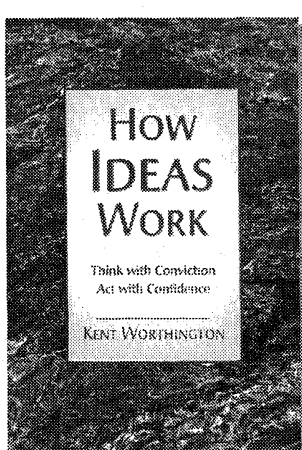
The lesson: take polling results about gun control with a big grain of salt, if the polls come from anti-gun activists.

— David Kopel

Directing traffic for Him — Yes, we all know that women are different than men. But the guy who wrote the book *Men Are From Mars, Women Are From Venus* was way off base. Women are from heaven and men are from the Planet of the Apes.

For example, my heavenly wife and I are heading to our

TAKE YOUR MIND SERIOUSLY



Hardcover
—
176 pages
—
\$47
—
To learn more:
www.HowIdeasWork.com
—
To order:
1 800 247-6553

100% satisfaction guaranteed—
Or return in good condition
for a full refund.

A Revolution in Logic

Kent Worthington creates a revolution in logic. His original theory of ideas establishes the principles by which all ideas are formed and used. This is logic as it should be—clear and concrete, enjoyable and useful—as opposed to the nonsense that masquerades as logic today.

HOW IDEAS WORK lays a sturdy foundation for ideas. Those who take their minds seriously will no longer be undercut by a shaky foundation. They can hold their ideas with conviction, act on them with confidence—because now they can know exactly how ideas work.

NO NONSENSE PRESS, INC.
Box 8378 RICHMOND, VIRGINIA 23226

favorite Sunday restaurant, the Ding How II. Since it is Sunday, churches with full parking lots line the boulevard to the restaurant. I'm speeding by, driving like a madman, because my stomach is sending a cordless message to the brain that the body needs refueling, fast.

The street is full of police cars. Several black-and-whites are gathered together in front of every house of worship on Churchlane Blvd. It's either a convention or hoodlums have

I'm wondering how many muggings, burglaries, rapes, and devious thieveries are taking place while these caring policemen impede my progress toward Peking duck lightly spiced with ginger.

snatched the collection plate at every church we pass! What an audacious, sacrilegious, but meticulous bunch of thugs. They've sequentially knocked over every church on the street — haven't missed one to judge by the conglomeration of cop cars at the base of each steeple. "No, no," says my wife, who momentarily descends to earth, "they're preparing for church to let out, so they can direct traffic." She smiles angelically.

Don't get me wrong. I like churches and I like their inhabitants. Statistically speaking, I'd rather meet three armed churchgoers in that proverbial dark alley than three unarmed non-churchgoers. But from a municipal point of view — especially on Sunday morning when I'm hungry and intolerant of slowpokes between me and the Ding How II — my good feelings toward churchgoers fade. I speed up to flee from the traffic tangle that a talented traffic cop can create out of a lazy intersection and two automobiles.

Alas, too late. An open palm at the end of a blue-shirted arm almost comes through my windshield. Three cars drift out of the church parking lot. Twenty of us Churchlane Boulevard voyagers sit motionless, waiting, waiting, sniffing exhaust fumes, and making a significant contribution to melting the polar ice cap.

My wife, the angel, smiles. "Isn't that nice — that the city cares." That's a woman talking. She casts her divine smile on the slice of humanity that calls Huntsville, Alabama home. Not me. Hungry and cranky, I'm wondering how many muggings, burglaries, rapes, and devious thieveries are taking place on the other side of town while these caring policemen impede my progress toward Peking duck lightly spiced with ginger. And that's only my first objection. What about religious equality? I wonder if First Baptist (with two congregants on the city council) gets more blue-shirted waving arms than United Methodist? Not to mention the folks over at Greek Orthodox, who don't get a single traffic director for their 50-car parking lot. Who's going to make sure they get home promptly for a nice Sunday lunch?

I know what you faithful are thinking, but don't. In an imperfect world it's way down on His list of injustices. He won't get to it 'til Tuesday morning. By then His worshipers could perish of malnutrition in the parking lot, unless He

sends manna.

And how about separation of church and state? Consider those free thinkers in our fair city who don't believe their deity resides in a building made of bricks, boards, or even Jerusalem stone. Call them the unaffiliated. Their tax money is in the pot. There are even a few residents who believe in Nothing. Their creed may be vulnerable to argument, but their distaste for tax dollars to speed up churchgoers is, shall we say, understandable. Where are all those sign-waving activists who don't want a Christmas creche on the city hall lawn — where are the zealots who think the Ten Commandments contaminate the court room? Why don't they worry about me sitting in this fume-filled line and watching my Peking duck swoop to another customer's table?

And why aren't these traffic management specialists arresting criminals? Burglars, I think, must love Sundays. Policemen are all on the churchy side of town, far removed from the high-crime neighborhoods. All the small, criminal mind has to remember is not to knock over a church or any business close to a church, because that's where the cops are.

But my 1998 Mazda is now a courtroom. My sputtering, underfed brain pictures me suing the city on behalf of a small Eastern Orthodox Assyrian congregation that gets only one cop from 10:30 a.m. to 10:32 a.m. With RICO on my side, how could I lose? (I *would* represent this small Eastern Orthodox Assyrian congregation in their 10 million dollar lawsuit if I had a law degree!) As I listen to the hum of my eight-cylinder engine devouring gas, I dream sweetly about my 10 percent of the settlement. But my dream goes from color to black and white, then crumbles as my wife shouts, "You really ought to check your facts!" She explains that it's pointless for me to spend eight years at Harvard Law School preparing for this lawsuit — if the city doesn't provide churches with municipal law enforcement services. Reality. What a bother. But since I value domestic serenity, I check myself.

Well, it turns out that in some cities, the churches, not the city budget, pay for traffic management. They employ off-duty cops, of course.

But remember that the temporary church employee in the blue uniform, with the outstretched arm, wears a silver badge and carries a .38 Special paid for by me. And it's *my* uniform the officer is wearing and *my* police car that blocks the third lane that I could use to loop around this roadblock, if I weren't afraid of *my* .38 Special. Who is this keeper of the streets? Could I hire him, uniform and all, to block off my street so we could have a neighborhood stickball game?

Church or city, one way or another I'm the ultimate payer either with my time or my taxes. Or both. — Ted Roberts

The medical marijuana scam — Most drug prohibitionists oppose making marijuana a legal medicine, as well they should. Similarly, most people who believe drug prohibition should be repealed support making marijuana a legal medicine, as well they should not. Disease and medicine have nothing to do with whether we ought to have free access to marijuana.

Prohibitionists think drugs are safe only when physicians are empowered by the state prescribe them. Medical marijuana pushers think so, too.

Both prohibitionists — who say marijuana is inherently

unsafe — and medical marijuana pushers — who say marijuana is safe — are lying to the public about drugs. Drugs are neither safe nor dangerous. Their safety depends on how people use them. Marijuana is no different from heroin in this regard.

Why aren't medical marijuana legalizers pushing for heroin legalization? Because they think marijuana is a good drug and heroin is a bad drug. Why aren't medical marijuana pushers objecting to restrictions on tobacco? Because they think marijuana is a good drug and nicotine is a bad drug.

Is marijuana medicine? Almost anything can be labeled and used as medicine. When psychiatrists deprive people of liberty, they call it medicine for mental illness. Slaveholders called whipping medicine for slaves who ran away. "For medicinal purposes," a senior citizen told me as she winked and turned from the bar at a wedding I attended years ago. She was holding a double scotch. Addiction treatment providers call illegal-drug use "self-medication." Magnets, vitamins, herbs, homeopathically prepared lactose, acupuncture needles, chiropractic, and mineral baths are all considered medicine by any number of people throughout the world. As Thomas Szasz once observed, masturbation was once considered to cause many diseases. Now, "sex therapists" regard it as medicine. And, speaking of therapists, psychotherapists seem to accept just about anything as medicine. Aromatherapy, poetry therapy, prayer therapy, writing therapy, cognitive therapy, exercise therapy, pet therapy, music therapy . . . anything is therapy if you want it to be, and therapy is medicine even if you don't want it to be. My point is this: what we call medicine depends on who says something is medicine, who is using it as medicine, and for what purposes it is being used.

Who stands to benefit if marijuana becomes legal medicine? Medical marijuana advocates assert that sick people need marijuana as medicine. That is the kind of base rhetoric politicians are especially fond of. Usually we hear, "it's for the children." Now, we hear, "it's for the sick and diseased." A 14-year-old I know sees through this nonsense: "They say marijuana is medicine so that people can smoke it for fun,"

Learn at Liberty!

Are you interested in working as a journalist?

Liberty offers full-time, paid internships at all times of the year. Interns at *Liberty* work closely with the editors.

Responsibilities generally include fact-checking, researching, circulation, and advertising work.

Liberty interns have gone on to become editors at *Liberty*, *Reason*, and *Regulation*, authors of articles in major magazines and newspapers, researchers at important think tanks, and to win major fellowships and scholarships.

For information, write: R.W. Bradford, Editor, *Liberty*

P.O. Box 1181, Port Townsend, WA 98368

email: rwb@cablespeed.com

he recently told me. "People will invent all kinds of diseases they say they need marijuana for." Anyone with a little clear thinking won't be bamboozled by the medical marijuana pushers.

The medical marijuana movement is spearheading the "harm reduction" movement. Harm reduction is a euphemism for state control of private behavior. The people who direct this movement believe that any number of bad behaviors should be regarded as public health problems requiring medical treatment. These are the high priests of what Szasz called the "therapeutic state," the union of medicine and state that has replaced the theocratic state. The therapeutic state is a religious crusade masquerading as medicine.

Who really stands to benefit from medical marijuana? Drug legalizers will get a foot in the door. Doctors and pharmaceutical companies will make money. Illegal drug dealers

The medical marijuana movement is spearheading the "harm reduction" movement. Harm reduction is a euphemism for state control of private behavior.

will continue to profit from the black market. People who want to get stoned with impunity will invent and lobby for new diseases that require marijuana. The Food and Drug Administration will get bigger. And the people who invest in marijuana on the stock market will be laughing all the way to the bank.

And the poor person with glaucoma? Well, he could smoke marijuana if he wanted to. However, he could also just continue to put Xalatan drops in his eyes, as I do. And the person nauseated from chemotherapy? Well, she could smoke marijuana if she wanted to. It might help. But she could also just continue to use any number of currently available anti-nausea agents.

And the people who just want to have fun? Well, they could continue to buy their dope from the usual suspects and hope they don't get busted. — Jeffrey A. Schaler

Poverty is the health of the planet — That now makes it three times that I've heard it.

The first was last year, amid all the protests against globalization and the World Bank. Some talking head was going on about what a disaster it would be for the environment if the entire world had the same living standards as the U.S. Amazing: here was a leftist openly worrying that free trade would not impoverish, but enrich the lives of everyone in the Third World. More recently, some of my fellow Libertarians and I attended a third-party gathering. I compared notes (so to speak) with a gentleman from the Green Party. He did not favor unlimited immigration to this nation. What a disaster it would be for the environment, he explained, if we had even more people living at U.S. standards. When I asked if this meant that he wanted people to remain in their poor countries so that they could remain poor, he insisted quite sincerely — hey, you should have seen his face — that he didn't want people to be poor. The

third time was at a coffeehouse-type folk music venue sponsored by PeaceSmiths, a left-of-center anti-war group. The singer of "It Could Happen" warbled about all kinds of doomsday possibilities, including the Third World becoming like us, "wasting resources" — i.e., utilizing resources in an industrial economy.

To me, this is almost like the Wizard himself pulling back the curtain. The only thing I can add is a riff on Tim Slagle's suggestion (February) that Canada-loving progressives head north — namely, that these poverty-loving environmentalists should head south. — Barry Loberfeld

Track of the tortoise — On the day before Easter, a friend and I were driving in an outback section of San Diego County when our attention was caught by billboards insistently advertising the presence of an "Ostrich Ranch and Petting Zoo." We weren't allured by the petting zoo, but the ostriches caught our fancy. We're Americans, after all.

Of course, we were disappointed. Ostriches are ostriches. It's all fuss and feathers with them. Nothing but theater and costumes. I'll just mention the fact that their eggs cost \$18, and that the eggs look and feel exactly like plastic. As for the petting zoo . . . sheep really are just thick, dirty rugs, aren't they?

But here's the thing. Next to the gate of the "zoo" we found a little pen where they were selling tortoises. The ones for sale were about three inches across, and let me tell you, they were awful cute: little brown guys with square brown shells and little scrambling claws and wise little heads looking up at you as if they had just committed to memory the entire contents of the library of Alexandria. Above the tortoises was a sign: "\$75. Need little care. Will outlive you."

And that's what made me think.

The first thing I thought was, "That's a hell of a way to advertise." After all, what customer wants to be reminded of his own death?

The second thing I thought was, "What would happen if other commodities were advertised in this way?"

A lot of my possessions will probably survive me. Not just my copy of John Galsworthy's *Caravan* from the library of Arnold Bennett, or my beloved copy of Padraic Colum's *Creatures*, with illustrations by Boris Artzybasheff. Not just my 1939 12-inch Replogle Library Globe of the World, with Tannu Tuva shown as an independent state and a brilliantly colored analemma sunning itself on the great south sea. My stove and refrigerator will also survive me. I hope.

So why not advertise such things appropriately? "Maytag Washer. \$850. Needs little care. Will outlive you." "Deluxe Condominium. \$250,000. Needs some care. Will outlive you." Have you ever wondered, when you checked into a hotel room, how many people have died in that place?

The next thing I thought was, "I'm depressed."

Then I thought of two more things.

The first was the comment of some author — which one, I've forgotten; probably Samuel Johnson — about what would be the outcome if everyone on earth knew for a certainty that human life would end 50 years from now. Human life, he said, would immediately come to a stop. No one, not even the most insignificant, forgettable man on earth, would want to go on if there would be no one coming after him.

The second was a story by Willa Cather, in which a mid-

western farm woman is upset and depressed until she takes a trip and sees a bridge over some great river of the heartland; then she returns to her home and is reconciled to life, because she has seen something more of its context.

My poor friend. I'm sure he thought I was acting strangely when I took a picture of the "Will outlive you" sign. But the truth is, I had a sudden rush of happiness, looking at that sign. I was happy that something would continue beyond me. Even if the something was a three-inch turtle.

— Stephen Cox

Trying patients' patience — Waiting to see the doctor is the most frequently mentioned complaint about medical care. In daily life, we all know it's bad manners to keep people waiting. It's disrespectful. It's a theft of one's time. It causes blood pressure to go up.

Do physicians have some kind of entitlement to keep people waiting? Is there any other group of people (other than politicians) who engage in this kind of behavior?

We are all too familiar with the ready explanations and excuses offered by physicians — emergencies, unexpectedly sicker patients requiring more than the allotted time, interruptions by calls from hospitals and doctors, late arrivals of scheduled patients, and unexpected arrivals of unscheduled patients.

In a paean to physicians, Ann Patchett in the *New York Times Magazine* (Jan. 5, 2003) writes that people will wait eight hours in an emergency room and still manage to be respectful to the doctor, knowing that he or she has been working, probably saving a life. As the dictionary would have it, "patient" as an adjective means bearing difficulty or annoyance with calmness.

Psychiatrists would say that Ann Patchett is either naive or masochistic. In actuality, too many physicians simply do not care how long they keep patients waiting. Even emergencies can be expected and taken into account in scheduling.

Health care organizations that adopt a total quality philosophy of management recognize that waiting time is a critical factor for organizational success. The Oakwood Hospital & Medical Center in southeast Michigan advertises, "Don't wait to see a doctor. When you set foot in an Oakwood emergency room, we'll make sure you see a doctor in 30 minutes or less." Since the guarantee started in July 2000, it is reported that the average wait to see a physician in the ER shrank from several hours to 22 minutes. Anyone who waits longer than 30 minutes receives a personal apology and a pair of movie tickets.

Northern Nevada Medical Center gives a 15-minute guarantee or the ER visit is free.

All too often, as a matter of regular office practice, physicians schedule four patients every 15 minutes, keeping patients waiting two to three hours only to be seen for a few minutes. I do not exaggerate. Following a wait in the waiting room, patients are put in an exam room, a euphemism for another waiting room. Patients wait and wait without being told how long they have to wait — if they knew they could go out for a meal or take in a movie. As routine practice, the wait time is unconscionable.

Ventilation in waiting rooms leaves much to be desired, and in a room crowded with sick patients, viruses spread. Hospitals and waiting rooms in doctors' offices are risky places.

The *Farmers' Almanac* — the Lewiston, Maine, consumer publication that has been published since 1818 and has 5 million readers — has given a name to chronic tardiness in health care: CLS or

Continuous Late Syndrome. Its "Patient's Bill of Rights" recommends a discount or free consultation from any physician who makes the same patient wait for three scheduled appointments. The document states that the physician's staff should call the patient if the doctor is running behind schedule, explain the reason for the delay, and limit the average wait for a scheduled appointment to no more than 20 minutes.

Physicians or their staff should take a practice management course,

or they should read Susan Keane Baker's book *Managing Patient Expectations: The Art of Finding and Keeping Loyal Patients* (Jossey-Bass, 1998) which sets out strategies to remove dissatisfaction caused by waiting. Both quality and quantity can be achieved by an efficient (computerized) office system.

According to the *AMNews* (Oct. 21, 2002), a number of physicians charge patients who fail to show up for their appointment without calling to cancel ahead of time. Likewise, patients should charge physicians for wait time. After all, for working people, time is money, and taking time off from work angers employers. To obtain payment for time lost, they should file a complaint in small claims court (which can be done without an attorney).

There are other tactics that can be used to get the doctor's attention. Before beginning treatment, patients should ask about wait time, or in any event, the informed consent form should set out the wait time. In another tactic, patients in the waiting room can be urged to stage a walkout.



"Let's see . . . I guess I'll have the 'Christian Noodle Soup'."

Peter Geiger, the editor of the *Farmers' Almanac*, reports that a businessman cured his doctor of CLS by using the telephone in the physician's office to make a number of long-distance calls. The doctor paid the phone bill and was never late again.

— Ralph Slovenko

In tradition we trust — What would the American government put on notes and coins if they were to be designed by today's standards? Surely not what is on them now.

Paper money is all white males, as are all the coins in actual use. This was not the case until the mid-20th century. Before that, most coins had Lady Liberty, in various guises — the Indian head cent, the Mercury dime, et cetera. The paper money occasionally had other images of women, such as the \$5 U.S. Note of 1907 which had a pioneer wife with her husband and a dog. Before the mid-20th century, Americans changed the faces on their money every few decades. But since it began changing the value of money, government has been much more reluctant to change the look of it.

New, politically correct designs have come on the coins that nobody uses. The Susan B. Anthony dollar of 1979 and the Sacajawea dollar of 2000 portrayed actual women. Certainly if we were to design the money today, we would

have at least one piece with a Native American on it, one with a Hispanic on it and at least one portraying Martin Luther King, who has become the principal American hero celebrated in our schools.

The mottoes "E Pluribus Unum," "In God We Trust" and "Liberty," exist today only by tradition. "E Pluribus Unum" is in Latin, a language now foreign even to Catholics. Al Gore didn't know that "E Pluribus Unum" means "from many, one," and there are hundreds of millions like him. Then there is "In God We Trust," which, of course, has "God" in it. "Liberty" survives as a name of car dealers and bowling alleys, but it is no longer an iconic American word except when limited by the adjective "civil."

The mottoes for a 21st century American coin or note would be something like "Diversity," "Democracy," and "Equality." Of course, if some smiley-faced administration suggested changing the mottoes to these, there would be an outcry. Millions of Americans would not like it, especially the word "Diversity," which was unknown to them until 1990.

But what could they say against it? — Bruce Ramsey

Suicide for dummies — Don't dummies understand that there's a price to be paid for misrepresentation?

Suicide bombers may be evil, but "cowards" they are certainly not, and to characterize them as such inevitably undermines the speaker's authority on other matters. Suicide bombers are, if nothing else, suicidal, and that's motive that's hard to beat, alas. — Richard Kostelanetz

Careful where you stick that five — What a world we live in. Here's me

and my good friend Herb sitting in a pub on University Avenue in Huntsville, Alabama, evaluating the breweries of the world. And in between evaluations and staring at the all-female Samoan bikini volleyball team on the tube, we're working on the world's problems. Herb loves to solve the world's problems under the sponsorship of my wallet.

"It's May, so taxes are still on my mind," says Herb. "Taxes, taxes, and taxes. Can they lock you up in a crummy, non-federal pen without Czech beer if you make a bad arithmetic mistake on your taxes?"

I know exactly what he means. He's thinking of carelessly slinging a 5 by his 2 in block 36 (number of dependents) and getting 25 which he'll then multiply by \$2,550. Result? A big, fat refund for honest Herb who's only fault is a certain looseness with 5s. "That's no crime," says my ethical pal.

Or sometimes Herb's weapon is his abysmal ignorance of the parts of the times table that deal with 5s. "Missed a lot of the third grade with whooping cough — never got the hang of the 5s. They wouldn't separate a man from his family just 'cause he was a sickly kid, would



SHCHAMBERS

they?"

Herb believes an advantageous error on the Form 1044 is "sport." That's what he calls it. It kind of levels the playing field. He goes on to explain that the wise hunter of the man-eating Bengal tiger doesn't stroll into the woods with empty hands. That's stupid. The guy in khaki shorts weighs

Herb believes an advantageous error on the Form 1044 is "sport." That's what he calls it. It kind of levels the playing field.

180 pounds at best and none of his teeth are really good at ripping flesh. And his fingernails are trimmed. The behemoth in stripes weighs in at 800 lbs., has a mouth full of daggers, and could do a gall-bladderectomy on you with a single claw.

"Now, guess which one is the IRS and which one is me," inquires Herb — the man who failed third grade math.

This kind of talk makes me nervous, since our waitress wears an IRS T-shirt, which is bulging with either her or electronic recording devices. Who knows which, after we've toured several of the world's finest breweries. "We adore our IRS," says her shirt in letters the color of newly shed blood.

She could be an undercover agent checking out subversives like us, so I explain to my rambunctious friend that the government needs money to defend us and build roads and run our schools and inform us that a daily bottle of flavored 80-proof alcohol will pickle our brains. They've also got to tell us that bran fiber not only makes you regular, but as the official label says, "Soluble fiber from foods such as oat bran, as part of a diet low in saturated fat and cholesterol, may reduce the risk of heart disease." This is good to know. Besides that, "alcohol may cause health problems." Who would know this if Uncle didn't spread the word? And these kinds of educational programs cost money. So don't complain, I explain to Herbie.

While Herb is vicariously south of the border sipping a Corona and thinking about all this, I add: "And they take care of 20 million Americans who go to bed stopped up every night because they don't read the warning label on yellow brick cheese."

"Yeah, I guess so," gurgles Herb.

I grope for a metaphor that even Herb — who disregarded every word of the warning label on his toxic beer — can understand. Then, in a great light inspired by a pale Canadian Ale, it comes to me: "Herb, remember Robin Hood, the guardian of Sherwood Forest. He robbed the rich, but since he had a caring heart, gave to the poor. He was a redistributor of wealth several centuries ahead of his time who believed in a flat tax — 100 percent! And no forms. Herb, he built a bridge between the 13th and 20th centuries with this advanced concept. Okay, now think of the IRS as Robin Hood with a preposterously large definition of 'rich' — like anybody with a job — and a family of cousins, aunts, uncles, nephews, and nieces with robust appetites who have

got to eat."

"Yeah, I guess we've all got to eat," says Herb. "And care for each other, too," he adds. And with that he puts on his glasses and reads me the warning labels off his beer.

— Ted Roberts

The fruits of victory — The U.S. invasion of Iraq went about as well as could be expected. It would have been terminally embarrassing if the American military hadn't been able to crush some half-starved fellahin draagooned into the ragtag army of a bankrupt Third World dictatorship on the verge of civil war. So those who supported the invasion are, at once, smug and jubilant. And, since most people (understandably) prefer to be on the winning side, those who were fence-sitters, or were only opposed for pragmatic reasons, have joined the ranks of Bush supporters.

Personally, I'm happy it turned out to be a non-event, relatively speaking. But this is only a sideshow in a much larger circus. Bush and his neocon handlers are like the man who jumps off a 100-story building and says, as he passes the 90th floor, "So far, so good." Although most Iraqis appear happy that Saddam is gone, they are unhappy that he's been replaced by foreign occupiers. Will the American experience in Iraq start to resemble Israel's in Gaza and the West Bank? So far, not so good.

The most unsavory part of being against the war, for me, is the company one has to keep on the barricades. It's uncomfortable being surrounded by Greens, socialists, effete literati, Hollywood bleeding hearts, European politicians, animal rights protesters, and a vast assortment of other wacko leftists, who I'd forgotten were even alive. Oh well. *C'est la guerre*. But I can only imagine how embarrassed Osama must be to have been lumped together with Saddam.

The conquest of Iraq raises several questions.

Can the United States be trusted to obey international law? I'm not a fan of the United Nations, which is mainly a cushy club for bureaucrats, and "international law" is about

The most unsavory part of being against the war, for me, is the company one has to keep on the barricades. It's uncomfortable being surrounded by Greens, socialists, effete literati, Hollywood bleeding hearts, animal rights protesters . . .

as binding and valid between nation-states as the results of a "sit-down" are between gangsters. Still, it's stupid to disrespect your peers, even if you're bigger, stronger, and have a motive to do so. It is wise to play by the rules if you want to retain the moral high ground. That's why, for instance, Roosevelt goaded the Japanese into attacking at Pearl Harbor, rather than launching the first strike himself.

Has the United States become an unpredictable bully? It's one thing when America conducts a lynching in its own

backyard, as it did in Panama, Grenada, Cuba, Haiti, and Nicaragua. It was certainly pushing the envelope a bit when a mad bomber like Clinton struck out in Sudan, Afghanistan, and Yugoslavia. But Bush's two full-scale foreign wars in as many years is, I think, a bit much. These adventures, and many others, were against vastly less powerful opponents who presented no credible threat. In light of that, a member of the "axis of evil" might want to get serious about getting nuclear weapons as quickly as possible, for the same reason a 98-pound weakling might want to take a Charles Atlas course.

Can the U.S. government be trusted to tell the truth? I know this seems like a stupid question, since no government can be trusted to do so. And it's become a cliché that, in war, truth is the first casualty. Still, there are limits. The Soviet government was a laughingstock because it not only lied, but perverted the truth, disseminating its exact opposite. It doesn't help the cause of the United States that the main reasons given for the invasion were that Iraq had Weapons of Mass Destruction (which clearly didn't exist); that it was aiding Osama (which never made sense); and the Creation of Democracy (which seems like a real long shot).

Is democracy only acceptable when it produces a pro-American government? For reasons I've explained in the past, I'm no fan of democracy; it usually amounts to no more than a polite version of mob rule. It's certainly not a positive value, in my view. Since the end of World War II, the U.S. government has consistently supported the idea of democracy, while attacking its reality by overthrowing popular regimes that didn't suit U.S. interests, even supporting dictatorships when it did suit U.S. interests. I'd say the the

The United Nations is mainly a cushy club for bureaucrats, and "international law" is about as binding and valid between nation-states as the results of a "sit-down" are between gangsters.

chances of an Islamic radical becoming the next president of Iraq, even if he's elected with 100% of the vote, are about zero while the U.S. Army is there. — Doug Casey

Lady Liberty tightens her belt — With the recent news that George W. Bush's campaign committee intends to spend \$200 million to re-elect the president comes an opportunity to assess the status of the Libertarian Party's presidential hopefuls, not in relation to the president, but to former LP campaigns.

At the end of the first quarter of 2003, Gary Nolan appears to be the front-runner, at least on the basis of his fundraising. His campaign raised about \$11,000 in the January through March period, a bit less than a grand a week. It spent almost the same amount.

We could go back to the first quarter of 1999 for a comparison, five quarters before the July 4th weekend during which the LP awards its presidential and vice-presidential

nominations. But at the end of March 1999, Harry Browne was more than two full years into his second campaign, not just starting his first.

The more appropriate comparison is with Browne's first campaign, which started in the summer of 1994. In that July–September quarter, Browne's campaign raised \$15,000. In the first quarter of 1995, the one most directly comparable to Nolan's, Browne raised \$37,000. Adjust for what has been roughly three percent annual inflation since 1994, and none of the current crop of LP presidential nominees has done nearly as well financially as Browne did in the early stages of his first run.

Perhaps the second quarter will end with a rosier outlook. It's worth noting, however, that in 1999, the year before he won the 2000 nomination, Browne raised more than \$500,000.

The LP and the economy are also quite a bit different than they were nine years ago. By mid-1994, the economy was noticeably growing, though it had not yet started the raging-bull phase of the rising stock market which characterized the late 1990s. On the LP side, national membership was growing, and the party's finances were in very good condition compared to current numbers.

Yes, membership today is considerably larger than it was in the spring of 1995, but at that time, it had not been falling steadily for nearly three and a half years, as is the case now. In fact, as of the last weekend in April, LP headquarters was withholding from publication the membership numbers from the end of March 2003, not an encouraging sign. At the recent rate of shrinkage, LP national membership may well be down to early 1996 levels by the end of 2003.

The worst aspect of the outlook for any LP presidential hopeful for 2004 may well be the national LP's finances: the January to March 2003 report to the FEC shows admitted debts of \$174,000, with cash on hand of \$2,000, and no reserves. Based on revenue during the first quarter, revenue for all of 2003 may not exceed \$1.25 million, substantially below the \$1.4 million "austerity" budget the LNC adopted this past December.

The LP's 2004 presidential nominating convention in Atlanta is now little more than a year away. With \$170,000 more in bills than in cash on hand, LP members should be asking the LNC's increasingly secretive executive committee to answer three questions: How do you intend to make deposits and pay vendors for all the work that must be done prior to a convention? How realistic are your estimates of the number of paying attendees? And finally, how will you assure that this time your HQ staff resists the temptation to misuse separate convention reservation revenues to pay its other current, non-convention bills? — Ken Sturzenacker

Still debating Prohibition — While visiting Utah recently, I heard Mormon President Gordon B. Hinckley raise the subject of Prohibition at the semiannual conference of the Church. He noted that Utah made the deciding vote to repeal Prohibition in 1933. Virtually all the church leaders at the time opposed repeal of the "noble experiment," believing the conventional wisdom that Prohibition would improve health and hygiene, reduce crime and absenteeism, solve social problems, and encour-

age people to be more religious. After hearing President Hinckley's remarks, I did an Internet search on "prohibition," and found that Mark Thornton of Auburn University had written a book called *The Economics of Prohibition*. Prohibition turns out to have a lot of those cases of "unintended consequences" that economists talk about all the time in public policy. Every study by professional economists has shown that Prohibition had the opposite effects of what the religious community desired. It was on balance a major failure in social and economic policy. Thornton summarized his findings in a recent Cato Institute release: "National prohibition of alcohol (1929-33) . . . was a miserable failure on all counts. Although consumption of alcohol fell at the beginning of Prohibition, it subsequently increased. Alcohol became more dangerous to consume; crime increased and became 'organized'; the court and prison systems were stretched to the breaking point; and corruption of public officials was rampant. No measurable gains were made in productivity or reduced absenteeism. Prohibition removed a significant source of tax revenue and greatly increased government spending. It led many drinkers to switch to opium, marijuana, patent medicines, cocaine, and other dangerous substances that they would have been unlikely to encounter in the absence of Prohibition."

Interestingly, Alcoholics Anonymous, the most effective private organization fighting alcoholism, was founded in 1934, a year after Prohibition ended.

Ur-spam — My friend Garrett Brown went out of town for a few days and asked me to pick up his mail for him. You know what happened when I did. Although he'd been gone no more than 72 hours, I had to wrestle an enormous ball of crumpled paper out of his box and pick through it to find out if there was any actual mail amid the colored circulars for carwashes, lawn turf, amazing new kitchen toys, and special sales on underwear (can't they get some new models, for God's sake?). There were also some of those stiff white notices about missing children who are now 34 years old.

When Garrett got home and I presented him with this nasty mess, not very well sorted and smoothed, I admit, we both remarked on the fact that the U.S. Postal Service is now devoted principally to the dissemination of trash. I thought it might be a good idea for all those people who are so concerned with passing laws against spam to take a hard look at this other scandal. After all, we're paying taxes to have a ton of spam — real physical spam — get dumped on us

every day.

Garrett had a better idea. "Why don't the environmentalists who are always protesting against waste and the destruction of trees and so forth start demanding that the Post Office be put out of its misery? After all, the Post Office is doing everything that the environmentalists claim to hate."

All right, you environmentalists. The challenge has been issued. The gauntlet has been thrown. Which do you love more — the environment, or the government?

— Stephen Cox

Secondhand nannying — As the founder and principal owner of a financial-info biz with high profit margins, my multimillionaire mayor Mike Bloomberg (NYC) doesn't empathize with small entrepreneurs who survive with narrow margins that can be easily demolished not only by the changing tastes of customers, but also the negative intrusions of the state. If the state ruled that, say, corporate

financial information could not be publicly disseminated by an institution other than the issuing corporation, Bloomberg Communications would need to find another product which would probably be less profitable. Or go home. However, since the dissemination of corporate information is unpopular with no one, this isn't likely to happen.

While cigarette smoking is disagreeable

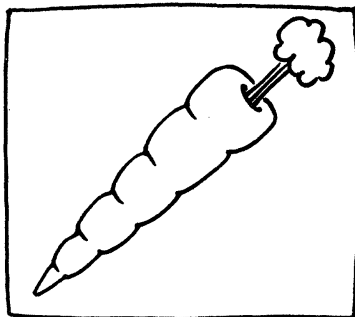
to many (including me), I predicted in these pages that a ban on smoking in *all* public establishments would have unfortunate effects. The principal one so far, only weeks into the new law, is undermining the business of marginal taverns and restaurants, which claim their customers are simply staying home to smoke. And since most restaurateurs lack experience at other kinds of business, the most feasible solution for them is going home, as well.

A New York City with everyone preferring to stay home would resemble a legendary provincial backwater that would be undesirable not only to myself but probably Mayor Mike as well. For shame.

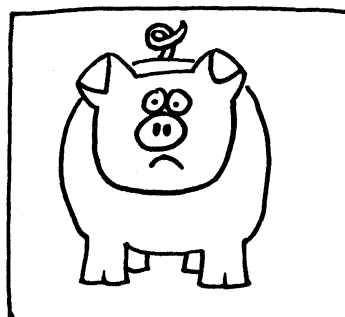
— Richard Kostelanetz

You can lead a statist to water . . . — At the annual meeting of the Association of Private Enterprise Education in Las Vegas, where there were about 200 participants, one question kept coming up everywhere: Why is it so difficult to get people to realize that individual liberty is all around far better than government regimentation? Why do people, even after all the historical, analytical, moral, and related arguments have shown that communities benefit

POCKET FIELD GUIDE FOR THE NEWLY VEGETARIAN



FOOD



NOT FOOD

SHCHAMBERS

— Mark Skousen

from liberty a great deal more than from government intervention, keep putting their faith in force, not in voluntary cooperation and competition?

No one seriously doubts, at least in America, that religion is better off decoupled from government than when the state tries to force it down people's throats. There is also little question that a free press is superior to a managed one. So why is there this persistence of belief in the idea that as far as commerce, education, science, medicine, and other

areas are concerned, we need government to take the initiative instead of just keeping watch that criminals don't get away with impunity, that aggression is kept out of human relations?

Speaker after speaker trotted out mounds of evidence showing that environmental, educational, artistic, and all kinds of other issues are better handled when government stays out of the picture, yet speaker after speaker concluded a presentation with the question: how is it that this plain fact

Word Watch

by Stephen Cox

Two generations ago, Louise Pound, the great folklorist, wrote an essay about the orthographic diseases that periodically sweep the North American continent. Her article was called "The Kraze for K." You know: Kleenex. Katie's Kitchen Korner. The Ku Klux Klan.

The nation's current illness is the Slash Syndrome.

A slash is that little typographical barrier that you occasionally used to observe between lines of quoted poetry: "I think that I shall never see/A poem lovely as a tree." Now it's everywhere. Every bureaucratic missive bristles with commands for the unlucky recipient to "send his/her questionnaire/information circular to the bureau/office nearest his/her workplace/place of residence." Every junior college catalog advertises courses in "Economics/Management Science." Every invitation to a family reunion invites contributions of "food/drinks/folding-chairs/whatever." Every dissertation in English (!) seems to be entitled "Satan's Party/God's Party: Subversion/Hegemony in Milton's Latin Poems."

Like a mighty stream, this nonsense has several great convergent sources.

One is the political paranoia, the horror of "offending" anyone, and the gleeful willingness to be offended, that now surround almost everything relating to sex and gender. Among the effects of this paranoia is the transformation of the innocent, generic "he" into the shrinkingly apologetic "he or she." This is an expression for which no one, male or female, ever felt a need before contemporary Americans started using it, because no one ever dreamed that "he" following, say, "everyone," was meant to refer only to males. At least, however, there was nothing ungrammatical about "he or she." It was therefore infinitely superior to the other option, "they" ("every person will be told how much they should contribute"), which violates the most basic rule of language, parallelism. Anyone who understands what I just said can save himself/herself the trouble of reading the next paragraph and go directly to the one following.

Suppose I write, "Anyone who votes Libertarian is entitled to a government job." "Anyone" is singular: witness the "is" (singular) that follows it; witness the "one" (singular) that's part of it. It's a singular pronoun, all right. So you can't follow

it with a plural pronoun: "But they'll have a hard time claiming it." "They" differs in number from "anyone." They're out of parallel. "They" is also out of parallel with "no one," "someone," "each," "person," and every other singular word.

After a few billion attempts to solve the gender problem by the continuous application of "he or she," "him or her," and "himself or herself," people began to hunt for more possibilities. At length, some of them came up with a great linguistic inspiration: make everything plural! If you turn all the singular nouns and pronouns into plural nouns and pronouns, all your gender-related grammatical difficulties will just go away. You may get tired of saying "Have all people got their hats?" instead of "Has everybody got his hat?" but your grammar will be impeccable.

For some of our fellow-citizens, however, this whole issue was just too tough to think about. They were happy enough with "he or she," except that the expression took too damned long to write. There is, however, a long American tradition of abbreviating everything that can possibly be abbreviated. I'm thinking fondly of

You can just sling a slash in there, and you'll look like the creator of some erudite technical analysis. Only you're not. You're just another bozo who can't write.

Elmer Gantry, busily composing the outline of a sermon about Love, the Morning and the Evening Star. "Love," he writes, "AM & PM star." So nothing seemed more natural to normal, red-blooded Americans than to dispense with all other considerations and transform "he or she" and their relatives into "he/she," "him/her," "himself/herself," or, to be still more egalitarian, "she/he," "her/him," "herself/himself."

So that's one big cluster of reasons why we've now got slashes running all over the place. Another powerful influence appears in Americans' love of everything that seems the least bit technical; hence, "computing/word processing," "employee/wage earner,"

isn't accepted by the public, by politicians and by academics?

We have the examples of the Soviet Union, of Nazi Germany, of Fascist Italy, of Cuba, North Korea, Iraq, Iran, and even the faltering welfare states around the globe to teach the lesson that men and women who aren't treated as children by a government that is supposed to stick to protecting their basic rights do far better at solving problems — at doing the right thing, at being creative and productive —

“political/economic.” The easiest way to seem technical, of course, is to come up with something that has no counterpart in normal speech. I mean, how many times in your life have you heard anybody ask, “Does everybody have his slash her tickets?” Do you think that anyone in crisis will ever shout, “Every human for himself slash herself”? Have you ever elbowed up to the counter at Denny's and heard somebody down the line talking about “the worsening of our political slash economic situation,” or the need for “common sense slash prudence”? To some writers, this absurd distance from normal speech is all to the good. They want to place themselves above the crowd, and if they can't do it in an intelligent way, they'll do it in an ignorant/arrogant way.

Which brings me to a final influence on the trend: sheer laziness. If you don't want to decide whether it's ignorance or arrogance, or both, you can always just sling a slash in there, and you'll look like the creator of some erudite technical analysis. Only you're not. You're just another bozo who can't write.

Harsh? Not really. If you have something to say to people, even if it's just an invitation to a barbecue, you should at least take the time to think about what, precisely, you mean to say — not to mention thinking about how it sounds when it's actually *said*, not transferred directly from letters on the page to concepts in the head. Do you want people to bring both food and drink? Then ask them to “bring food and drink.” Do you want them to bring one or the other? Then ask them to “bring food or drink.” You don't care what they bring? Fine. Say it: “Please bring food or drink, or both.” That goes for “political/economic,” too, and all those other phony things that pompous people write. A slash is a lazy person's way of obscuring the difference between “and” and “or” — which, when you come to think about it, is something of considerable importance.

Does this mean that I'm calling for the elimination of even the humble and purportedly useful “and/or,” despite the fact that this “slash form” is the only one that actually has a reflex in speech? Some people actually do say, “We can visit Aunt Milly and or Uncle Billy,” because they can't take the trouble to use one more syllable and say, “We can visit Aunt Milly or Uncle Billy, or both.”

So yes, that's exactly what I'm calling for: the elimination of all slash forms whatever, including “and/or.” That modest piece of laziness must go the way of its overbearing cousins, the mighty and obnoxious Obscurantist Slashes, Technical Slashes, and Gender Slashes. There's a principle at stake. If you use one slash form, you give your moral sanction to the use of all. Besides, wouldn't Aunt Milly and Uncle Billy be proud to know that you'd given them that one extra syllable of thoughtfulness/consideration?

than do the subjects of dictatorial regimes.

Sure, there are some who have a vested interest in holding on to the myth that government is necessary to make all sorts of things work, but such rationalizations are transparent enough for most people to grasp. It is not these people whose lack of appreciation for the value of human liberty is mystifying. No, it is those who themselves would benefit most from liberty who seem not to grasp its immense advantage over the use of force. And that is bizarre.

One collage of reasons stands out for me as a likely explanation for this phenomenon. The gist of it is that liberty is, after all, a risky state to be in.

First, liberty involves taking responsibility for your own conduct, good or bad.

Second, it means not treating your fellows as if they were available to use to your heart's content whenever your luck has run out.

Then, also, there is the risk that free men and women will just do their own thing, good or bad, and not pay much heed to what the wiser folk would have them do, or that it will take quite a bit of effort to get them to do what the wiser folk want if government's force of arms isn't available to set them right.

Finally, and I put a lot of credence in this one, free men and women do not have to serve some mysterious lord and master no one understands very well, but for whom lots of folks like to speak. Nearly all religions fear that without a good deal of force, or the threat thereof, we will just live it up right here and now, never mind everlasting salvation. And that is to some a frightening prospect.

So, few people are comfortable giving up the hope that they can eventually turn the powers of government to their own superior use and make people virtuous, getting them to behave properly. Maybe next time, just maybe, the government can get it right — after all, it has that famous use of last resort handy, physical force (just as when, in personal relationships, one person resorts to slapping another around, claiming that, well, nothing else did the trick so quickly and efficiently)!

All this despite the fact that there is nothing at all decent about people doing the right thing because they are compelled to do it. Still, this just doesn't seem to faze many Muslim or Christian leaders, nor most of the intelligentsia — so we have wars on drugs, vice squads, economic regulations, and, in large regions of the world, even forced prayers to make us all behave well.

Perhaps only after it is grasped, finally, that all we can do in life is learn to live well, and that whatever follows, if anything, is completely out of our hands, will we also admit that freedom is better for people than any measure of tyranny, be it Draconian or petty.

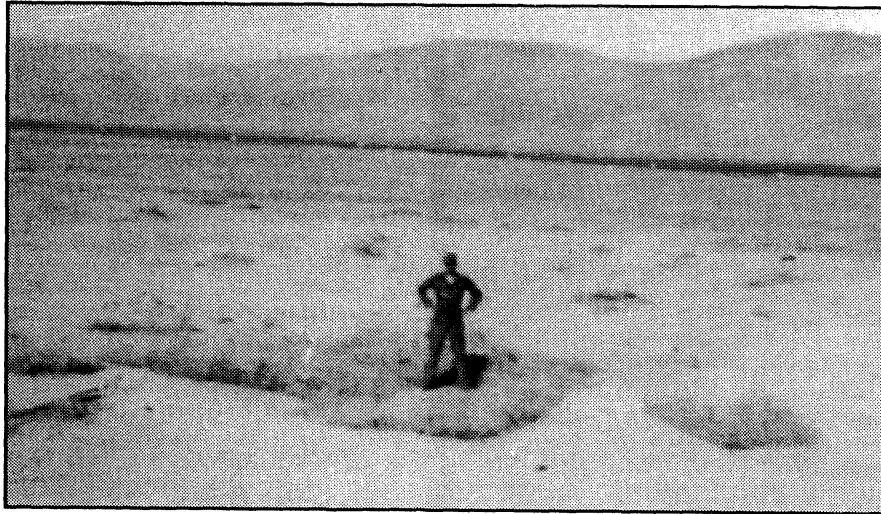
Given how this idea is quite radical and relatively new, it may be, as Ayn Rand once wrote, earlier than you think.

— Tibor R. Machan

The new face of FEE — Kudos are in order for Richard Ebeling, who is to become the new president of the Foundation for Economic Education. Richard is one of the most stalwart veterans of the libertarian and free market

continued on page 53

The First Ground Zero



by *Ralph Pray*

Flat, barren, desolate, a waterless hell of windblown sand . . . and at its center, a slight depression in the ground, marking the place of man's first great insult to the earth: Trinity Site, Ground Zero of the first explosion of an atom bomb. Here, on the sands of New Mexico, at 5:29 a.m., July 16, 1945, the bomb went off, vaporizing the massive steel tower that held it and melting the sand at its feet into a carpet of green glass.

Then the powers that had built the site abandoned it. But the glass endured — a splotchy green circle 200 feet in diameter, dull by night, bright by day, a monument to man's inhumanity to man. This monument was surrounded by a high fence, tight strands of barbed wire, and multilingual warning signs. The gate in the fence was chained with three padlocks — two put there by government agencies — serving as links in the chain.

If you got through any of the three, you could gain admission to Trinity Site. And that's what I did. In July, 1951, I entered the site, and I took the glass.

Let me explain.

Federal agencies had been sponsoring an annual trek to worship at Trinity, and the green disc of radioactive glass was there for innocents to pray over. While living in the remote desert of northern New Mexico I had seen an aerial photograph of the site in a popular magazine. It looked like a

giant scab. It was an impurity waiting to be taken away. Writers wrote about it. I was determined to remove it without a trace of publicity. My self-appointed task was to gain entry to the government glass and haul it off for burial, to repair the desert, clean away the radioactive afterbirth.

I was in the Army at the time — a draftee stationed at the Guided Missile School at Ft. Bliss, Texas. My buddy, Jesse Petty, a fellow draftee from Carrizozo, New Mexico, went to the unguarded site, melted one of the links with his gas torch, and put his own padlock in its place. Jesse had volunteered, "I'll go out there and cut the chain for you and put on a new padlock, but I won't go in there, not for anything."

My plan was to drive a truck to the site, use my key to open the lock, remove the radioactive glass called Trinitite, and transport it to the Los Alamos area for proper burial. Los Alamos, New Mexico, was the place where the bomb was produced. It would leave from the beautiful desert and go back where it came from.

I bought a used red pickup truck at El Paso Dodge. For money, I used my army pay and profits from weekend sales in Santa Fe of silver filigree jewelry and other items bought in Juarez, across the bridge from El Paso.

Photo above: The author stands in a slight depression generated by the explosion of the first atomic bomb.

One Saturday, after electronics lab at the army missile school, the truck took me north through Alamogordo and Carrizozo, then west. I followed Jesse's map and turned south off the lonely highway onto a thin blacktop road speckled with deep chuckholes. The sand blown over the road showed no sign of tire marks. There was nothing, no one, for many miles. I was used to the army, the noisy barracks, months of technical lectures, hundreds of men. Where was everyone? Was I crazy?

I slowed down and gripped the wheel tightly to steer around the pits in the road. The floorboards were rattling as I shifted to second gear. I scrolled through memories. Did I have a chip on my shoulder about anything that would land me in this authentically Godforsaken place? I loved the desert and its quiet cleanliness, but so did almost everyone who had seen much of it. Here I was in the middle of nowhere, driving this little truck. What was driving *me*?

My apprenticeship in weaponry had been in war-time defense plants during high school. Beginning at fifteen, in Clearfield, Pennsylvania, I wired, soldered, assembled and tested sonar systems designed to detect Japanese submarines entering U.S. waters. My most exciting times were weekends and summer months finishing the ten-buoy array to protect San Francisco Harbor. Then came a job at seventeen as apprentice electrician in a 105-millimeter shell factory in Euclid, Ohio, where too few of us produced thousands of shells around the clock. Finally, still a teenager in the last months of the war, I worked at Brush Development in Cleveland, where we manufactured the wire recorders used during the Nuremberg war crimes trials.

Those had been years of excitement and progress. There were no regrets. After 1945 I had traveled and worked throughout the west in one great adventure after another. I couldn't imagine any man in his early twenties having lived a better or more exciting life.

But one realization haunted me:

"We waited until the blast had passed, walked out of the shelter and then it was extremely calm. We knew the world would not be the same. A few people laughed; a few people cried. Most people were silent. I remembered the line from the Hindu scripture,

'Now I become Death,
the destroyer of worlds.'

I suppose we all thought that, one way or another."

Those were the words that Robert Oppenheimer, Director of the Los Alamos Laboratory, wrote about the first minutes after the blast. Perhaps these words drove me; perhaps they were the guiding force behind my mission. I could remove the obvious signs of the first destruction, clean up the mess, do more than just leave tire tracks in the sand.

A long line of stubby telephone poles appeared ahead of me. The cross ties were only four or five feet off the ground.

Wires sagged between them; many lines were lying broken on the ground, abandoned to the wind and the fiercely-blown sand. I spoke out loud to my windshield.

"They've thrown this place away, left it to rot, to fall apart."

I thought of pulling the poles out of the ground and burning them, but that would take days and would have to wait until the glass was cleaned up.

About fifteen parallel wires made up what I had read were over one thousand miles of arming, power, firing and information lines stretching between the distant control bunkers and whatever lay ahead.

The road and the poles led to the fence, to the locked gate. I parked and fished the keys out of my army fatigue jacket. I examined the chain and visualized General Groves, Manhattan Project Manager, confidently snapping the army padlock shut.

"Sorry, General, to go around you, but we're not quite finished here."

My key worked. Good old Jesse. I swung the double gate open and drove in.

There was the glass!

It was certainly not attractive. It was a scattering of dull, hardened goop. As I drove to its center, the sound of my tires on the virgin glass was like breaking soda crackers. The small depression at ground zero was maybe a foot lower than the surroundings. I saw a concrete pier sticking out of the sand. It was the stump of one of the four tower legs. No other trace of the 100-foot tall, heavy steel tower

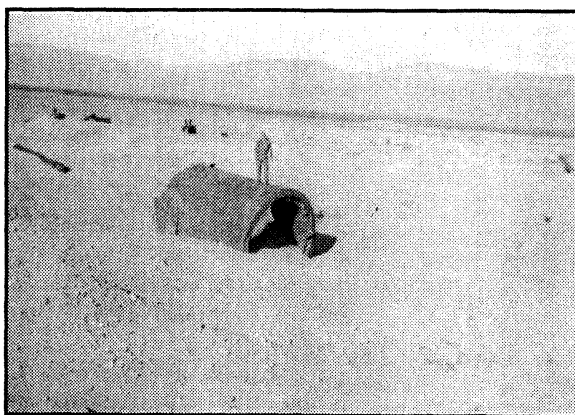
remained. The concrete would easily have been shattered with a stick or two, maybe three pounds, of sixty percent blasting dynamite. But the 15 kiloton (thirty-million pound) fireball didn't get all of it that morning in '45.

I wondered how long could I stay there and not be affected by the radiation. The best answer right then was "not long." I grabbed the shovel out of the truck and scooped up enough glass to fill a cardboard carton. Then I drove to the gate, closed and locked it, and peeled out of my boots. They could have been radioactive. I tossed them in the truck bed and drove away.

A rock shop in El Paso was the next phase of my Trinitite Project. The owner tested my box of green glass with a Geiger counter. The radioactivity was mild, too low to be harmful during my projected hours of nearness, lower even than his samples of high-grade uranium ore. I would not need to dress in shielded clothing when I went back.

One thing I would need was a screen to separate the sand from the glass. If I shoveled the glass onto a screen hanging steeply off the side of the truck, it would slide into the truck bed, and the sand would fall through the screen and onto the ground.

I drew up the plans for a folding screen that would be attached to the truck and visited an El Paso hardware store



The author atop Jumbo, the cylinder designed and built to catch the plutonium if the fission fizzled.

for the parts. A rake would come in handy too, if I wanted to make little piles of glass for the shovel.

Ralph L. James from Dallas, another fellow draftee student at the Guided Missile School, rode shotgun on my second trip to Trinity Site. I needed a camera operator, and James, an astute insurance agent before the Korean War draft, agreed to go as long as I'd put him up overnight in Santa Fe. His comment when he first saw the poles and wires was, "Hey, this looks serious."

When we got to the gate and I pulled the chain apart, he barked. "I'm not going in there. You're out of your mind."

"Could be, R L, but there's something to do here."

"Listen, they won't ask any questions. They'll just shoot us."

"There's nobody around, not for thirty miles."

"There could be long-range guns aimed at us right now.

These people were smart enough to do this. They can do anything. We're nothing."

"I'm going in, R L, driving in. I'm going for a truckload of the glass. You can wait here."

"Can we just sit here outside the gate for ten minutes to see if anyone shows up?"

"Sure, buddy. I'll re-lock the gate while we wait if it'll make you feel better."

"No. That's okay. I just think this is the wildest thing I've ever been involved in or even heard about. I'm shocked. I've known you for over six months night and day and never suspected you were this wacky."

"Once we get inside, the photos you take will prove it."

"You're funny. Okay. I'm ready. Let's get it over with."

I drove in and got to work. I raked little piles of Trinitite to the center of thirty-foot circles and shoveled the stuff onto the screen. The glass

slid into the truck, and the sand fell through. Fine. I did ten circles with about fifty pounds in each. While I shoveled, two fighter planes from White Sands flew high overhead.

At 500 pounds the little truck had a load. There was plenty of Trinitite left for future trips. James took a picture of me standing on Jumbo, the shell that was built to contain the plutonium in case fission failed. Jumbo was cast aside before Zero Hour. Then there was a shot of me at Ground Zero, and another one at the gate on our way out.

"Boy," he said, "I was never so glad to leave any place in my life. I'd almost rather stay in the army than go back in that creepy enclosure."

"Well, we're outta there. The only thing worrying me is

those fighter planes. If they saw us they may call some security outfit."

"They were pretty high up there," James said. "Now what?"

"North to Albuquerque, then Santa Fe — maybe four or five hours with this heavy load."

"Who gets the glass?"

We turned west on the blacktop highway to Socorro. "It'll end up with Verne Byrnes, a mining engineer in Santa Fe. He's in charge of the burial detail."

"How do you know him?"

I could picture Verne with his little pot belly. "He owns the Pennsylvania Mine in the Cerrillos Mountains. Two years ago, I was working a mine nearby and helped bail the water out of the Penn shaft. Santa Fe's not crowded. You get to know everybody. You'll see."

We went through Albuquerque and continued north.

Santa Fe was my favorite city in the U.S. There was nothing remotely like it. We dropped off the Trinitite, spent a wonderful night in Santa Fe, and drove back to the base Sunday night.

The Oscuro Mountains, far to the east of the site, might have had some kind of spotters for aircraft or for the German V-2's being tested at White Sands. Thinking about that, I decided to go in for the rest of the glass after dark. Raking and shoveling in darkness would be a problem, but I thought that a flashlight taped to each handle might do the trick. I fashioned a hood and slitted mask out of cardboard for each headlight of the truck; then, late on a Friday night, I began my first nocturnal trip, alone now, and anxious.

I turned off the highway at 2 a.m. and taped on the headlight masks. The truck didn't like the potholes at night, so I changed the headlight slits to direct more light on the road.

We crept along carefully. About two miles south of the highway, a herd of small antelope dashed across my path. Then a large mound in the road ahead turned out to be a tortoise that I had to drive around. A minute later a coyote came along, skittering almost sideways when he neared the truck. Along the pole and wire line, a shiny log revealed itself as a porcupine. Jackrabbits sat on the black tar, sucking up yesterday's heat. This site of death was intensely alive.

Human life, however, continued to be in short supply. My tire tracks from the previous week were the only ones in the sand at the gate. I entered and got to work. The flashlights guided the rake and shovel. I loaded about 600

continued on page 32



The author shovels radioactive trinitite into his pickup truck. The melted sand had the color of Coke bottle glass and the brittleness of ice.

The Federal Bureau of Marriage?

by Stephen Baskerville

Following its resounding successes in stopping drug use and eliminating poverty, the government now sets out to save marriage.

All sorts of social pathologies, from violence, to substance abuse, to teen pregnancy, to suicide, can be traced to fatherless families. To deal with this, Congress is now preparing to enact Bush administration proposals to promote healthy marriages. This gives the impression that politicians are addressing a problem that has become too conspicuous to ignore. In fact, they are avoiding it. The very agencies asked to promote healthy marriages have for decades been entrenched in the divorce and child-support system, which depends on the breakup of marriages.

Thirty years ago, with no public discussion of consequences, no-fault divorce laws effectively ended marriage as a legal contract and precluded couples from entering binding agreements to raise children. Deception was involved from the start. Laws advertised as allowing divorce by mutual consent actually created unilateral divorce, permitting one spouse to dissolve a marriage without accepting any liability for the consequences.

It would have been different if the new laws had removed government from marriage altogether and rendered it a wholly private contract, as libertarian Wendy McElroy has proposed. Instead, government developed new instruments to intervene in families.

Three decades of unrestricted divorce have created a public-private complex of judges, lawyers, psychotherapists, mediators, counselors, social workers, child support agents, and others with a vested interest in perpetuating divorce. Whatever pieties these practitioners voice about the plight of

fatherless, poor, abused, and violent children, the fact remains that their livelihood depends on a steady supply of such children. The children of divorce fill government coffers, fuel political patronage, expand police powers, justify surveillance of citizens, and create a host of problems for officials to solve — to which is now added the problem of creating more healthy marriages.

It All Began With Welfare

The marriage initiative ostensibly targets the poor, a group which has a higher concentration of fatherlessness. It is easier to justify government intervention into the lives of the poor because poor single mothers make a claim on government welfare. But remedies that begin with the poor have a way of spreading.

Once we turn attention to the middle class and mention divorce, we enter a political realm that has been obscured. Bringing up middle-class divorce reveals the difficulty, and perhaps dishonesty, in the question of whether government can restore marriage, because government itself has already abolished it.

In many ways, divorce has become the middle-class extension of welfare, creating single-parent homes among the affluent. In fact, all the major institutions of the divorce

regime — juvenile and family courts, child support enforcement, domestic violence units, child protective services, and recent programs to promote fatherhood — were created as ancillary to welfare. No-fault divorce extended these services to the middle class because that was where the money and political power were.

As with welfare, the main clients of the divorce regime are mothers. Academic studies consistently document that two-thirds to three-fourths of divorces are filed by women,

Laws advertised as allowing divorce by mutual consent actually created unilateral divorce, permitting one spouse to dissolve a marriage without accepting any liability for the consequences.

usually without legal grounds. The proportion may be higher when children are involved. Attorney David Chambers writes in *Making Fathers Pay* that “the wife is the moving party in divorce actions seven times out of eight.” Shere Hite, the popular researcher on female sexuality, found that “ninety-one percent of women who have divorced say they made the decision to divorce, not their husbands.”

This is not surprising given the emotional and financial incentives the industry offers mothers to divorce, including automatic custody plus windfall child support. A Canadian-American study found that “who gets the children is by far the most important component in deciding who files for divorce.”

The official view that fatherless children are products of paternal abandonment does not bear scrutiny. No scientific evidence indicates that large numbers of fathers are deserting their children, and, when pressed, no responsible authority asserts it. Governments are removing the children. It is difficult to overestimate the importance of this. Identifying fathers as the culprits has not only justified draconian enforcement measures against them, it has also allowed for policies that contribute further to fathers’ absences. Virtually every problem handled by the divorce apparatus, including child custody, child-support enforcement, child abuse, and even juvenile crime, is premised on the absence of the father. The first principle of the divorce regime is, therefore, to remove the father.

The Ministry of Love

All the clichés about custody battles obfuscate serious questions about the use of divorce to extend state power into private life.

The moment a divorce petition is filed, every family member surrenders his or her personal life to the scrutiny and control of public officials. Without children, the consequences are usually minimal. Divorce becomes socially destructive only when it involves children, and the same is true of its politics: once government takes control of children it can subject parents to an inquisition into their personal

lives.

When divorce required a showing of fault, such intrusions came only after convincing a court of law that one party broke the rules. No-fault divorce dispenses with this. One parent, almost always the father, immediately loses custody. From that point, unauthorized contact with his children renders that parent subject to arrest. Few stop to think about what is happening here. A court has summoned a citizen who was minding his own business and taken away his children.

Not only is unauthorized contact with his children now a crime, but other aspects of his private life, such as his movements and finances, also become subject to criminal penalties. What amounts to a customized criminal code is wrapped around the father by the court, subjecting him to arrest for behavior that is legal for any other citizen, such as attending a soccer game where his children are present. This is all without being accused, let alone convicted, of a crime.

A father summoned to divorce court typically has a few hours notice of a hearing that may last a few minutes, and at which he may be permitted to speak a few seconds. Yet during this hearing he will lose all rights over his children, receive a schedule of a few days a month when he may see them, and be ordered to pay child support. By law, his name is immediately entered on a federal register, his wages are garnished, and the government has access to his financial information, private papers, and home.

That parent no longer has any say in where his children reside, worship, or attend school or day care. He has no necessary access to their school or medical records, nor any control over what medications or drugs are administered to them. He can be enjoined from taking them to a doctor or dentist and told what religious services he may (or must) attend with them, and what subjects he may discuss with them in private.

He is also subject to questioning about his personal life that attorney Jed Abraham, in *From Courtship to Courtroom*, has termed an “interrogation.” Fathers are asked how they

Whatever pieties these practitioners voice, the fact remains that their livelihood depends on a steady supply of such fatherless children.

feel about their children, what they do with them, where they take them, how they kiss them, how they feed and bathe them, what they buy for them, and what they say to them. A father’s habits, conversations, writings, and purchases are all subject to examination and control. His visits with his children can be monitored and restricted to a “supervised visitation center.” Anything he says to his spouse or children can be used against him in court. Family counselors and personal therapists can be subpoenaed to testify. His children can be compelled to inform on him.

Child support is under the purview of the Administration for Children and Families, the same division

of Health and Human Services that is promoting healthy marriages. As heavy-handed methods become conspicuous, the ACF has devised public relations campaigns that emphasize its gentler, therapeutic side. This allows the state machinery to penetrate deeper into private lives. David Ross, head of the Office of Child Support Enforcement in the Clinton administration, proudly changed the mission statement of his office to include enforcing emotional support. "Child support is more than money," says the National Child Support Enforcement Association. "Child support is also love, emotional support, and responsibility." Love and emotional support thus become enforceable mandates.

Ronald Mincy and Hillard Pouncy of the Brookings Institution describe a program in which fathers are required to deal with their feelings about their children. At one point, says director Gerry Hamilton, "clients must write their own obituaries as they would be written by their children. This exercise is very moving. This helps non-custodial fathers understand why contact with their children is so important."

Even as the government drives fathers away from their children, it portrays itself as bringing them back. With the slogan "They're Your Kids. Be Their Dad!" ACF sponsors media advertisements with actors depicting fathers abandoning their children for no apparent reason: "When Vanessa's daddy walks out the door today, he's never coming back." The truth is that most fathers are absent because the government makes sure they stay absent. "It's hard to stay close to your kids when you don't live with them," the ad continues, "but you can do it."

An Administration for Children and Families campaign makes clear that the relationship it most wishes to foster is between fathers and federal agents. Activities funded by ACF include helping low-income fathers learn to interact more effectively with the child support enforcement system. Programs to promote responsible fatherhood likewise disperse grants to local governments and groups to reunite fathers with their children. Yet to reunite them, one must first separate them, whereupon they can be reunited on the government's terms.

The Feds and Families

Looking at the marriage initiative, left-liberals ask why a conservative administration is involving the federal government in something as private as the family. There is irony in these liberals defending the family against the government. Yet many Democrats are certain to go along, because all politicians tend to go along with programs that bring money. Domestic violence programs, for example, enjoy strong bipartisan support, because they distribute federal money to states and localities. Attorney General John Ashcroft and Health and Human Services Secretary Tommy Thompson are strong advocates of federal measures on domestic violence. It is not only public officials. We can look forward to nonprofit groups, churches, counseling programs, and marriage-saving schemes coalescing into a marriage-program lobby.

Joe Laconte describes in *First Things* how governments have established offices to broker agreements between social service agencies and congregations. One project creates one of the nation's most ambitious mentoring programs for at-

risk children. Churches receiving federal payments to serve as father substitutes will not eagerly surrender that job to real fathers who are likely to do a better job of it. Health and Human Services and the United Methodist Church are seeking to link the 2,200 YMCAs in the United States with the child support offices in their communities. At the very time churches are relinquishing their role as guardians of what is supposedly a sacred covenant, they are being recruited as government informers.

Secretary Thompson recently announced \$2.2 million in grants to faith-based groups to improve the financial and emotional well being of children. Deputy Health Secretary Wade Horn, head of the Administration for Children and Families, says the grants reach out to those who need help in acquiring the skills necessary to build relationships.

Yet only 25 percent of the funds will promote marriage; the remaining three-fourths is for enforcing child support.

Most fathers are absent because the government makes sure they stay absent.

Child-support programs would seem to be at cross-purposes to the promotion of marriage, because child support subsidizes divorce. Yet the Marriage Coalition in Cleveland, an ostensibly faith-based organization which claims to be saving marriages, will receive \$200,000 to help collect child support.

A major extension of government power over private life is taking place here. One federal ruling holds that parenting is a right "far more precious than property rights" which "undeniably warrants deference and . . . protection." Yet such apparently unequivocal principles are ignored by courts administering no-fault divorce. The common law has also long recognized, in the words of former Supreme Court Justice Byron White, a "realm of family life which the state cannot enter." Yet current divorce law gives officials the power to intervene in homes at the mere request of one parent, not because the other parent is suspected of a legally recognized offense, but because of ordinary family differences.

Prior to the divorce revolution, legal authority over children had been recognized to reside with their parents until the parents had done something to forfeit it. "For centuries it has been a canon of law that parents speak for their minor children," observed former Supreme Court Justice Potter Stewart. "So deeply embedded in our traditions is this principle of the law the Constitution itself may compel a state to respect it." Yet the state has now institutionalized precisely the opposite principle: that "the child's best interest is perceived as being independent of the parents," in the words of a major child support enforcement contractor, "and a court review is held to be necessary to protect the child's interests."

This phrase, the child's best interest, sounds deceptively benign. Yet it gives the government the power to define this interest over the objections of parents who have done nothing.

ing to forfeit their rights. "Such a criterion is dangerous because it renders the claims of all parents to their natural children tenuous," writes Robyn Blumner of the American Civil Liberties Union.

Many accept this practice on the assumption that a judge must decide what is best for children when the parents cannot agree. But empowering one parent to turn control of children over to state officials because of routine family disagreements eliminates private life and invites collusion between officials and that parent.

Follow the Money

The "best interest" standard also transforms judges into dispensers of patronage who can appoint evaluators of both parents and children. Here we begin to glimpse the political dynamic that will be fueled by the funding proposed by the Bush administration.

Family courts are controlled by bar associations. To satisfy their members, judges can hire them at public expense or at litigants' expense. "Lucrative patronage positions," writes legal scholar Herbert Jacob, "are generally passed out to the judge's political cronies or to persons who can help his private practice."

A judge can even order litigants to hire his friends, on pain of incarceration. Legally unimpeachable citizens who give neither grounds nor consent for a divorce are ordered to pay attorneys and psychotherapists they have not hired for services they do not want, and may be jailed for not complying. A father can be ordered to sell his house and turn the proceeds over to attorneys he has not hired for a divorce he did nothing, legally speaking, to bring on.

Judges also appoint "attorneys *ad litem*" to ostensibly represent the children's interests. These officials are notori-

At the very time churches are relinquishing their role as guardians of what is supposedly a sacred covenant, they are being recruited as government informers.

ous for cronyism and for advocating the removal of fathers. In 2001, a two-year investigation into court appointments in New York state by a special inspector general found "cronyism, politics, and nepotism" in appointments of attorneys *ad litem* and other officials. In March 2000, four Arkansas senators were convicted on federal racketeering charges connected with contracts for attorneys *ad litem* and child support enforcement.

The patronage clients most likely to benefit from the Bush proposals are psychotherapists, who likewise serve mostly to provide a rationale for removing fathers. "The marriage of law and psychology has reached the heights of disproportionate power for the psychologists . . . in the family courts," writes Margaret Hagan in *Whores of the Court: The Fraud of Psychiatric Testimony and the Rape of American Justice*. Psychologist Sanford Braver calls such expert advice little more than guesswork. He writes, "There is absolutely

no credible evidence that these [methods] are valid predictors of which spouse will make the best primary parent. In fact, there is no evidence that there is a scientifically valid way for a custody evaluator to choose the best primary parent."

Braver attributes their obvious father-hostility to gender bias, but pecuniary interest may be a sounder explanation. He quotes one evaluator to the effect that almost all his business would be lost were not fathers routinely removed.

Already ubiquitous in custody proceedings, psychotherapy has been developing a new market as an alternative to litigation. This has also made it appealing to the federal marriage promoters. Many states now require divorcing couples to undergo counseling, mediation, and marriage education of the kind being mandated by the Bush administration. Not only is there is no proof that such programs reduce divorce, it is fairly obvious that they thrive on it. According to the Administration for Children and Families, "Marriage education is a research-based approach that teaches couples how to build and maintain healthy, stable marriages and handle marital distress and breakdown." The last word slips in the government wedge, since all the counseling in the world is superfluous so long as one parent can simply take the children and leave.

"Mediation was pitched to the public as a service that would reduce the costs of litigation," writes Judy Parejko, herself a mediator, in *Stolen Vows*. "It sounded really good. But such well-intentioned messages served to cover up that no-fault was inherently forced divorce."

Parejko describes how her colleagues actually encouraged divorce. She claims her court-affiliated work was terminated by a judge and she was locked out of her office for trying to repair marriages. "They were in the business of mediation, charging a hefty fee for their settlement work," she writes, "and without a steady flow of customers, their business would dry up."

Half the jurisdictions in America now mandate marriage education during divorce. "The programs offer instruction in how to behave during a divorce and afterward, for the benefit of the children," explains the *New York Daily News*. Such provisions convey the appearance that officials are trying to minimize divorce; in fact, they shift blame onto the parent who fails to cooperate with it. "The fact that one parent didn't want the divorce — or that one of them had broken the promises they'd made when they were married — these were issues I was supposed to ignore," writes Parejko.

The administration claims its marriage measures are "voluntary" — that is, unless you want to keep your children. Conducted by professionals with a financial stake in divorce, these programs add clients to the gravy train and further transfer control of children to the state. Revealingly, the Canadian Bar Association pushes for coerced parent education, so parents who are involuntarily divorced must also be involuntarily educated into acquiescing in the loss of their children: "The CBA urges the federal government to require parents to take mandatory parental education before they are permitted to pursue court proceedings involving their children."

At first glance, it appears the government is requiring

parents to attend the classes before it will permit the divorce; a closer look at the careful wording reveals precisely the opposite. The court can still summarily remove the children, and parents who want them back must first accept government instruction in how to behave toward those who have taken them away. "We want to pull away from the idea that parents have rights in relation to their children," says Jennifer Cooper of the CBA's family law section, which represents 2,200 divorce lawyers.

Noting that mobs of unhappy dads who haven't seen their children for months or years now picket the homes of judges, the *Guardian* newspaper recommends that the pro-

The healthy marriages project appears to be largely a vehicle for expanding the already formidable child-support enforcement apparatus.

testers be silenced with instruction: "The system first needs to educate parents and provide a range of services, such as mediation and parenting classes."

The *Washington Post* describes a measure in Virginia that makes parent education "mandatory for anyone, married or not, who goes to court over custody, visitation, or child support." Again, the fine print reveals how the measure, far from checking divorce, will insert additional layers of officialdom between parents and their children, and intimidate parents who object to having their children removed.

Innocence Is No Excuse

The potential for family therapy to become coerced psychotherapy is realized in the divorce regime's domestic-violence arm. There is evidence that custody, rather than violence, is the main thrust behind the exponential growth of this authoritarian power.

A judge quoted in the *New Jersey Law Journal* calls that state's domestic violence law "probably the most abused piece of legislation that comes to my mind." Massachusetts attorney Gregory Hession agrees: "The restraining order law is one of the most unconstitutional acts ever passed. A court can issue an order that boots you out of your house, never lets you see your children again, and takes your money, all without you even knowing that a hearing took place." So routine are knowingly false accusations that mothers now report being pressured into making them. Heidi Howard and Nev Moore were ordered by the Massachusetts Department of Social Services to take out restraining orders against their husbands, whom they insisted had not been violent, and attend battered women's classes, though they were not battered women. When they refused, DSS seized their children.

Government therapy that claims to be strengthening marriages can thus be used to destroy them and to institutionalize family members who resist. Fathers accused of no violence are ordered into anger management and batterers' education programs, replete with forced confessions reminiscent of Stalinism. Under a Massachusetts program called

Common Purpose, a judge ordered a minister to attend batterers' therapy, which required a confession. When the minister refused, he was jailed for six months.

A Pennsylvania father against whom no evidence of violence was introduced had his daughter seized by sheriff's deputies and was ordered to attend a class called "Men Who Abuse." He said, "I was told that I had to admit to being an abuser. When I refused, I was told that I would be kicked out of the class and charged with contempt and probably put in jail. So this means I have to lie and admit to something that I did not do. I have been told by other men who have been through this in this county that it will be useless to try to defend myself because it will just make it worse."

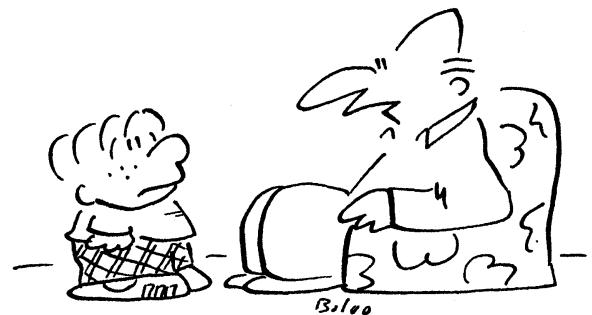
Child protection is a federally funded apparatus in which therapy and law enforcement eclipse due process. "Although spoken of in terms of social services," writes sociologist Susan Orr, "the child-protection function of child welfare is essentially a police action." Orr calls child protection "the most intrusive arm of social services," because it can confiscate children. Yet because the parents are seldom charged criminally, they cannot defend themselves in proceedings that are often secret and without record.

"The child protection system is built upon the notion that child maltreatment is remediable with the right therapeutic treatment," Orr writes. "By forsaking the courts of criminal law, in which determinations of justice and injustice are made and punishments meted out, child welfare agencies took on the much larger task of attempting to heal family members."

Deadbeat Dads

To judge from initial measures, the healthy marriages project appears to be largely a vehicle for expanding the already formidable child-support enforcement apparatus.

The dishonesty of the government's claimed child-support crisis has now been exposed in so many works there is no need to belabor it here. (See "The Myth of Deadbeat Dads," June 2002.) Significantly, our awareness of the alleged problem has come entirely from government officials. No public outcry ever preceded the creation of government machinery; the public never demanded that government take action; nor has any discussion of this alleged problem ever been held in the media. In fact, no public perception of such a problem even existed until public officials began saying it did. No government or academic study ever documented the existence of a child-support problem. The



"It's time you learned, son — in-laws and outlaws aren't necessarily opposites."

initiative has been taken throughout by government officials and quasi-governmental interest groups, whose power has greatly expanded as a result.

Prior to the creation of the federal Office of Child Support Enforcement and throughout its 28-year history, no study has ever been conducted on the reason for its existence. Several unchallenged studies have established that no problem in fact does exist.

In the realm of child support, too, machinery created for the poor expanded to the middle class. The criminal enforcement machinery was initially promoted as a means to recoup welfare costs and help single mothers off welfare. Though it never had this effect, the program expanded exponentially following its creation in 1975. HHS figures show that welfare cases now account for less than one-fifth of all child-support cases, and the proportion is shrinking. The remaining four-fifths are non-welfare cases consisting largely of previously married fathers who are usually divorced involuntarily and who generally can be counted on to pay.

Designed to reduce government spending, the federal program has incurred a continuously increasing deficit. Promoted to help poor children whose unemployed fathers had allegedly abandoned them, the new machinery became a means to loot working fathers who had done no such thing and whose children were taken from them through no fault or agreement of their own. Child support enforcement is now a multi-billion dollar industry, with interlocking agencies on the federal, state, and local level, plus private contractors. Support levels are set by the same officials and contractors who collect child support. By forcibly separating

The realization that the engine generating fatherless children is not the fathers, but the state, takes on implications few have dared to confront.

fathers from their children and imposing impossible child support burdens, these officials can create the very delinquents on which their business depends.

The Office of Child Support Enforcement oversees a force of plainclothes agents who can issue arrest warrants and carry guns. They also have powers to gather financial and other information on private citizens, including surveillance of citizens who have no involvement in child support. Child-support defendants can be jailed without a formal charge or jury trial or attorney, and may be presumed guilty until proven innocent.

Horror stories are legion. Darrin White of Prince George, British Columbia, was denied all contact with his three children, evicted from his home, and ordered to pay more than twice his income as child and spousal support, plus court costs for a divorce to which he never agreed. White hanged himself. There is nothing unusual about this judgment, says former British Columbia Supreme Court Judge Lloyd McKenzie, who pointed out that the judge applied standard

guidelines.

There is also nothing unusual about the result. Scholars and journalists treat court-related suicide as a problem not of justice but, again, of therapy. Pierre Baume of Monash University found that in Australia more than 1,000 men aged 25 to 44 take their own lives yearly. He found that most involve child access problems. Yet in language typical of his trade, Baume attributes this finding to relationship break-ups. Fathers therefore need, not due process of law, but, once again, counseling and education on how to express their feelings.

When Augustine Kposowa of the University of California attributed a similar suicide rate in the United States directly to family-court action, three news outlets ignored this conclusion, reporting instead that fathers lack support networks.

The Fraud of Healthy Marriages

If we truly wish to restore marriage, we must change not males but laws. Yet we are refusing to face this politically unpleasant truth and filling the public payroll with therapists and police.

In encouraging marriage, the administration is promoting a fraud. It is luring young people into a contract which the government can tear up at any time. Men in particular who accept the government's invitation to marry can lose their children, their homes, their savings and future earnings, their freedom, and even their lives. Not only will the government extend them no protection for their commitment, it will criminalize them without even the due-process safeguards afforded to criminals.

Some evidence suggests men are becoming wise. The National Marriage Project at Rutgers University reports that men are increasingly unwilling to marry. Project director David Popenoe spins a therapeutically correct explanation, blaming a puerile fear of commitment. Glenn Sacks and Dianna Thompson in the *Philadelphia Inquirer* read the data instead as indicating an impromptu marriage strike: a refusal to start families by men who are aware it can mean a one-way ticket to jail.

What we are glimpsing here is part of a larger process by which the state has used family destruction to expand its reach. When fathers are eliminated, state officials assume their role as protector and provider. By removing fathers, the government creates a host of problems for itself to solve. If fatherlessness is behind most of today's social ills, the realization that the engine generating fatherless children is not the fathers, but the state, takes on implications few have dared to confront.

Much of the expansion in the size and scope of government over many decades has been justified by the problems now recognized as proceeding from fatherless homes. Both the welfare state of the Left and the expansion of incarceration pushed by the Right are furthered by the government's displacement of fathers. With hardly a word of opposition from left or right, the welfare-divorce machinery has become a self-perpetuating mechanism by which government engineers the expansion of its own power. The increase in this machinery is the silent revolution of the last century. □

Dialog With an Absolutist

by Bruce Ramsey

Maybe there aren't enough libertarians to screw in the light bulb.

Some months ago I attended a luncheon of libertarians, and found myself in a conversation with an absolutist. He was opposed to the initiation of force in any circumstance, and believed that anyone who disagreed with him was no libertarian. Further, he believed that this view put him in a unique corner of the political boxing ring, equidistant from Left and Right.

I thought it put him somewhere in the Crab Nebula. Because in the real world, most people identifiable as libertarians, including myself, believe nothing as radical as that.

We are libertarians because liberty is our central political value. It is our defining principle, our badge. That does not mean we follow it without thinking.

Two quotes will help clarify this. The first is from H.L. Mencken, who was asked in a radio interview how much freedom of speech he was in favor of. He was in favor of a lot. Memory tells me his answer was "as much as people can stand."

The second is from Louis Rukeyser, the host of *Wall Street Week*. I interviewed him years ago, and asked him how he would describe his political philosophy. He said: "First, I am for liberty; second, I am for what works."

That's me. Liberty, and what works.

Libertarianism is the theory of a society organized around *one* principle. I cannot think of a social principle that does better work. But it cannot do it all — not satisfactorily. Here are ten cases in which it falls short.

1. Pursued to its ultimate end — which is where the absolutist pursues all ideas — the non-coercion principle does not

allow the imposition of taxes or even of citizenship. It leads to anarchism, a philosophy that has no more real-world application than an M.C. Escher drawing.

2. Libertarianism is designed for adults. Children are subject to the will of their parents, but also to the rules and protection of the state. How should that work? Libertarianism doesn't say. Most libertarians, it seems, don't think about that, but then it seems that most libertarians don't have kids.

3. Rights theory cannot deal with emergencies — that is, "lifeboat situations." Consider if your country is being invaded. As journalist Gareth Garrett argued, if you are in a war for the existence of your country, and to fight that war your government needs steel, you cannot allow the civilian sector to bid against the government for steel. The government may need that steel to win the next battle, and it may be the last battle there is. In order to win it, you may have to suspend the free market.

More than that: you may have to suspend personal freedom. Grant that a draft is temporary enslavement of a sort, is that not preferable to permanent enslavement of a worse sort?

Libertarians have said that a society that cannot raise enough volunteers is a society not worth defending. Ayn Rand made that argument, as did Robert Heinlein, who was

usually more sensible on matters of survival. It is a preposterous argument. Was France in 1940 not worth defending? Had the America of 1955 been invaded by communist Russia, would it have not been worth defending? Imagine yourself standing up and saying, "Forget it, folks; our country is not worth defending."

I think a draft is unnecessary in my country right now, because of the geography of America and the nature of modern war. I have never supported a draft and I don't expect I ever will. But I think I would have supported a draft in Switzerland in 1940. Switzerland did have a draft, and it was one of the things that kept it free. (See Angelo Codevilla's *Between the Alps and a Hard Place*.)

4. Libertarianism has not dealt adequately with questions of public health. How would a libertarian society have handled AIDS? In Randy Shilts' book, *And the Band Played On*, he describes the fight over the gay bathhouses in San Francisco in 1983. The public health officer knew these private enterprises were spreading deadly disease — quicker than any other institution in the city. Yet disease was being spread by consenting adults, most of whom refused to believe they were frolicking with lethality.

Public health extends beyond emergencies. Should a municipality have the right to set sanitary conditions of restaurants? Libertarians may say, "The market will handle it." But historically it hasn't, because restaurant patrons don't feel free to inspect the kitchen.

On to drugs. All libertarians were for Peter McWilliams' right to smoke marijuana to keep from vomiting up his anti-AIDS drugs, and were outraged when he died following the government's stupid rules. But when they oppose all drug laws with the term "prohibition," thereby making an analogy to liquor prohibition, they imply the existence of a safe

We are libertarians because liberty is our central political value. It is our defining principle, our badge. That does not mean we follow it without thinking.

use. And for some prohibited drugs there is no safe use. But libertarians argue as if chemistry and biology were irrelevant, which would imply that it would be okay to sell any drug that did anything. Is that a defensible position?

5. How would a libertarian society build highways without eminent domain? When I asked him that years ago, Nathaniel Branden replied that if a person did not want to sell his land, the road builders would have to go around it. He wrote, "There is no great problem with this, nor has there ever been."

But all societies have used eminent domain to build roads and other connectors like private railroads. A libertarian society will not want eminent domain for the building of ordinary things in one spot, like a shopping center. A highway is different. I note that Richard Epstein thinks so.

6. What of city streets? Are whole neighborhoods to be private? Then you have a condo association or neighborhood

council telling you what color you can't paint your house and what political sign you can't put in your window.

Absolutist libertarians envision a world 100 percent privately owned. That means there will be no public place to hold, say, an antiwar demonstration. The absolutist will say, "You'd have to find a private owner." You might find one out in the sticks — I think of Yasgur's farm — but can you imagine a commercial property manager allowing a "No Iraq War" rally?

I think I'm freest with millions of islands of private property — little sanctuaries for owners like me — connected by public arteries and supplied with occasional public spaces.

7. Many libertarians want gold currency and no central bank, but the case for this is not a slam dunk.

During the gold-and-no-central-bank years, 1879 to 1913, the currency held its value. That is the good side. But up to 1896 there was deflation, which was statistically gentle but bitterly complained of. In 1896 inflationists took over the Democratic Party and nominated William Jennings Bryan for

A draft is temporary enslavement of a sort, but is that not preferable to permanent enslavement of a worse sort?

president. Bryan lost, but it was a near thing. Milton Friedman suggests that had a new process of extracting gold from ore not been invented, and gold mines developed in South Africa and the Yukon, the inflationists would have prevailed. As it was, the new gold supplies created inflation from 1896 to 1913.

Statistically this inflation was small. But in the psychology of the time, the difference was considerable. The "free silver" movement went away. A slight inflation made all the difference between a currency rule that was tolerable and one that was not. And that slight inflation did not depend upon policy, but upon physical discoveries of gold and a new technology for extracting it.

We live in a world today with fiat money and 2 percent inflation. That is not a bad deal. I remember the world of 1979, when it was 12 to 15 percent inflation. If the government is going to run its paper money like that, then we're better off with a gold standard, even with an occasional run on specie. But as long as we have Alan Greenspan or his clones running the fiat-money system, the case against the status quo will be entirely theoretical, which means that system will not change.

8. Libertarians want individuals to have complicated choices. But choices require information, and information is costly. Government drastically lowers the cost of certain information by demanding that it be produced for free. I am thinking of the rule that requires commercial lenders to calculate their rate of interest in a specific way — a rule to which free-market advocates objected 30 years ago. I am thinking of the list of ingredients on packaged foods, the list of side effects on patent medicines, and the disclosure docu-

continued on page 53

Lafayette Is Dead

by James K. Lambert

Saying that America is indebted to France is like arguing that France should forever hate America for the French and Indian War.

Veronica Menezes Holmes may be an expert on Benjamin Franklin and French involvement in the American Revolution, but she has done nothing to use these facts to her advantage in discussing current events. Her article, "America's Debt to France" (June), was a collection of highly selective and largely irrelevant points.

Holmes' portrayal of France and America in anthropomorphic terms is a serious conceptual mistake. "France" did not "imperil herself for the American cause." France has no "self" to imperil! Human beings, and human beings alone, are capable of holding opinions and taking actions. Nations are nothing more than a convention. This fallacy has also clouded many people's perceptions of the Iraqi War. Iraq has no moral rights as a sovereign nation because sovereignty is an attribute only of people. Iraq under Saddam was nothing more than an enormous slave plantation with the worst type of slave master in charge (commonly known as a tyrant).

The claims that "America's debt to France can never be repaid" and "without France, there would be no United States of America" are simply false. Neither Holmes, nor myself, nor anyone can say for certain what would have happened if the Americans had continued to rebel without French aid. And here again, she commits the fallacy of treating collectives as individuals. The very idea that "America" and "France" are some kind of beings who could be in one another's debt is preposterous.

The United States of America is a concept that was founded with the Declaration of Independence and later

refined through the Constitution and its amendments. However short-lived the American concept may have been without French aid, or however many times the American people would have needed to rebel until the British gave up, is academic speculation. What is clear is that France, as a concept, in 1776, was ruled by a king. It was not the French people but the French court who chose to do what seemed to be most advantageous for the royal family. Saying that America is indebted to France (and therefore all French people) is like arguing that France should forever hate America for the French and Indian War. It is nonsense.

I was particularly taken aback when Holmes claimed that "France paid dearly for aiding America. Had she not emptied her treasury and lost her sons in the cause of revolution, it is unlikely she would have suffered the revolution that occurred only a few years later." Again, Holmes commits the fallacy of treating a collective as an individual. Furthermore, it was the French aristocracy who took a gamble on the American Revolution and "suffered" for it, because they were unwilling to allow their own people the freedom that they had helped the Americans achieve.

Holmes makes all-too-brief mention of modern times, saying that "just as France has benefited from America's help

in the last century, it may well be that America will need France's support once again." This does little to remind people of the magnitude of American "help" in the last century, and makes no mention of the general indignation of the French toward Americans. When we talk about "the last century," we are not merely talking about concepts, we are talking about actual people still walking this Earth, or at the very least, people well within the living memory of millions. The French were a driving force behind the punitive nature of the Versailles treaty, which exacerbated the problems of post-World War I Europe and virtually guaranteed a Second

It is not happenstance that the legacy of the American Revolution is the oldest constitution on the planet, while the French Revolution produced the Reign of Terror and the rule of the despotic Napoleon.

World War. The French, even more than the British, rolled over and played lapdog for Hitler. While the British finally did a 180 and vowed never to give in, the majority of French citizens got on with their lives under Nazi rule, and proved themselves to be even more cooperative than the Italian Fascists in rounding up Jews for deportation.

The French were not only liberated from Nazism by the Americans, they had a tremendous economic advantage over much of Europe since they had escaped most of the devastation of war under the wing of the German Eagle. In the Cold War that followed, despite the Soviets' refusal to leave Eastern Europe and American efforts to rebuild Western Europe, the French had innumerable voices raised against the evil capitalists in the U.S. When not actually opposing the U.S., the French have frequently attempted to distance themselves from America while living under American protection.

More recently, despite French participation in Gulf War I, French leaders had no problems rebuilding their extensive ties to Saddam (sometimes, if we are to believe press reports,

in illegal ways). Furthermore, anti-Semitism had begun a re-ascension in the French populace, along with anti-Americanism, long before President Bush decided to invade Iraq and remove Saddam.

The signs of hope and genuine friendship coming out of France are few and far between. It was not only the threatened veto that France held over the Security Council which angered Americans so (as Holmes suggests). The fact is, the French actively campaigned, through any and all means available to them, to stop other nations from voting with the U.S. in the Security Council. Current French leadership made the choice, not merely to oppose current American policy, but to actively help a tyrant remain in power! I, for one, find that sickening, and I find it even more sickening that Holmes is willing to ignore all this in an effort to grossly simplify the issue.

I do not hate the French! I have not boycotted and will not be boycotting French products or calling my French toast "Freedom toast." I admire a great deal of French culture. But the French people have a long and deep tradition of collectivism and misguided thinking when it comes to politics and economics. It is not happenstance that the legacy of America's revolutionary generation is the oldest constitution on the planet, while France's revolutionary generation produced the Reign of Terror and the rule of the despotic Emperor Napoleon. The French have constantly made poor choices while pretending that France is the bastion of enlightenment. Why I should feel indebted to them for being on our side when they felt it served their interests is beyond me. Certainly there was nothing in Holmes' argument that was at all convincing on this point.

The American Revolution was a "World Revolution," as Rose Wilder Lane says in *The Discovery of Freedom*. Americans blazed a new trail, which they are continuing to blaze, away from tyranny. Does that mean that we are always right? Obviously not. But it does mean that most people are in a poor position to show us a better way. Those who walk with us, like the British, rather than standing with tyrants, should have their inevitable objections taken very seriously, but the French, who would rather be a "counterweight" to America than an ally, should always be taken with a very heavy dose of salt, when considered at all. □

The First Ground Zero, from page 21

pounds and was back on the highway at 4 a.m. I reached Albuquerque by seven and unloaded in Santa Fe a few hours later.

Two more trips were needed to remove the bulk of the glass. I did these alone and in darkness. I preferred it. The stress was minimal. I liked the cool night air. Seeing the wild animals in this place recently dedicated to total destruction gave me some hope for the future. It was almost as if they knew something.

A few days after my fourth trip, a telephone call from Santa Fe warned me that my destination in the city was under observation, possibly by federal authorities. The word was out. That ended the Trinitite Project.

About that time, I graduated from Guided Missile School and got my orders to go overseas; radioactive glass became

the least of my concerns. There wasn't much left to rake up anyway. As for the stuff I removed, it was buried in 55-gallon drums near Los Alamos, where it belongs.

I still enjoy going to the desert, and exposure to the radioactivity has had no noticeable effect on me, my children, or my grandchildren. When I look at the photos, however, I see someone other than myself. I was never that crazy, I think, even fifty-some years ago. But I'm glad it happened. I wish everyone knew that man's greatest shortcoming is the pride he holds in his weapons, and that instruments of death wouldn't be needed if we all did what we should to get along better.

If we fail to practice international brotherhood, what remains of Trinity Site, this speck of a surface scar, may someday become the most hated place on earth. □

Free Markets, Costly Praise

by Jeff Rigenbach

Supporting people's right to buy and sell certain goods and services does not mean that one must *recommend* those goods and services.

About four months ago, I had the temerity to take up a little space in these pages explaining why I thought many libertarians were on shaky ground in their approach to the SUV question. Commentators from the Cato Institute and *Reason* magazine, for example, had seen fit in then-recent months to publish elaborate defenses of the SUV as a vehicle. It seemed (and still seems) to me a wiser course, given the undeniable defects of the SUV as an achievement of modern automotive engineering and design, for libertarians to content themselves by pointing out that the SUV, with all its many faults, is itself a creation of government tampering with the market, and that further government tampering with the market (perhaps in the form of restrictions, or even a total ban on the proliferation of this vehicle, as often recommended by Greens) would not be a wise course of action.

Somewhat to my surprise, two months later Karen De Coster upbraided me for my heresy. Sadly, her criticism was feeble.

I began my February screed by quoting Jacob Sullum of *Reason*, who asserts that SUVs are "roomier, more comfortable, and safer than lighter, smaller cars." I pointed out in response that larger cars are "roomier" than smaller cars by definition and that not everyone agrees that SUVs are "more comfortable."

Right away, Ms. De Coster gets her back up. "To begin," she sniffs, "Rigenbach scoffs at Jacob Sullum's claim that consumers think SUVs are "roomier, more comfortable, and

safer than lighter, smaller cars." And, in so sniffing, she commits the first of the many errors that disfigure her piece. Sullum does *not* claim that "consumers think" these things. He claims that SUVs *are* "roomier, more comfortable, and safer." With the claim that "consumers think" this is true of SUVs, I never had any quarrel. In fact, at the end of the fifth paragraph of my original piece, I wrote: "The fact is that people buy SUVs, not because they are safer than smaller, lighter cars, but because they believe they are."

I went on, in my original piece, to challenge Sullum's assertion that SUVs are "safer" than passenger cars. I pointed out that the occupant death rate in SUVs is 6 to 8 percent higher than it is for ordinary passenger cars. I mentioned that nearly two-thirds of these SUV deaths occur in rollover accidents, and that the rollover rate for SUVs is much higher than for cars.

This simple, unexceptionable, and quite uncontroversial claim brings on an absolute torrent of abuse from Ms. De Coster. Her tirade endures for nearly a full page of *Liberty*. Yet nowhere in it does she dispute these facts. Instead she announces that "most people feel it is safer to drive an SUV," a point which, as we have seen, I have never denied. She declares that "[t]he anti-SUV movement as a whole . . .

stresses 'potential harm,'" which "should be a red flag for any libertarian." But I did not stress "potential harm." I pointed out that the occupant death rate in SUVs is 6 to 8 percent higher than it is for cars. This is *not* "potential harm." It is *actual* harm — the kind called "death."

Now we come to the fundamental issue. Ms. De Coster is outraged that I would dare to express an opinion about other people's choices. "Why does Riggenbach care what other people 'believe' about safety issues, and therefore proceed to tell us that we're all 'uninformed?'" she splutters. "[W]hatever anyone's argument is for owning four-wheel-

The occupant death rate in SUVs is 6 to 8 percent higher than it is for cars. This is not "potential harm." It is actual harm — the kind called "death."

drive SUVs, it is none of anybody else's business." Quite so, Ms. De Coster, quite so. But the point is not what I personally believe about the intelligence, taste, or competence of the general public. The point is not whether people ought to be free to make their own judgments about safety. Unequivocally, they should be. I made this clear (or so I thought) in my original article, when I wrote that "[g]overnment should not interfere in the market for SUVs." On the other hand (and this is the point), it is certainly both possible and perfectly legitimate to criticize other people's personal decisions if you have the facts to back up your criticism. If someone is trying to get a Phillips screw out of a piece of hard wood and goes shopping for a screwdriver and comes home with an ordinary slotted one, it is perfectly legitimate to say that he made a poor choice, that he bought a tool ill suited to his stated goal. He might eventually get the Phillips screw out of the wood, but only at great cost in time, patience, and damage to the furniture. This is not an opinion. It is a *fact*.

I've already noted that SUVs have a higher occupant death rate than cars. This fact alone is sufficient to *prove* that people who choose to buy or lease SUVs out of a concern for safety are either uninformed or flat out wrong. And contrary to Ms. De Coster's blithe assertion, the points of comparison I raised in my original article between the Ford Explorer and the Audi A6 Allroad Quattro wagon are not "personal judgments" or "mere subjective opinion." She herself concedes that "[t]he Audi can be objectively proven to be a better quality vehicle than, say, an Explorer." So what is it, exactly, that Ms. De Coster is rebutting? I suspect that the source of her comments, and the comments of too many libertarians on too many subjects, is misplaced quasi-religious fervor. Too many libertarians are quick to rush to the defense of the SUV just because their hated enemies — the Greens, the "progressives," and many mainstream liberals — criticize those vehicles. Look at the telltale phrases strewn throughout Ms. De Coster's diatribe: "The anti-SUV movement as a whole," "the underlying theme of the majority of the anti-SUVers," "many SUV haters," "the collectivist, despotic, foot-stomping anti-SUVers" — what does any

of this have to do with the analysis I published?

The answer, of course, is nothing, nothing at all. De Coster shrilly declaims that "[d]efending the collectivist, despotic, foot-stomping anti-SUVers cannot reasonably be done on a libertarian basis." But of course I never set out to mount any such defense in the first place. Toward the end of her piece, Ms. De Coster intones: "People 'defend' the SUV because they defend free markets and free choice." Here, at last, she is on point. But I pointed out that supporting people's right to buy and sell certain goods and services does not mean that one must *recommend* those goods and services. We can believe that casino gambling is for fools, yet fervently defend the right of those fools to be fleeced in the manner they find most congenial. We can believe that spending one's money on cigarettes or alcoholic beverages (or other drugs) is a waste of valuable resources but fervently defend any given individual's right to judge for himself or herself whether the value obtained from such purchases justifies their expense. It is a *mistake* to believe that a commitment to free markets and free choice also commits one to the view that every product or service that is successful in the marketplace is of the highest quality and is to be recommended to all discriminating people.

Ms. De Coster faults me for not showing "how a free market can rid us of SUVs," but this again is beside the point. I don't expect the free market to rid us of SUVs, anymore than I expect it to rid us of McDonald's, Windows, pre-recorded music cassettes, rap "music," gambling casinos, cigarettes, distilled spirits, or any of the many other goods and services which have won wide acceptance in the market, but which I regard as worthless or worth considerably less than their asking price. But I reserve the right to combine outright disapproval of certain goods and services with frank recognition that those who see fit to purchase

Too many libertarians are quick to rush to the defense of the SUV just because their hated enemies — the Greens, the "progressives," and many mainstream liberals — criticize those vehicles.

them are within their rights in doing so and should not be interfered with — especially when, as in the case of SUVs, my prejudice happens to accord with the actual facts of the matter.

As her parting shot, Ms. De Coster offers a rhetorical question: "Anyway, how can the libertarian who defended 'decadence' sensibly make a case against SUVs?" If she had read any further into my book, *In Praise of Decadence*, than its title, if she had read even as far into it as pages 108 and 109, she would have found the answer to this question. When people feel free to make their own decisions, they make a lot of bad decisions as well as a lot of good ones. On the whole, the good ones prevail, which is why cultural decadence is, on the whole, a good thing. But it is no guarantee against numerology, spiritualism, rap, or SUVs. □

Our Sickest President

by Bettina Bien Greaves

In order to retain the White House, FDR was willing to deceive himself, his advisors, and the public. If deception failed, he'd send out the FBI.

Franklin Delano Roosevelt's political career began as assistant secretary of the Navy during the first World War. He ran for vice president in 1919 with James M. Cox, the Democratic presidential candidate; they were defeated by the Republicans, Warren G. Harding and Calvin Coolidge. In August 1921, Roosevelt was stricken with infantile paralysis and lost the use of his legs. Although he had to wear heavy braces and was thereafter confined to a wheelchair, thanks to his determination, a rigid regime of physical therapy, exercise, and swimming, he recovered his health and stamina and, in time, returned to the practice of law and to Democratic politics.

Roosevelt was elected governor of New York in 1928 and re-elected in 1930. In 1932 he was elected president, and was re-elected in 1936, both times by huge majorities. FDR was credited with rescuing the nation from the Great Depression through public works, Social Security, and other government spending programs. He was charismatic, politically astute, skilled at public relations, and maintained good rapport with the public through his radio "Fireside Chats." Congress fell under his sway and enacted most of the interventionist, welfare-state programs he proposed. FDR was the opposite of a "do-nothing" president; on his watch the Great White Father in Washington reached out until he touched almost everybody in the country.

In early 1940, after two terms in office, FDR began to hint he would break with George Washington's long-standing precedent and run for a third term. Some Democrats were reluctant to endorse a third term but, with no other likely

candidate on the horizon, most went along. Once again, FDR was nominated. In spite of his disability, FDR was in fairly good health.

The war had started in Europe in 1939. The United States was officially "neutral," but FDR was already helping the British and French with U.S. money, weapons, and ships. Nevertheless, FDR campaigned in 1940 promising, like his old boss President Wilson had in 1916, to keep the country out of war. On Sept. 11 in Chicago he announced: "I hate war, now more than ever. I have one supreme determination — to do all that I can to keep war away from these shores for all time. . . . We will not participate in foreign wars, and we will not send our army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack."

In November, FDR won election to a third term; he took the oath of office in January 1941. Then, on Dec. 7, the Japanese attacked Pearl Harbor.

With the United States at war, a meeting of the Allied leaders was planned for January 1943 in Casablanca. Before leaving for North Africa, FDR asked his personal physician, Surgeon General of the Navy, Vice Admiral Ross T. McIntire, to assess his physical condition. McIntire determined the president to be in good health, save for some signs of strain.¹ The trip to Casablanca was filled with hours of conferences

and miles of travel by jeep reviewing troops in the heat and dust of Africa and in a chilly rain. McIntire was constantly amazed by the President's "seemingly inexhaustible energy."

The President's Health

McIntire kept tabs on the president's health in a rather casual fashion. He visited the president every morning and every evening "for a look-see." He did not measure the president's blood pressure, heart rate, or temperature. Instead, he relied on other cues: the way the president held himself, the tone of his voice, or how vigorously he ate his breakfast. He acknowledged that FDR had a chronic sinus condition, was susceptible to frequent colds, minor ailments, the flu, or bronchitis, but, McIntire later explained, none of this was cause for worry.

By the end of 1943, however, when another conference of Allied leaders was held in Teheran, friends and associates were beginning to notice that FDR's strength and stamina were fading. Mme. Chiang Kai-shek, wife of China's Generalissimo, was "shocked" by the president's looks. He had "fallen off considerably," she said, and seemed "quite ill." British Prime Minister Winston Churchill also noted FDR's deterioration. Then one evening in Teheran when Roosevelt was about to speak, he suddenly turned green and began to tremble and to sweat profusely. The attack caught everyone by surprise. FDR's aide, Harry Hopkins, wheeled him to his room. McIntire made a quick examination and passed the incident off as "a mild attack of indigestion."

According to McIntire, the return trip by sea restored the president to reasonably good shape, though he noted that the president wasn't feeling well and was always tired. That Christmas, at his home in Hyde Park, Roosevelt suffered fits

To keep tabs on the president's health, Dr. McIntire visited the president every morning and every evening "for a look-see," observing the way the president held himself, the tone of his voice, or how vigorously he ate his breakfast. He did not measure the president's blood pressure, heart rate, or temperature.

of coughing that disturbed his sleep and shook him throughout the day. The lingering illness concerned McIntire, who saw the president failing for the first time to make a quick recovery.

When FDR did return to Washington, it was understood that he was not well. Not even Cabinet members were told the nature of the illness, however, and it was not a subject open for inquiry.² According to FDR's corresponding secretary, William D. Hassett, "The President looked worn and ill. . . . [H]e is thin, and although his color is good I fear that he has not entirely shaken the effects of the flu, followed by bronchitis, which have bedeviled him for many weeks now."³

After the president had cancelled several press conferences, rumors began to spread. FDR's press secretary, Steve Early, asked Dr. McIntire what was going on. McIntire minimized FDR's problems: "The bronchitis has made him a little hoarse . . . [F]or a man of sixty-two we had very little to argue about." However, the racking cough persisted. Mornings when Hassett greeted him politely and asked how he felt, FDR answered "rotten" or "like hell." Rumors even circulated that he had stomach cancer.

Except for his official duties, Roosevelt had no interests. His home life was practically non-existent. His sons and daughter were grown and intent on their own pursuits. His wife, Eleanor, was away much of the time, constantly traveling. Their marriage had long since collapsed and she gave little aid or comfort to the president as he struggled with his health.

FDR's daughter, Anna, was more sympathetic. With her husband in the armed forces on duty in the Mediterranean, she came to Washington from Seattle and began to take charge. She persuaded her father to gain some weight, insisted on afternoon siestas, and insisted that he not work evenings. Worried about her father's condition, she spoke to McIntire. She insisted that he bring in consultants, and promptly lined up an appointment for a physical examination of the president.⁴

FDR'S Medical Examination

On March 28, 1944, at the Naval Hospital in Bethesda, Maryland, FDR was given a thorough going-over by a young heart specialist and Navy Medical Corps commander, Dr. Howard C. Bruenn. Upon meeting the doctor, the president was in good spirits and seemed fine. But as FDR was lifted up onto the examination table, Bruenn was "shocked" to find the president extremely short of breath.

The examination revealed acute bronchitis, dangerously high blood pressure, and heart failure. The president's condition was, in that day, considered invariably fatal.⁵

Other specialists were called in. Their consensus was that the president needed to be put on a heart patient's regimen, beginning with one or two weeks of nursing care. This was rejected as an impossible demand upon a wartime president. Bruenn then urged that Roosevelt be put on digitalis, and threatened to walk off the case if his advice were not followed. His prescription was followed. Besides digitalis, the president's agreed-upon program was to require "less daily activity, fewer cigarettes, a one-hour rest after meals, a quiet dinner in the White House quarters, [and] at least ten hours' sleep."⁶ In 1944, antihypertensive drugs were not yet known and the only way to control high blood pressure was for the patient to avoid stress and excitement. Henceforth, Dr. Bruenn's electrocardiograph machine was, according to one witness, "in practically constant attendance on the President. His electrocardiograph machine was a White House fixture."⁷ As it happened, when FDR started taking digitalis, his symptoms abated.

It was the judgment of all that the president should take a vacation in the South and, particularly, that he quit smoking to get rid of the sinus and throat trouble. FDR appeared at his office on April 7 and left the next day for a month of rest and relaxation at Bernard Baruch's huge estate in South

Carolina. He kept a light schedule, fishing and receiving few visitors, but nonetheless suffered two attacks similar to the one he had experienced in Teheran.

The Man Who Would Be President — Forever

The Democratic Party needed FDR in 1944. His political stature had reached the point that no other Democrat could fill his shoes. If he were to choose not to run again, the Republicans might very well capture the presidency by default. Democratic Party leaders were uniformly eager to

One evening in Teheran when Roosevelt was about to speak, he suddenly turned green and began to tremble and to sweat profusely.

hear FDR affirm his candidacy. Roosevelt, for his part, enjoyed the power of the presidency and was reluctant to give it up. He believed that no one else could match him as commander in chief, that he was indispensable to the war effort. Though FDR may have tried to give the impression that he was reluctant to run for a fourth term, some thought he was even planning to run for a fifth term.⁸

Could FDR stand up under the strain of four more years? In spite of March 28's extremely negative report on FDR's physical condition, his personal physician was upbeat. In private conversation McIntire expressed concern over FDR's age and the twelve years of strain he had been under, but publicly he gave it as his "best judgment" that "with proper care and strict adherence to rules, . . . his chances of winning through to 1948 were good. . . . [A]n affirmative answer was returned by consultants," he said, "for every possible checkup proved him organically sound." McIntire agreed with his mentor, Dr. Grayson, who had been personal physician to President Wilson in his dotage, that "[t]he health of the chief executive . . . is his own private business."⁹

FDR knew Bruenn, who had been in attendance ever since March 28, was a heart specialist, but he never discussed his situation with Bruenn. FDR wasn't really interested in knowing his medical condition or prognosis, and he didn't want anyone else to know it, either. "He not merely disguised it, he suppressed it."¹⁰ When asked how he felt, FDR would answer, "Fine."

But McIntire told him he didn't look fine. "Your neck is scrawny, and your face is gullied by a lot of lines that have added ten years to your age. And while we're on the subject, 'for heaven's sake, get some new clothes. That old shirt is sizes too large, and the coat hangs on your shoulders like a bag.'" The president then "threw back his head and laughed but gave no promise, nor did he ever call in a tailor or haberdasher." In McIntire's view, FDR's "faithfulness to his old hats. . . . baggy coat and ill-fitting shirts, much too large for his shrunken neck, did as much as anything else to give an effect of illness and physical deterioration." And what was the president's personal physician's advice to his prestigious patient who was losing weight, whose health was obviously declining, and who was contemplating a run for a new four-year term in office? Buy a new suit of clothes!

Dr. Bruenn and his electrocardiograph machine remained steady fixtures in the White House. But toward the end of May, McIntire again called in the experts: Dr. James Paullin from Atlanta and Dr. Frank Lahey, head of the Lahey Clinic in Boston. Dr. Lahey later recalled his examination of the president at that time and said it had revealed "an appalling situation." After the examination was over, the president, with "his most engaging smile," had inquired, "You have good news for me, Dr. Lahey?"

Lahey: "Mr. President, you may not care for what I have to say."

Roosevelt: "That will be all, Dr. Lahey."

On another occasion Dr. Lahey told an acquaintance that his 1944 examination of FDR had revealed advanced stomach cancer and that he had told FDR, "You are a very sick man. I cannot advise you to run for office again."

Mr. Roosevelt: "Well, I *am* running."

Dr. Lahey: "In that case, Mr. President, I would suggest that you take on a strong vice president."¹¹ At that time, FDR's ever-optimistic physician, Dr. McIntire, was reporting simply that FDR had recovered from the infection in his sinuses and chest and was once more "well and active."

The 1944 Campaign

Whenever reporters had asked FDR about the possibility of his running for a fourth term, he had been cagey. Finally, on July 11, with the Democratic convention a little more than a week away, he answered their questions by reading from a letter he had written the National Chairman of the Democratic Committee: "I do not want to run. . . . All that is within me cries out to go back to my home on the Hudson River, to avoid public responsibilities. . . . [B]ut as a good soldier, . . . I will accept and serve in this office, if I am so ordered by the Commander-in-Chief of us all — the sovereign people of the United States."¹²

Roosevelt planned to remain above the political tumult. Rather than attending the Democratic convention in Chicago, he would travel to Hawaii "as commander in chief" and confer with the Pacific commanders, Admiral Nimitz

Except for his official duties, Roosevelt had no interests. His home life was practically nonexistent. His marriage with Eleanor had long since collapsed.

and General MacArthur. However, he stopped off in Chicago en route to discuss the vice-presidential choice. The Democratic politicians didn't know anything definite about FDR's health, but they had heard the rumors. And they had eyes. His physical appearance concerned them. They felt there was a good chance the next vice president would become president. The current vice president, Henry Wallace, would have to go — too flaky, mystic, and too much under the influence of communists. James F. Byrnes, a strong possibility, was rejected by FDR. "[T]he president nearly lost control because of inability to focus on the prob-

lem and at crucial moments make up his mind.”¹³ The choice of Truman was a very close call.

After being nominated in the Chicago convention, FDR proceeded west on his way to Hawaii. His acceptance speech was broadcast from his train at the Marine base in San Diego. In the photo taken during his speech and published nationwide, he appeared gaunt and his mouth hung open. The photographer was called on the carpet and chastised as if he had committed some mortal sin by failing to have the photo touched up. Publication of an unflattering photograph of a candidate during a campaign was a political no-no.

Standing in the background of the San Diego photo was Dr. Bruenn, the heart specialist who had been in constant attendance on the president since his March 28 examination. He was recognized by some of his doctor friends who recalled that several months earlier he had “suddenly and inexplicably” left his post in Bethesda. Rumors began to circulate; if heart specialist Bruenn was in attendance, the president’s problem must be his heart. With the campaign coming up, FDR’s close associates were determined that these rumors be squelched. FDR’s press secretary called the FBI. FBI agents called in a half dozen or so physicians and they were grilled for having passed along the rumors. The talking stopped!

The morning after FDR’s acceptance speech in San Diego, he and his party boarded a Navy cruiser for a few restful days at sea. FDR’s conference with MacArthur and Nimitz in Pearl Harbor lasted only a few hours. The commanders were shocked by “his appalling physical condition.” His conversation lapsed at intervals into irrelevance. When reading a short speech at a dinner, “[s]uddenly he faltered and paused, his eyes became glassy, consciousness drifted from him. The man at his side nudged him, shook him a little, pointed to the place in the manuscript at which he broke off and said: ‘Here, Mr. President, is your place.’ With an effort he resumed. As he was wheeled from his quarters, officers noticed his head drooping forward, his jaw hanging

What was the president’s personal physician’s advice to his patient whose health was obviously declining, and who was contemplating a run for a new four-year term? Buy a new suit of clothes!

loosely.”¹⁴ Upon his return to Washington it was reported simply that he was “physically tired.”

For some time, Mr. Churchill had been seeking another meeting of the Big Three and arrangements were made for a conference in Quebec in September 1944. When it was over, the P.M. inquired confidentially of McIntire as to the president’s condition — Churchill had heard the rumors. McIntire told Churchill that FDR’s June checkup revealed “nothing organically wrong.” But he reminded Churchill of the president’s age and that for twelve years he had been under constant strain. However, McIntire said, he had “every reason to believe that he can win through, if he does not overdo.”

Upon accepting his party’s nomination in July for a fourth term as president, FDR had explicitly announced: “I shall not campaign in the usual sense for the office. In these days of tragic sorrow I do not consider it fitting.” He would confine himself to a few radio addresses. But then, the rumors revived — he was reported to be suffering from any number of diseases — “a coronary thrombosis, a brain hemorrhage, a nervous breakdown, an aneurysm in the aorta, and a cancerous prostate.” FDR was mad! He changed his mind about not campaigning and agreed to speak in Washington, New York, Boston, and Chicago. Some doctors were convinced, after hearing him speak in Washington and

Roosevelt said, “I am running,” to which Dr. Lahey replied, “In that case . . . I would suggest that you take on a strong vice president.”

New York, that he did not have long to live.¹⁵ But his personal physician belittled these predictions.

New York greeted the president with a downpour, the edge of a hurricane. Bundled up in a heavy sweater under his Navy boat cloak, and with blankets wrapped around his legs, FDR rode through the streets in an open car. According to Secretary Hassett, in spite of the rain, the presidential party was greeted enthusiastically by cheering crowds. FDR paid no heed to McIntire’s protests. Ever the shrewd campaigner, he “threw off his Navy cape and, standing bareheaded in the storm, captured the enthusiasm of the crowd in the rain-drenched grounds.”¹⁶ Afterwards, FDR was taken to a nearby Coast Guard station for a complete change of clothes and a vigorous rubdown. Even FDR’s close associate, Hassett, was convinced by the president’s performance that misgivings about his health were unfounded. Public concern had been, for the moment, deflected.¹⁷

Meanwhile, the 42-year-old Republican candidate, Thomas E. Dewey, was proving to be a serious campaigner for president. But he was in an uphill battle against a well-oiled political machine determined, with no holds barred, to return FDR to office. In the course of the campaign, the Republicans learned that U.S. cryptographers had deciphered the Japanese diplomatic code prior to the Pearl Harbor attack and U.S. military intelligence officials in Washington had been privy to Japan’s plans. If the U.S. forces in Hawaii had had advance notice of the attack, they would have been able to respond more effectively and many lives could have been saved. Dewey intended to ask why the Pearl Harbor commanders hadn’t been warned. Was it due to Washington’s negligence or some other motive? News of Dewey’s plans reached the administration in September. Army Chief of Staff General George C. Marshall then dispatched a special messenger who traveled *in greatest secrecy* to meet Dewey on the campaign trail, first in Oklahoma and then again in Albany, to warn him that if Japan learned of our code-breaking it would endanger the lives of American fighting men and prolong the war. Dewey was silenced! The administration was saved from having to answer what might have been an embarrassing question.

During the summer of 1944, the Army and Navy both conducted investigations into the Japanese attack on Pearl Harbor. Both committees gained access during their hearings to many of the secret Japanese messages that had been decoded prior to Dec. 7. Their reports were completed and submitted to the administration on Oct. 19–20. Both reports concluded that the blame for the extent of the disastrous attack rested, not on the Pearl Harbor commanders, but on Washington's top officials. The election was just over two weeks away. What to do? The administration stalled; it said nothing. Thus FDR did not have to explain a possible pre-attack dereliction on the part of his administration; another threat to FDR's re-election was avoided.¹⁸

On election night, FDR was at his home in Hyde Park and it was there that he received the results. After the returns revealed he had won re-election, he came out on the porch. According to UP correspondent Merriam Smith, he looked older than she had ever seen him look before. And he made "an irrelevant speech." The reporters sat around talking politics that night at their hotel and "arguing entirely about the chances, of his living out his fourth term. Those who believed he would were in the decided minority."¹⁹

During 1944, FDR had been absent from the White House 175 days, 30 of which he was on a trip to the Pacific, and two weeks were consumed by the campaign. He spent a week at the Quebec conference, and the balance, over 100 days, recuperating in South Carolina, at Hyde Park, or at his Maryland camp hideaway, "Shangri-La," later Camp David. After the election, he dropped out of the news almost completely for the rest of the year.

FDR had won his election to a fourth term. For him the campaign had been an ego trip. He liked being president. He had no interest in anything else. He had been determined to run for a fourth term and allowed nothing to stand in his way. He had refused to listen to the message that his body must have been telling him that his health was rapidly deteriorating. No one could order him not to run. He didn't listen to his doctors, who would have told him that if he wanted to live, he should retire and not run for office again. Moreover, FDR was completely self-centered; he had little concern for other people. He did not hesitate to deceive the voting public about his health, even though there was little chance that he could survive another term.

What had it taken to ensure FDR's 1944 re-election? Deception on the part of Roosevelt, to be sure, but also deception on the part of many others. Because FDR wanted to remain president, he had not merely "disguised" his physical condition, but he had "suppressed" reports about it.²⁰ Roosevelt's personal physician deceived the public by repeatedly issuing optimistic reports on FDR's health. As no other Democrat who might have been able to defeat a Republican candidate was on the horizon, and because Democratic politicians did not want to lose the election by default, they pressured FDR to run in spite of any doubts they might have had as to his physical condition. The FBI had cooperated, at the request of the administration, by interrogating persons suspected of spreading rumors about FDR's serious medical condition. Photographers were chastised when their photos showed FDR in unflattering poses. Reporters kept to themselves any doubts they might have

had about FDR's health, lest they lose access to the White House and presidential press conferences. Republican presidential candidate Dewey had been prevented from asking why, if the administration had been reading Japan's secret codes and knew of the Pearl Harbor attack in advance, the Pearl Harbor commanders hadn't been warned. If they had had advance notice of the attack, they could have responded more effectively to the Japanese attackers and many lives would have been saved. And the Washington officials had succeeded in keeping under wraps the reports of Army and Navy investigation committees which had assigned blame to top administration officials, not the Pearl Harbor commanders, for contributing to the disastrous consequences of the Japanese attack on Pearl Harbor.

So FDR had run. And he had won. But what would the fourth term bring?

FDR's Fourth Term

A cabinet meeting had been held the day before the inauguration. Those present all saw that Roosevelt did not look well. After the meeting, retiring Labor Secretary Perkins went to see the president to say farewell. "As she entered his room 'he looked awful.' He had the 'pallor, the deep gray color of a man who had been long ill.' He sat in an office chair with his hands to his head as if to hold it up. The two-hour cabinet meeting had wrecked him. His hands shook. He begged her piteously not to leave the cabinet yet. As she left she whispered to an attendant to bring his chair and to make him lie down. She tells how she went to her office frightened. She called her secretary to her office and closed the door. She said: 'Don't tell a soul . . . I can't stand it. The President looks horrible. I am afraid he is ill.' . . . The specta-

FDR's conference with MacArthur and Nimitz in Pearl Harbor lasted only a few hours. The commanders were shocked by "his appalling physical condition." His conversation lapsed at intervals into irrelevance.

cle of this dying man was naturally enough to crush a woman who was among his oldest friends, . . . But this man was about to be sworn in, within 24 hours, as President of the United States for another four years. It was this gray and fading ghost of a man who was about to be re-endowed with the authority and duty of going, within 48 hours, to meet the grim and resolute dictator of the Russians to rearrange the affairs of the world."²¹

January 20 was inauguration day. FDR's fourth inaugural was held, not at the Capitol as was customary, but on the south portico of the White House. It was "a relatively simple affair." The president stood in his braces, not at all easy for him. The weather was raw. He insisted on giving his address without an overcoat or even his cape. But his speech was the shortest inaugural address on record, a few dozen words.

After the inauguration, a White House luncheon was held for a few selected friends. Mrs. Woodrow Wilson was a

guest: "He looks exactly as my husband did when he went into his decline." Francis Perkins cautioned, "Don't say that to another soul. He has a great and terrible job to do, and he's got to do it, even if it kills him."²²

Another conference of the Allied leaders was scheduled for early February 1945. One or two Cabinet meetings were omitted. It was assumed that the president was using the time to make ready for the conference.

FDR left for Yalta right after the inauguration. The president's party went by sea to Malta and then by plane — it took several planes to move the approximately 700 participants to Yalta. The president, of course, traveled in his personal plane, predecessor to Air Force One, especially fitted

After FDR's death, his medical chart disappeared from a safe at the U.S. Naval Hospital in Bethesda, Md.

out with an elevator to accommodate him in his wheelchair. It was clear to the pilot on this lap of the journey that the president was ill.²³ It was a six-hour drive over very rough terrain to Yalta from the field where the planes landed. The conference began almost immediately and continued for a week practically without interruption.

According to the president's physician, Dr. McIntire, FDR had been worn out when he left for Yalta, but had recovered his strength on the voyage. McIntire maintained that the "malicious and persistent propaganda" portraying the president as not being himself at Yalta, either physically or mentally, and functioning merely "as a rubber stamp for Marshal Stalin, weakly yielding to his demands at every point," was "every whit as false and baseless as the whisper about his breakdown in Teheran." True, the photos taken at Yalta "shocked the nation," but that, McIntire insisted, "was all the fault of the photographers."²⁴

As Prime Minister Churchill and FDR parted after the conference, they talked gaily of meeting again soon, either in Washington or London, neither realizing that they would never see each other again.

McIntire continued to maintain the pretense that FDR was hale and hearty: "Vital was the word for Roosevelt." FDR held a press conference while crossing the Atlantic and "talked for nearly two hours. His conversation was engaging and covered a vast range of subjects. He spoke movingly when he dwelt upon the plans for making and securing a peace that would save the world from being plunged into another bloody war for generations to come. He was a man whose visions took him centuries into the future."²⁵

Upon his return to Washington, FDR reported on Yalta to Congress. He had heard the "sick man" stories and started speaking extemporaneously. "I hope you will pardon me for the unusual posture of sitting down during the presentation of what I want to say, but I know you will realize that it makes it a lot easier for me in not having to carry about ten pounds of steel around on the bottom of my legs, and also because I have just completed a 14,000-mile trip. I am returning from this trip . . . refreshed and inspired. I was well the

entire time. I was not ill for a second until I arrived back in Washington. Here I heard all of the rumors which occurred in my absence. Yes, I returned from the trip refreshed and inspired — the Roosevelts are not, as you may suspect, averse to travel. We seem to thrive on it."

The *New York Times* reported that when speaking to Congress, the president "looked the part as he sat tanned and glowing under a battery of floodlights." However, McIntire said that "a doctor's more discerning eye could see signs of weariness before the end of the hour required by the length of the address. His voice sagged, and every now and then he passed his hand over his eyes as if to clear his sight." FDR had blamed his appearance on the lights.²⁶

After the president was back again at the White House, McIntire lectured him for having broken away from his regimen. McIntire was "deeply disturbed" by FDR's condition. He did "not mince words or pull a single punch. . . . As in our discussion at the outset of the 1944 campaign, I repeated my warning that he was no longer a young man able to take liberties with his health. Admitting that tests proved him organically sound, I stressed the dangers of lowered resistance, pointing out that a run-down condition opened the door to every variety of ill. . . . Speaking as a doctor to a patient, I told him that it was mandatory that he return to the rules of daily living that had kept him fit for twelve years. Not only must he return to them, but it was imperative that he stay with them. The President, considerably impressed, finally quit his contradictions and dissents. Confessing that he had been driving himself too hard, he gave his solemn promise that he would be a good patient, neither playing hooky nor running out on a single rule. A month in Warm Springs was decided on, and after seeing him safely installed, I left his care in the capable hands of Commander Bruenn and Commander George Fox, the physiotherapist who had tended him since 1933."²⁷

Roosevelt got to Warm Springs on March 30. Although McIntire said that by April 5 he "was feeling fine," correspondents who saw him that very day described FDR in altogether different terms: "His hands shook 'more than ever,' which implies that they habitually trembled but this day worse than before. He could hardly get a cigarette out of the package because of this trembling." UP correspondent Merriam Smith wrote "that in the last six months his hearing had become gravely affected and that his voice, once so strong that it could shake the windows, was now so thin that he could not always be understood."²⁸

On Thursday, April 12, Dr. Bruenn telephoned McIntire with an optimistic report. The president had gained back some weight, and felt good enough to attend a barbecue and minstrel show that afternoon and evening. Bruenn thought another week at Warm Springs would have the president ready to return to Washington. McIntire asked Dr. Bruenn to tell the president that he would be down for the weekend with Dr. Paullin. McIntire had just hung up when Dr. Bruenn called back. The president had fainted, and was still unconscious.

At 20 minutes after one, the president had been having his portrait painted by Mrs. Elizabeth Shoumatoff, and was chatting gaily. "All commented afterward on his 'high spirits' and 'how well he looks,'" McIntire later wrote.

"Suddenly, and while a laugh was on his lips, he complained of a terrible headache, and collapsed in his chair."²⁹

Dr. Bruenn went on to tell McIntire "that he had rushed in to find the President pale, cold, sweating profusely, and totally unconscious. Making no effort to conceal his alarm, he reported that the pupils of the eyes were equal at first, but that the left had become widely dilated in a few seconds. Paralysis was also present. Stating that he had instituted emergency measures to relieve the intense vasostriction, Bruenn ended by saying he would make another report in five minutes." Dr. Bruenn, on his second call, gave it as his opinion that "the President had suffered a cerebral hemorrhage. Nevertheless, he held out hope, for the heart rate was excellent, the breathing good, the color improved, and the blood pressure showed signs of falling. He was continuing to use aminophyllin, nitroglycerin, and other remedies."

Telephoning a third time, some minutes later, Dr. Bruenn said that Dr. Paullin had arrived and was at the bedside. Before he had had time to relate the details, McIntire heard him utter a startled exclamation. Then a sudden silence. McIntire realized that Bruenn had been summoned back into the sickroom. After a long moment, McIntire learned that the president was no more. "It seemed ages . . . but it could only have been a matter of seconds when someone else picked up the telephone, and a broken, tear-choked voice informed [McIntire] that the President was no more."³⁰ The time was 3:35 p.m.

Post Mortem

After FDR's death on April 12, 1945, his medical chart disappeared from a safe at the U.S. Naval Hospital in Bethesda, Md. It was almost certainly destroyed by McIntire, who would later write a book attempting to vindicate his treatment of his famous patient.

In his book, written years later, McIntire argued that the president's sudden death could not have been predicted. McIntire said he had "talked to many excellent pathologists and have yet to find one willing to say that he can tell when

Because FDR wanted to remain president, he had not merely "disguised" his physical condition, but he had "suppressed" reports about it.

a man will have a cerebral hemorrhage or when he will not. The signs that we count on for the conditions of the cerebral arteries all denied that the President would have any trouble in that regard. His kidneys and liver functions were normal."³¹ McIntire made these remarks in spite of medical knowledge of that day (as revealed by *Cecil's Textbook of Medicine*, 1944 edition), which recognized that when both the systolic blood pressure and the diastolic pressure were excessively high, retinal hemorrhage, congestive heart failure, and cerebral vascular accidents were not infrequent and the condition was "invariably fatal."

Michael J. Ybarra, in his review of Ferrell's book about Franklin Roosevelt, wrote that McIntire "was, to put it charitably, not a brilliant doctor. A career naval officer whose

mentor had been Woodrow Wilson's doctor during that president's dotage, McIntire rose to become surgeon general. Most of the time, though, he didn't even bother to take the First Pulse. He merely watched as Roosevelt read the papers and ate breakfast. If McIntire was somewhat incurious for a doctor, he believed the American public had even less of a right to know about the president's well-being. "The health

Roosevelt, for his part, enjoyed the power of the presidency and was reluctant to give it up. He believed that no one else could match him as commander in chief, that he was indispensable to the war effort.

of the chief executive," he wrote, ". . . is his own private business."³²

Roosevelt himself must have known that his health was precarious, at least after March 1944, when he was put under the care of Dr. Bruenn. Bruenn agreed with McIntire that the president suffered from acute bronchitis — but he also diagnosed congestive heart disease. The president's condition improved under Bruenn's treatment, but the only thing that FDR could have done to save his health was to retire. Instead he ran for a fourth term. His work schedule was reduced to as little as two hours a day, making "even Ronald Reagan look like a Stakhanovite executive by comparison. . . . Roosevelt began staying in bed until lunch, flubbing speeches, asking friends what keepsakes they wanted from him. . . . This was the leader of the free world who went to Yalta in February 1945 to negotiate with Stalin about the postwar order."³³

Roosevelt lived a life dedicated to power, and was willing to sacrifice his health and deceive the public to keep it. He was willing to silence political opponents, use the FBI as a tool of intimidation, and endanger his own life — whatever it took. Today, FDR is considered the founder of the modern presidency. He left the office a legacy of deceit and unrestrained ambition that, it might well be argued, endures to this day. □

Notes

1. Ross T. McIntire, in collaboration with George Creel. *White House Physician*. G. P. Putnam's Sons, 1946, p. 147. This article relies to a considerable extent on McIntire's book, written shortly after FDR's death in the attempt to explain McIntire's treatment of his prestigious patient.
2. John T. Flynn, *The Roosevelt Myth*, Devin-Adair, 1948, p. 401.
3. William D. Hassett, *Off the Record with F.D.R., 1940–1945*. New Brunswick, N.J.: Rutgers University Press, 1958, p. 241.
4. Robert H. Ferrell, *The Dying President: Franklin D. Roosevelt, 1944–1945*. University of Missouri Press, 1998, p. 34. Many of the events described and the passages cited in this article are based on Ferrell, who located much information about Roosevelt which did not become available until many years after his death.
5. Ferrell, *op. cit.*, p. 45. Thirty-five years later (*Cecil's Text book of Medicine*, 1980 edition), the prognosis for individuals with FDR's high blood pressure readings would have been much

- more alarming. By then it was recognized that they would have a three-fold increased risk for coronary disease and four-fold increased risk for congestive heart failure, and seven-fold increased risk for stroke. Incidentally, in 1955, when President Eisenhower suffered a major heart attack, he was treated with antihypertensive drugs, unknown in 1944.
6. James MacGregor Burns, *Roosevelt: The Soldier of Freedom: 1940–1945*. New York: Harcourt Brace Jovanovich, Inc., 1970, pp. 448–449.
 7. Jonathan Daniels, *White House Witness, 1942–1945*. Doubleday, 1975, p. 272.
 8. Bob Nixon, White House reporter. See Ferrell, *op. cit.*, p. 146.
 9. Ferrell, *op. cit.*, p. 10.
 10. Ferrell, *op. cit.*, p. 138.
 11. Dr. Lahey's account as told by Dr. Samuel Day of Jacksonville, Florida, former president of the Florida Medical Association, and reported in the *Washington Post*, July 2, 1987, "Evidence Indicates FDR Knew of Cancer" by Jack Anderson and Joseph Spear. Ferrell, *op. cit.*, p. 158, n. 22.
 12. White House release, July 10, 1944. From *Quotations from Franklin Delano Roosevelt*, July 1940–August 1, 1944: supplement to 1940 edition. Research Division, Republican National Committee, September 1944, p. 16.
 13. Ferrell, *op. cit.*, p. 78.
 14. This incident was related to Flynn by a "high-ranking officer who was present." Flynn, *op. cit.*, p. 402–403.
 15. Flynn, *op. cit.*, p. 403.
 16. Hassett, *op. cit.*, pp. 278–282.
 17. Hassett, *op. cit.*, pp. 278–282.
 18. On November 7 FDR won re-election to a fourth term. However, he and Secretary of War Henry L. Stimson continued to agonize over the Army and Navy reports. Finally, with

- the election safely behind them, brief announcements were released on Dec. 1: the two investigation committees had found no grounds to court-martial either of the Pearl Harbor commanders, although for reasons of "national security" the reports could not be released until the war was over.
19. Flynn, *op. cit.*, p. 404.
 20. Ferrell, *op. cit.*, p. 138.
 21. Flynn, *op. cit.*, p. 405.
 22. Ferrell, *op. cit.*, pp. 102–103.
 23. TV History Channel, Thursday, Jan. 16, 2003, 8 p.m.
 24. McIntire, *op. cit.*, p. 217: "Much of the talk, in my opinion, was occasioned by newspaper pictures. In earlier years photographers had been uniformly kind and thoughtful, never snapping him in an awkward position, such as adjusting his braces or transferring to a wheel chair. Toward the last, however, they shot him from every angle and seemed to prefer the pictures that caught him with his mouth open or stooped forward. Many photographs taken at Yalta were excellent, showing him alive and alert; but for the most part the papers printed flashlights that gave the President a ghastly pallor and accentuated the thinness of his face."
 25. McIntire, *op. cit.*, pp. 232–233, quoting Robert G. Nixon of the International News Service.
 26. McIntire, *op. cit.*, p. 236.
 27. McIntire, *op. cit.*, pp. 238–239.
 28. Flynn, *op. cit.*, p. 406.
 29. McIntire, *op. cit.*, pp. 240–241.
 30. McIntire, *op. cit.*, pp. 241–242.
 31. McIntire, *op. cit.*, p. 239.
 32. Ybarra's review of Ferrell, in *The Wall Street Journal*, April 27, 1998.
 33. *Ibid.*

Letters, from page 6

The Right Question

I always look forward to Ralph Reiland's insights, but on the Santorum matter ("Bedfellows Make Strange Politics," June), he disappointed me.

Let's assume that the state has no business interfering in sexual relations between consenting adults in the privacy of their bedrooms.

Then, asks Santorum, if homosexual sodomy is properly beyond the reach of the law, why should adult incest be illegal? Unlike bigamy, polygamy, and adultery, which involve conflicting legal relationships among additional parties, the crime of incest occurs whenever the prohibited partners just have sex.

Santorum raised an important question that the friends of sodomy need to answer. If society can properly prohibit incest as contributing statistically to genetic problems among the offspring, why can't society properly prohibit anal sex, which leads statistically to public health problems among the participants?

I'm not coming down either way on this question, but I think Santorum was right to raise it.

John McLaughry
Concord, Vt.

Let Them Eat Geopolitics

In "America's Debt to France" (June), Veronica Menezes Holmes wrote that "France paid dearly for aiding America. Had she not emptied her treasury and lost her sons in the cause of revolution, it is unlikely she would have suffered the revolution that occurred only a few years later."

I question this interpretation. My understanding of French history and the cause of her revolution are much different. The reign of France's King Louis XVI began in 1774, two years prior to the American Revolution. Louis XVI and his wife, Marie Antoinette, were not nice people. They pilfered France's resources while leaving most of their people suffering in abject poverty. Remember the little ditty, "let them eat cake"? Does Veronica actually think that the French people had plenty to eat and only

lacked for cake? That the French Revolution was apparently conducted by people who wanted for cake and were upset that Louis spent all of their money helping the American cause? If you believe that, then I have a bridge to sell you, Veronica.

On July 4, 1776, 13 of Great Britain's colonies declared their independence from King George III. France entered the war and helped the rebels in hopes of regaining colonies she had previously lost to the English. Louis XVI did not help America out of any sense of liberty, equality, or brotherhood, for the French were not yet a free and independent people. The help from France was not due to the enlightened thoughts of Rousseau, but was King Louis' means to "get even" with the English.

I don't think it is very rational to feel indebted to a country for events that happened over two centuries ago, orchestrated by a monarchy that no longer exists.

Larry Stone
North Bend, Ore.

Reviews

Dogtown and Z-Boys: The Birth of Extreme, directed by Stacy Peralta. Sony Pictures Classics, 2001, 97 minutes.

The Polyurethane Revolution

Michael Christian

On Christmas day in 1973, a new technology changed my life — if not for good, then at least for a good number of years. My mother gave me a skateboard with polyurethane wheels. I can picture the board right now: a Fibreflex with red Road Riders. The wheels made the difference and started a skating revolution.

The experience of most skaters of my generation spans the entire, brief, important history of skateboarding technology.

First, we took apart our sisters' old metal-wheeled roller skates and nailed their trucks to two-by-fours. Later we bought commercially fabricated versions of the same rickety machines. Boards with clay-composite wheels slightly improved on what we had jerry-rigged in our garages. These devices barely rolled on smooth pavement or cement. They transmitted harsh vibrations from the pavement though your bones to your teeth. If a wheel hit the slightest obstacle, such as a pebble, the board stopped and your body hit the pavement. If the rider attempted any but the mildest turns, the board slid and the rider hit the pavement.

Polyurethane wheels changed everything. They liquefied the urban

and suburban landscapes; it was heaven on wheels. Everyone who experienced the change from the old technology knew it. Instead of grinding, the wheels swished. Traction went from nearly none to nearly perfect. Hard turns became possible. In fact, the skater could profitably assume a low stance and turn so hard that his body could lean close to the skating surface, and a slide could be controlled. With the combination of momentum and traction, you could defy gravity and skate on curved surfaces that reached vertical and beyond.

But no one knew of these possibilities when the new wheels came out. They had to be discovered and invented. Whatever people had done in the past with skateboards became mostly irrelevant. What might be done in the future was unknown.

And so for a period that began around 1972 and lasted for at least ten years, rapid innovation in skating styles and maneuvers earned great rewards. The currencies of those rewards were personal satisfaction and the adulation of one's skating peers. Skateboarders, in their skating lives, didn't care about Little League or their parents or teachers or their friends who didn't skate. Nothing could hold a candle to the excitement of carving out new territory with a skateboard.

So what happened? An energetic, lowbrow subculture was born, complete with its own language, scarification rites, clothing, and hierarchy. And, for a few glorious years, at the top of the hierarchy were the Z-boys, members of the Zephyr skate team.

The Z-boys were a skate team that sprung spontaneously from the ooze around Santa Monica pier. They were a cross between a street gang and a club of scruffy kids come down from the tree house. This bunch of misfit teens and pre-teens might very well have

Skateboarders, in their skating lives, didn't care about Little League or their parents or teachers or their friends who didn't skate.

invented what we now call extreme sports.

The Z-boys were at the top because they dramatically innovated while maintaining aesthetically pleasing styles. They explored the possibilities of polyurethane wheels with skating styles inspired by the surfing that they admired and participated in at the Santa Monica pier. They skated streets, school yards, paved banks, drainage

ditches, and empty swimming pools. They competed with each other and encouraged one another. They formed

The Z-boys were a cross between a street gang and a club of scruffy kids come down from the tree house.

a tribe. Stacy Peralta was one of them. His documentary, *Dogtown*, tells their story.

Dogtown is a documentary built around two simple organizational devices: chronology and portraiture of people, places, and things. Peralta uses old photographs, video, and magazine articles to show what the Z-boys did; he gives us chronologies of surfing, skateboarding, Santa Monica, and the Zephyr skate team. He paints a portrait of Dogtown (Venice Beach and south Santa Monica). He profiles several Z-boys, and interviews the people who were close to them to show how they saw themselves and how they now assess what they did back in the '70s.

Peralta's techniques succeed. Even if you weren't there, you can get a very good idea of what it was like by watching this film. You feel the excitement of discovery and the thrill of outlaw skating in the empty pools of the suburbs during a drought. You watch the most unlikely young subjects rise in fame and enjoy rock star treatment.

Especially moving are the struggles of the Z-boys to express their conviction that they were part of a significant movement. Everyone interviewed tries but fails to say why the revolution in

skateboarding that the Z-boys spearheaded was important. All of the surviving Z-boys (and the one Z-girl) feel strongly that they were involved in something momentous. But none of them can put a finger on it.

One of the former Z-boys said, "It was like a Mafia," meaning that you had to earn membership, and they enforced their own rules. Another former Z-boy, Bob Biniak, came close when he said, "There were no goals. There were no aspirations." In fact, they had clear goals. Much of the film shows how the Z-boys pursued the goal of innovative skating. However, none of their goals were conventional or received, and none of their aspirations could be measured in terms outside the subculture. The Z-boys freed themselves from other people's goals. That sort of freedom only comes from profound wisdom, extreme youth, or bitter disenfranchisement. The Z-boys had two out of three.

One common measure of a liberal society that gets a lot of attention is equality of opportunity. Is opportunity determined by arbitrary factors such as birth, or by talent and hard work? A liberal society is a meritocratic society. A less common measure of a liberal society is diversity of opportunity. (When I say "diversity," I am speaking English, not using a code word of the politically correct.) By how many different yardsticks can you measure success? In a rich, populous, liberal society, there are too many yardsticks to count.

Diversity of opportunity is a notion that first occurred to me in 1987 when I began working in downtown Los Angeles. The west side of the city was exclusively focused on the entertainment industry. Downtown was about everything else. Downtown we didn't give a damn about the entertainment industry. On the west side, they never thought about anything else. Looking around a little, I found that Los Angeles was full of all kinds of enclaves ignorant of one another or at least indifferent to one another. In my mind, I contrasted this with Boston where various groups hated each other and

vied for supremacy, and where everyone knew who was on top of business and politics. In this sense, Angelinos have more freedom.

If diversity of opportunity is a kind of freedom, then at one extreme are traditional, tribal societies exemplified by villages I once visited in Africa. In those villages there is very little diversity of opportunity. Almost everyone must strive for the same things. No subcultures. No clubs. No hobbies. No room for private life.

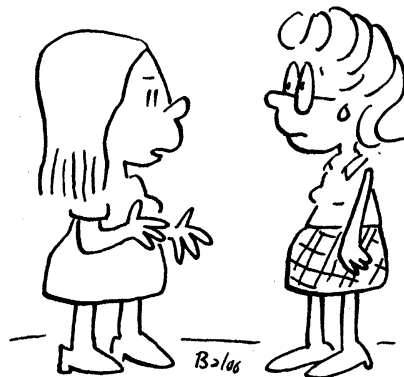
In a place like Los Angeles, you can choose from among thousands of tribes or make your own. That's what the Z-boys did at a propitious moment — at a moment when new technology rewarded the rule-breakers. They created the clan of the polyurethane wheel. The existence of this clan and the technology that inspired it enhanced liberty all over the paved world by adding to diversity of oppor-

The existence of the clan of polyurethane enhanced liberty all over the paved world by adding to diversity of opportunity. You could flunk out of school, fail at all team sports, earn the ire of mom and dad, yet still achieve greatness on a skateboard.

tunity. You could flunk out of school, fail at all team sports, earn the ire of mom and dad, yet still achieve greatness on a skateboard.

There's a lot to be said for the value of doing your own thing; the greatest success stories are often about people doing just that. People get rich that way, sometimes without trying. They can even become happy.

The Z-boys did their own thing in a big way. *Dogtown* nicely documents how it happened. The former Z-boys interviewed by Peralta, and the director himself, vainly strive to put their achievement into social and historical context. The strain and the failure are part of the film's charm: the men can't fathom what they did as young boys. The young boys wouldn't care. □



"Of course I have faith in humanity — but this is my husband I'm talking about!"

The Pianist, by Wladyslaw Szpilman. Picador, 1999, 240 pages.

War, Crisis, and Character

Jo Ann Skousen

Seldom do I finish a book feeling so moved that I want everyone I know to read it. Yet such was my experience upon finishing *The Pianist*, Wladyslaw Szpilman's personal account of his survival in and around the ghetto of Warsaw during the German occupation 1939–1945. Szpilman, one of Poland's foremost musicians, performed on radio and in concert halls both before and after the war. His musicality is reflected in the writing style of this small book, which he writes "with an almost melancholy detachment"; the stories presented as spare vignettes of powerful truths. We see the ghetto as he did, peeking through windows and around walls; we glimpse the horror, and the kindness, without knowing the beginning or the end of the stories. He underplays his own role in the Warsaw rebellion, when he and other workers risked certain death to smuggle food, guns, and ammunition into the ghetto. At times he seems almost apologetic about his survival.

Several months ago I stumbled onto the film, which has since earned three well-deserved Oscars, and was blown away by its power. It is perhaps the best film I have seen all year. I was put off at first by what appeared to be director Roman Polanski's gratuitous violence in presenting seemingly random, senseless acts of German brutality. Indeed, two groups of ladies left the theater during the viewing I attended, and I considered following them. Thankfully, however, Polanski

focuses mostly on Szpilman's indomitable will to survive. I became engrossed and uplifted by the coincidences that saved his life and the music that saved his sanity. It is a brilliant piece of work, and Adrien Brody, who has danced around the edge of stardom for a couple of years, deserved his Oscar for this deeply moving portrait of Szpilman's withdrawal into starvation. Now that I have read the book, I realize that there was nothing gratuitous about Polanski's portrayal of what Szpilman experienced and observed. He portrayed these acts with brutality because they were brutal; he portrayed them as random and senseless because they were random and senseless. War is hell, and it brings out the worst in people.

But it can also bring out the best in people, as this book demonstrates. Szpilman was helped by numerous Poles in Warsaw, both Jewish and Christian. He was also helped, almost inexplicably, by a German officer whose name he did not learn until many years later. Appended to this new edition of *The Pianist* are excerpts from the wartime diary of Captain Wilm Hosenfeld, an officer in the German army who became increasingly disgusted by the actions of his fellow Germans and kept a journal of his observations. Imagine if his writings had been discovered by another officer! In 1942 he wrote, "If you are going to arrest an enemy of the State, you should have the courage to accuse them publicly and hand them over to public justice." Of Nazi hypocrisy he wrote, "They declare themselves in

favor of the right to personal and religious freedom, but they destroy the Christian churches and conduct a secret, underground battle against them. They speak of the rights of capable people to develop their talents freely, but they make everything dependent on Party membership. They ask ordinary people to observe [principles] but have no intention of doing so themselves." He records many vicious atrocities that he observed in Warsaw, and then notes that the result of these atrocities was "to arouse not fear and terror but bitter determination, anger and rising fanaticism." Some of that bitter determination was aroused within himself, leading Hosenfeld to protect individual citizens of Warsaw whenever he could. "When the terrible mass murders of Jews were committed last summer," he wrote in 1943, "I knew that we would lose the war." Like Oskar Schindler, Wilm Hosenfeld kept a list of those he helped, and this was how Wladyslaw Szpilman eventually learned the name of his benefactor.

Incidentally, Hosenfeld did not fight in the front lines but was assigned to oversee the College of Physical Education, a sports facility in Warsaw commandeered for German soldiers. Thus he writes, "I hardly

We see the ghetto as he did, peeking through windows and around walls; we glimpse the horror, and the kindness, without knowing the beginning or the end of the stories.

notice the war, but I can't feel happy." His journal entries are often profound in their simplicity, as when he answers the question, "Why does God permit this terrible war with its dreadful human sacrifices?" His thoughts may surprise you.

Why are we fascinated by books and movies about war? Santayana observed that if we do not study history, we are doomed to repeat it. But I think there is more to our interest than this pragmatism. War is a time of crisis, and in times of crisis we discover who we really are.

Many people are pragmatic about crisis, taking advantage of changing economic demands during personal or political upheaval. Doug Casey's *Crisis Investing* is a good example of this con-

War is hell, and it brings out the worst in people. But it can also bring out the best in people.

cept. People can make good profits while providing needed services during such times. In the free market, both the buyer and the seller gain — even, or perhaps especially, during crisis. Szpilman reports purchasing a single caramel cream for “a ridiculous price” as they awaited the train for Treblinka, and then adds, “heaven knows what [the seller] thought he was going to do with the money.” Meanwhile, the family divided the caramel into six pieces and ate it reverently. Each participant in the exchange valued his acquisition more than what he had traded. Similarly, despite crisis conditions, Szpilman imposes no hint of obligation on anyone to help or even to share. Those who had more goods or money to trade were entitled to have more food or services. This attitude kept the black market open and brought needed food and supplies into the ghetto.

Sometimes the character revealed by crisis is shameful. Henrik Ibsen makes this point in *A Doll House*. In the play, Nora Helmer has forged her father's signature on a note in order to borrow money to purchase treatment crucial to her husband's health. When the holder of the note threatens to go public with Nora's forgery, her husband lashes out: “You've wrecked all my happiness — ruined my whole future! . . . I'll be swept down miserably on account of a featherbrained woman.” Only after the crisis has passed, when the lender has decided to tear up the note, does Helmer try to smooth things over with his wife with these self-congratulatory words: “My frightened little songbird. You can rest easy now; I've got wide wings to shelter you.” But the time for sheltering has passed. Crisis has revealed the true

character of Torvald Helmer, and Nora isn't buying it.

Lorraine Hansberry explores the same question in *A Raisin in the Sun*. The Younger family anxiously awaits the arrival of a \$10,000 insurance check, more money than any of them has ever imagined. Mama dreams of buying a house, Beneatha dreams of tuition for medical school, and Walter Lee dreams of starting a business with some friends. When Walter Lee's friends abscond with two-thirds of the money, the family is devastated. Sister Beneatha is particularly distraught over the loss, saying of her brother, “That is not a man. That is nothing but a toothless rat.” But Mama Younger asks Beneatha, “Have you cried for that boy today? I don't mean for yourself and for the family 'cause we lost

the money. I mean for him: what he been through and what it done to him. Child, when do you think is the time to love somebody the most? Measure him right, child, measure him right.”

How we respond to crisis reveals a lot about who we are. Reading about crisis invites us to examine our own character and ask ourselves how we would measure up. Would I have the strength to endure? Would I have the courage to resist? Would I have the wisdom to know when and how to fight? Or would I simply run away? The extraordinary story of *The Pianist* seems to ask the right questions, and provides many of the right answers. Perhaps the permanent uniting of the Polish Jew with his German Catholic benefactor between the covers of a single book is the most important answer of all. □

The Rule of Lawyers, by Walter K. Olson. Truman Talley/St. Martin's, 2003, 352 pages.

Lawyers vs. the Law

Martin Morse Wooster

In our turbulent times, much has changed about our politics. But in peace or war, or when Republicans or Democrats are in charge, one fact never changes: trial lawyers are up to no good.

Ever since his first book, *The Litigation Explosion* (1991), Walter K. Olson, a fellow of the Manhattan Institute (for which I have done some consulting), has been the nation's leading scourge of trial lawyers. Through his books and his informative blog, overlawyered.com, Olson has become the primary source for people who want to be informed about the trial

lawyers' latest insidious schemes.

Olson has formidable skills as a writer, but chief among them is that he's fun to read. Far too many public policy books, however well-intentioned, are a chore to finish. That's not true of Olson. *The Rule of Lawyers* is well-documented, but it's also funny and entertaining. Reading it is not a homework assignment.

There are eight chapters in Olson's book, and each one is a case study. Several of them deal with trial lawyers' big victories in the tobacco, asbestos, and breast implant lawsuits. But my favorite chapter concerns juries.

Jury duty is supposed to be a duty of every American. But whenever

there's a high profile case — the O. J. Simpson debacle, say, or one of those tobacco cases that awards a smoker over a billion dollars — you've probably asked yourself, "Can juries be that stupid?" Yes, they can. In fact, Olson makes the case that trial lawyers have ensured that marching morons are the sort of people who end up serving on high-profile cases.

The civics textbooks tell us that people who are supposed to be jurors are well-informed people passionately committed to ensuring that justice is done. But as Olson shows, if you have any opinions — or even read your daily newspaper — you're likely to be booted off. In big cases, jury selection takes a very long time. A notorious Florida case that awarded smokers over \$145 billion took three months for the jury to be selected. In the trial of the Menendez brothers in Los Angeles, 1,017 potential jurors were rejected before 18 were chosen. Jurors have to fill out questionnaires that can take up to 80 pages, which leads some juries to "take on the air of a giant college-entrance exam on awareness of current events, albeit with reverse scoring."

So who does get picked? In the trial of Oliver North, the jurors were the few people who had ignored the countless news articles about North. (One juror said that she had seen North on television, but "it was just like I was focusing on the Three Stooges or something.") In the Robert Mapplethorpe obscenity trial, the one potential juror who admitted regular attendance at museums was ousted. In the O.J. Simpson case, eight of the jurors were black women, who only make up 5 percent of the population of Los Angeles.

Another fine chapter is about what Olson calls "trial lawyer TV." You've seen these segments time and time again on TV newsmagazines. But Olson teaches us to be suspicious of these exposés. "These stories require the network to conduct much less original research than viewers may assume they've had to do," he writes. "By the time the helpful folks from the litigation community drop the horror narrative on the producer's desk, the package may be practically tied up with a ribbon and bow, though the network will still probably want to add the 'bal-

ance,' consisting of an interview with forlorn-looking executives of the company or institution being sued."

Olson focuses on "exposés" on auto safety, concentrating on the infamous 1992 *Dateline NBC* segment charging that gas tanks in General Motors trucks

Olson reminds us that trial lawyers are champions of big government who make their vast fortunes from hard-working taxpayers.

exploded. After General Motors investigators (following a tip from the editor of *Popular Hot Rodding*) found that NBC had placed incendiary devices next to the gas tanks, enabling them to blow up on cue, NBC had to read a lengthy apology on the air, and NBC News president Michael Gartner resigned.

But Olson finds that several of the consultants involved in the *Dateline NBC* fiasco were involved in earlier exposés that have never been retracted.

These cases, including charges that Audis suddenly accelerated, Jeeps would routinely flip over, and the Ford Pinto's gas tank would explode, turn out to have had the same errors as the General Motors case. The *20/20* segment that caused the Ford Pinto's demise even included hidden incendiary devices. But these shows are still regarded as triumphs of television reporting.

There's a great deal more informative material in *The Rule of Lawyers*. You'll learn how trial lawyers elated at grabbing billions from the tobacco industry trained their sights on gun manufacturers — and how gun makers and gun owners fought back, and eventually won. There's also a good chapter on why certain small southern towns are Golcondas for greedy lawyers.

In *The Rule of Lawyers*, Walter Olson reminds us that trial lawyers are champions of big government who make their vast fortunes from hard-working taxpayers. If eternal vigilance is the price of liberty, Olson tells us that we shouldn't just watch out for politicians — we also have to keep our eyes on unelected trial lawyers. □

Cool Comfort, by Marsha E. Ackermann. The Smithsonian Institution Press, 2002, 214 pages.

Colder, Not Wiser?

James Barnett

We take air conditioning for granted; without it we can hardly imagine life in much of the country. But it is in fact a recent invention, with a surprisingly amusing history. In *Cool Comfort*, Marsha E. Ackermann reviews the climate theories, marketing techniques, architectural criticisms,

and social gripes that surrounded air conditioning as it evolved over the last century. Encapsulating the Nature vs. Society debate, she asks the question: is it natural to seek control over personal comfort?

In the 19th century, the greatest danger with overheating, so far as most people were concerned, occurred not in the summer, but in the winter.

No sooner had America tamed winter's freezing temperatures with the advent of the cast-iron stove, than many American health officials and foreign observers began to curse the artificially tropical conditions of winter indoors. Among these critics was Charles Dickens. While touring state-side in 1842, he fulminated, "that great American institution, the cast-iron stove, is in disgrace."

But soon a whole new dimension would open up in the debate over climate control. By 1880, electrical fanning and ice made by mechanical refrigeration were separately invented. Two decades later they were combined to form air conditioning. Willis Haviland Carrier was considered the first to engineer and install a system to control both air temperature and humidity. Engineer Stuart Cramer

coined the term "air-conditioning" in a 1906 speech, rejecting other terms — "air chilling" and "colderizing" — that had been proposed.

In the early 20th century, while air-conditioning technology was developing, strange debates erupted over the relationship between climate and man. Ellsworth Huntington's "physiological climatology" theory set out to explain human achievement in terms of climatic factors. Climatic warming, he argued in *Civilization and Climate*, had caused nations to decline in physical stamina and mental powers.

Many air conditioning manufacturers sought his endorsement, hoping to connect AC with health, progress, intelligence, and power. The height of these absurdities was the English tourist resort Claxton-on-Sea's advertisement proclaiming that "Dr. Ellsworth

Huntington" called it "the Best Climate in the world for human health." Huntington may have been hailed as "the high priest of climatic determinism," but he was in fact rather ambivalent about homogenized climatic conditions. He preferred, for example, that factories conform to "natural standards of productivity by adjusting output seasonally." He even suggested workers change locations in time with the seasons. Huntington's ideas were later debunked as the "geographical school" of sociology. His use of statistics came under fire, and his notion that a uniform working temperature was desirable was roundly criticized, yet his climatological hypotheses were popular and persist to this day.

The goofiest of the theorists on Huntington's model was sociologist S. Colum Gilfillan, who claimed that the greatest men were born between the months of December and April. In his article "The Coldward Course of Progress," Gilfillan explicitly links climate and human progress, and in "Path to Supremacy" he tracks the northward expansion of civilization. Sydney F. Markham hypothesized that climates impede national progress. A nation with a mean annual temperature of 70 degrees or more (most of America) will have less "energy" and inefficient work habits. With this theory he attributed the Southern loss in the Civil War to the heat. Markham's book, *Climate and the Energy of Nations*, was popular enough to be reprinted and enlarged in 1944, despite wartime publishing constraints, to the enthusiasm of the air-conditioning industry.

By then, America was experiencing a "golden age of public health." One public health expert, Charles-Edward Amory Winslow, began his own inquiry into human physiology, and, in particular, the effect of specific environments, such as factories and classrooms, on public health. His aim was "to connect the physical and chemical properties of air to respiratory health and disease prevention." He launched an "open window" campaign emphasizing ventilation and circulation as vital to good health. In 1949, while working at the Pierce Laboratory, he slowly began advocating methods of indoor climate control while research-

Classified Ads

Employment

Editorial Position Available — *Liberty* seeks to fill a full-time editorial position. Excellent editorial skills required, including manuscript evaluation, working with authors, copyediting and proofreading. The successful candidate will be well-organized, accustomed to meeting publication deadlines, and able to flourish in a non-hierarchical work environment. Experience with desktop and web publishing a plus. Salary commensurate with experience and ability. Send résumé and salary requirements to R.W. Bradford, *Liberty*, P.O. Box 1181, Port Townsend, WA 98368 or email rwbf@cablespeed.com.

Liberty magazine offers full-time, paid internships at all times of the year. We seek intelligent, highly motivated individuals who want to learn more about writing and editing. Responsibilities are flexible according to demonstrated abilities and interests. For more information, write: R.W. Bradford, Editor, *Liberty*, P.O. Box 1181, Port Townsend, WA 98368.

Literature

The Titanic Story by Stephen Cox. Truth is more fascinating than myth. This readable and entertaining new book cuts through the myth of the "arrogance" of capitalism and modern technology and gets to the real story — the drama of indi-

viduals coping with the risks of human life. Send \$9.95 to Liberty Book Club at P.O. Box 1181, Port Townsend, WA 98368.

Top Prices Paid for used books on liberty and free trade. View our want list at www.undercoverbooks.com (800) 733-9944.

Free Libertarian pro-choice abortion outreach pamphlet. May copy. Send SASE: Scott, 3540 Osage St., Denver, CO 80211.

Ayn Rand and Her Movement — an interview with Barbara Branden. Ayn Rand's close friend discusses the inner circle of the Objectivist movement. Learn what it was like to be a companion of the woman who thought of herself as "the world's greatest political philosopher." Send \$4 to Liberty Publishing, P.O. Box 1181, Port Townsend, WA 98368.

The Sociology of the Ayn Rand Cult by Murray N. Rothbard. Published in 1987, this essay is one of the most important scholarly works on Ayn Rand's inner circle. Rothbard was there, and what he offers is an unflinching, critical look at a cult that "promoted slavish dependence on the guru in the name of independence." Send \$4 to Liberty Publishing, P.O. Box 1181, Port Townsend, WA 98368.

Classified Advertising is available for 50¢ per word, ten words minimum. Email addresses, telephone numbers, and URLs are charged as 7 cents PER CHARACTER. Ask us for requirements on adding your logo to your ad. 10% discount for six or more insertions. Payment must accompany order (check or money order only). Please suggest classification. Deadline for next issue: June 13, 2003.

ing the optimal room temperature for worker efficiency — a measurement that proved elusive. Winslow at first

Market researchers concluded in 1948 that the only important market for air conditioning was among Southern households "with incomes in excess of ten thousand dollars," a huge income at the time.

settled on 74 degrees but changed it to 70, the same temperature hypothesized by Markham.

Air conditioning, Ackermann argues, was promoted with an aura of "technological utopianism" through AC ads and displays. As far back as 1887, Edward Bellamy envisioned Boston underneath a giant communal umbrella. Later, in H.G. Wells' 1933 novel *The Shape of Things to Come*, weatherlessness is society's crowning achievement.

The utopian impulse and the history of air conditioning came together at the 1904 St. Louis World's Fair. In the public debut of air conditioning, 750 tons of refrigeration were used to provide cooling to all or parts of its 140 structures. A "ton" of air conditioning is the equivalent of 2,000 pounds of melted ice over a 24-hour period. The later 1939-40 New York World's Fair would claim seven times more cooling tonnage than the 1929 Century of Progress Exposition in Chicago. The New York Fair even featured the Carrier Corporation's air-conditioned igloo — lost on the presenters was the fact that Eskimos build igloos to retain heat, not cool down.

The first places outside the fairs to install air conditioning were public commercial spaces such as movie theaters and department stores. This was not without its drawbacks: people in theaters often had to wrap their legs in newspapers to block the cold blast of air from floor ventilators. Carrier corporate executive L. Logan Lewis conceded that early air conditioning "merely substituted one discomfort for

another." This problem was later addressed by using ceiling outlets.

Owing to high costs, air conditioning was only slowly introduced into the homes of America. But it should come as no surprise that the White House was among the first equipped with the modern luxury, though only to provide cooling to work spaces and not to the family quarters. Nowhere was the impact of air conditioning more dramatic than in humid Washington — a post the British Foreign Office once classified as "tropical." As Gore Vidal noted, summer weather once meant that "[t]he president . . . and all of Congress went home. . . . But since air-conditioning and the Second World War arrived, more or less at the [same] time, Congress sits and sits while presidents and their staff never stop making mischief." Air conditioning had actually been introduced in Washington three years before Vidal's birth in 1925. But, as Ackermann observed, it was expanded during the New Deal: "By launching a massive expansion of air-conditioning throughout official Washington's vast marble halls, the Roosevelt administration — at least on the official level — shifted the rationale for air conditioning from comfort, or even health, to efficiency and productivity." The city of Washington began recording summer peak electric usages in 1942, 21 years before other utilities across the country.

Ironically, FDR himself didn't much care for air conditioning. "In a 1952 memoir, brain truster and FDR speechwriter Samuel I. Roseman said he sometimes had to flee the president's stifling study for an air-cooled White House room to get any work done during hot spells." Richard Nixon, on the other hand, would crank up the AC so he could have a fire in a fireplace in all seasons and locations — the White House, Camp David, or San Clemente.

The last "frontier" for air conditioning was the home. The biggest barriers to selling home cooling were cost, desirability, and cheaper alternatives. The first private residence to be air-conditioned was a 40-bedroom mansion in Minneapolis in 1914 that was air conditioned at a cost of more than \$10,000. The house

was briefly occupied by its traveling owners and later sold to a lumberman who used it only for charitable events. It is doubtful that its AC was ever used. Market researchers concluded in 1948 that the only important market for air conditioning was among Southern households "with incomes in excess of ten thousand dollars," a huge income at the time.

But as is so often the case, the researchers were wrong. "Even when the engineers assumed home air-conditioning might become cheap enough to appeal to households in the \$7,000 income bracket, they predicted that only 312,000 home air-conditioning systems would be sold in the United States between 1947 and 1961," writes Ackermann. "As it happened, by 1960 more than six and a half million American households would own some kind of air-conditioning apparatus."

The marketers tried to figure out who in the household would want the product in the home, the man or the woman. Was an air conditioner a

Air conditioning manufacturers sought to connect AC with health, progress, intelligence, and power.

brown good, an item the male breadwinner fiddled with like the television, or a white good, an appliance a woman needed to perform her household chores efficiently? In the beginning, most advertisements featured husband and wife enjoying their newfound comfort. But by the late '50s, most ads would feature the father turning knobs on the air conditioner.

AC did have some competition. Besides electrical fans, comfort-enhancing housing designs competed for the attention of the new homeowner. Leading the charge was the House Beautiful Climate Control Project. It was committed to "simplicity, economy, and appropriateness in the home." Enjoying a wide circulation throughout the mid-century, *House Beautiful* recommended an eclectic mix of architectural modernism,

traditional construction practices, and social customs like the incorporation of sun angles and wind directions into housing construction. A lot of its advocates railed away at how unnatural American homes were, such as Cape Cod homes built in the South, and many of their recommendations were really meditations on why we should revel in thermal discomfort. House Beautifulists eventually abandoned their opposition to air conditioning.

As with most new technological innovations, there were detractors. Chief among these were the new moralists, those who feared "the emerging middle class was losing sight of life's 'higher' purpose amid the welter of material goods." Henry Miller and John Kenneth Galbraith joined the fray, as did Vance Packard, a social critic who wrote scathing attacks on consumerism and advertising. During his career, he criticized the American automakers for making air-conditioned cars, adding that this further blurs the line between luxuries and necessities. Lewis Mumford imagined what Leo Tolstoy would think if he witnessed air conditioning:

He pictured modern man ingeniously sealing up the windows of his house and mechanically exhausting the air so that he might, by utilizing a still more extravagant mechanical apparatus, pump air back again — instead of merely opening the windows. Tolstoy did not suspect that within a generation this folly would actually be committed . . . even . . . in the midst of open country, where fresh air is available, and where the natural noises are at a lower level than that of the exhaust fans used by a ventilating system.

Irrespective of the cynics' rants, air conditioning did create new problems. New York City's 1948 brownout was attributed to the rising demand for air conditioning. Tensions continued to develop over the costs of this luxury. Jimmy Carter famously pushed for strict energy conservation regulations on all homes and offices. For instance, thermostats could not be set lower than 80 degrees. Only after defiant citizens challenged the new regs did the Energy Department lower the federal standard to the "psychologically cooler" 78 degrees.

Somewhat strangely, Ackermann focuses mostly on the promotion and

marketing of air conditioning, highlighting such trivia as the racism and sexism she found in advertising for it in the early part of the last century. Her hostility to air conditioning is dished out in delightful prose like this:

Climate control has had the effect of 'disciplining' individuals, in the Foucauldian sense, keeping them indoors with promises of comfort and physically unchallenging unifor-

mity rather than with threats of painful punishment.

Even so, *Cool Comfort* is an interesting and informative book. And despite attacks by the likes of Galbraith, Ackermann, and Mumford, by the late 20th century air conditioning had become ubiquitous in America. But curiously, the Carrier Dome at Syracuse University to this day is not air conditioned. □

Bronx Ecology: Blueprint for a New Environmentalism, by Allen Hershkowitz. Island Press, 2002, 281 pages.

Saving the Bronx Ecosystem

Jane S. Shaw

The Bronx Community Paper Company was going to be a \$500 million world-class recycled-paper plant, built on an old railyard site in the South Bronx of New York City. It would not only recycle wastepaper but also rehabilitate the location to the highest environmental standards and use reclaimed sewage water instead of fresh water. It was going to be community-based and provide living wage jobs in an area that prosperity had passed by. The plan was praised by Bill Clinton and Al Gore and won the interest of the architect-luminary Maya Lin, whose designs for the plant were included on the *New York Times* list of the top ten architectural highlights of 1998.

The entrepreneur behind this paper mill was not a businessman, but a senior scientist for the litigation-oriented environmental group, the Natural Resources Defense Council (NRDC).

As it turned out, the Bronx Community Paper Company was never built. No spade of earth was turned. As the familiar adage says, "Success has many fathers, but failure is an orphan." That may be why *Bronx Ecology* has received little attention. Published in November 2002, the book does not appear to have been reviewed in a major publication. Yet it is a fascinating story and the story is mostly about hubris.

You can't help but admire Allen Hershkowitz. He had spent years trying to push recycling through regulations, laws, and lawsuits. After Congress failed to enact a national recycling act in 1992, he shifted directions. Still convinced that recycling makes sense both environmentally and economically, Hershkowitz set out to prove this claim by building a massive, environmentally pristine recycled-paper mill. "I was excited about the idea of building bridges with traditional adversaries," he writes, "of getting to know more people in industry

and working with them, of bringing their formidable resources and profit motive to our cause." He worked on the project for nearly eight years.

Hershkowitz's project, although exceedingly ambitious, did have strengths. He was able to find a paper company in Sweden (where, he says, recycling is much further along than in the United States) that had a subsidiary in the United States willing to operate the plant. He enlisted Maya Lin (designer of the Vietnam Memorial) to integrate the collection of buildings in an environmentally pleasing way. And he linked up with a Bronx community development group to help ease the permitting process and achieve his goal of serving a community that needed jobs.

But the project died, and this book is its obituary. It's written a little oddly, combining excruciating detail about parts of the project with light touches over others. The reader is never specifically told the sequence of events that led to failure, just that shortly before all the papers were to be signed, the project could not muster sufficient funding. Instead of being humbled by his experiences, Hershkowitz ends the book with upbeat advice on how environmentalists should work with the private sector, just as though the project had been a complete success. (Some sections of the book may have been written before the project failed and were not changed.)

Hershkowitz does identify some of his mistakes and the people who let him down. One of his biggest errors, he tells us, was to give ownership of the company to the Banana Kelly Community Improvement Association. One can hardly disagree with his hindsight. How he could have turned over a pioneering, highly sophisticated, \$500 million project to a small community group with little apparent accountability, I do not know. Although numerous problems arose from this arrangement, the crippling one was a scandal publicized in the *New York Post*. Banana Kelly's executive director was charged with using the organization's funds for personal expenses and channeling a \$1 million grant to a friend, who apparently didn't do anything constructive for the

project. (Hershkowitz never details the subsidies the project received, but implies that they were substantial.)

Second, New York City changed mayors. The project depended on contracts with the city government for New York's wastepaper. Rudolf Giuliani was less enthusiastic about the project than his predecessor had been and more open to campaign contributions from major waste haulers

who wanted to keep getting the wastepaper that would otherwise go to BCPC.

Third, in what Hershkowitz views as typical *modus operandi* in New York City, a construction firm sued NRDC and others for \$80 million, on grounds that they had given the firm some right to a role in the project and then reneged. Although the suit was ultimately dismissed, its potential

Notes on Contributors

Baloo is a *nom de plume* of Rex F. May.

James Barnett is a freelance writer in Virginia.

Stephen Baskerville teaches political science at Howard University.

R.W. Bradford is editor of *Liberty*.

Doug Casey is a contributing editor of *Liberty*.

Scott Chambers is a cartoonist living in California.

Michael Christian is a recovering lawyer living in San Diego.

Stephen Cox is a professor of literature at the University of California San Diego and the author of *The Titanic Story*.

Alan Ebenstein is an adjunct scholar of the Cato Institute. He is author of *Friedrich Hayek: A Biography* and several other works.

Bettina Bien Greaves is co-compiler of *Mises: An Annotated Bibliography*.

Eric Kenning is a freelance writer living in New York.

David Kopel is research director at the Independence Institute and author of *Antitrust After Microsoft*.

Richard Kostelanetz has worked with audiotape, videotape, holography, and film.

James K. Lambert is a graduate student at the University of North Texas, department of Radio, TV and Film.

J.C. Lester is author of *Escape From Leviathan*.

Ross Levatter is a physician practicing in Green Bay, Wis.

Barry Loberfeld is a freelance writer based on Long Island.

Tibor R. Machan is professor emeritus in the Department of Philosophy at Auburn University, Alabama, and a Hoover Institution research fellow.

Ralph E. Pray has operated a metallurgical research laboratory for 39 years. He lives in Monrovia, Calif., and says he "is still cleaning up man's rusty dreams in the western deserts."

Bruce Ramsey is a journalist in Seattle.

Jeff Riggenbach is the author of *In Praise of Decadence*.

Ted Roberts is a freelance humorist living in Huntsville, Ala.

Jeffrey A. Schaler is a psychologist. His web page is www.schaler.net.

Jane S. Shaw is a Senior Associate of PERC — The Center for Free Market Environmentalism in Bozeman, Mont.

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

Mark Skousen is author of *The Making of Modern Economics*.

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

Ralph Slovenko, J.D., Ph.D., is Professor of Law and Psychiatry at Wayne State University Law School.

Ken Sturzenacker is a long-time libertarian activist and former television news producer.

Martin Morse Wooster is a writer living in Silver Spring, Md.

impact forced NRDC to remove itself from the project. According to Hershkowitz, the absence of NRDC's advocacy was fatal.

As the book progresses, Hershkowitz shares some other reasons. The Swedish paper company and its U.S. subsidiary changed ownership and the new leadership backed out. Hershkowitz was forced to revise his game plan. Instead of relying on a paper company as the designer and operator, he went to a construction firm/developer, Morse Diesel International. Hershkowitz says that Morse Diesel designed a plant that was so big that it couldn't be financed.

An outside observer such as myself quickly sees other errors. One is

The entrepreneur behind this paper mill was not a businessman, but a senior scientist for an environmental group, the Natural Resources Defense Council.

Hershkowitz's naive and exaggerated view of recycling's blessings. Hershkowitz should have read the broader literature on recycling, not just his own rosy descriptions. Scholars such as William Rathje (University of Arizona) and Clark Wiseman (Gonzaga University) and reporters such as John Tierney (*New York Times*) have poked holes in optimistic claims about recycling. They would have warned him that the demand for recy-

clered products, including paper, is limited. Equally important, a big plant requires a steady supply of wastepaper in a market that is notoriously volatile. Both supply and demand may depend on political factors.

Failing to take these (and other) criticisms seriously, Hershkowitz was blind to the peculiarities of the market affecting recycled paper in New York. Once completed, his plant would have disturbed market forces that were already handling the problem of wastepaper, and these competitors weren't going to sit around and lose their markets without a fight. Add to that the fact that New York City is known for corruption, especially in construction, and that the supply of wastepaper was dependent on a politically-mandated recycling program that could easily change as the political winds shifted. Also contributing problems were unions, which destroyed Hershkowitz's hope that there would be living wage jobs for South Bronx residents. (Local people were kept out.)

More fundamentally, Hershkowitz should have learned more about markets before stepping in with both feet. Hershkowitz refers to the "ruthless" market at least four times in this book. Yet he doesn't seem to understand either how ruthless market competition can be or the social benefits that come from that ruthlessness. Competition forces owners to search for lower-cost ways to provide customers with products they want at prices that no other company can consistently undercut.

The social benefits of this market competition are innovation and less waste of resources. The resulting efficiency (when it occurs throughout the economy) leads to prosperity, even though the production processes and output may not have all the characteristics that would be desirable in an ideal world. Rather than heed the messages of the market, Hershkowitz clung to his prior assumptions about how beneficial recycling paper would be

and assumed that people would be willing to pay for virtually unlimited

When your goals are grandiose — no matter how wasteful of resources — people pay attention. Until you fail.

environmental remediation, even under adverse conditions such as those found at an abandoned industrial site in New York City.

Entrepreneurs can overcome many problems, and all over the world entrepreneurs are looking for lower-cost ways to dispose of waste, as they have done for hundreds of years. Sometimes these efforts lead to new products, new markets, and profits. Yet even on a small scale, the goal is challenging. The main reason is that virgin raw materials such as paper and plastic are plentiful not primarily because of government subsidies, as Hershkowitz claims (repeating discredited myths). Rather, the economic system for producing them is efficient. Competition keeps costs low and entrepreneurs continue to find new ways to stretch limited raw materials and to find new ones. Recycling has a place, but a \$500 million paper mill in the midst of politically corrupt New York City put together by neophytes in business and owned by the Banana Kelly Community Improvement Association was pretty much beyond the pale from the start.

How much more would Allen Hershkowitz have done for society if he had started small, exploring a more limited recycling project, to see what worked! A tiny plant producing newsprint somewhere in, say, Missouri could have tested his hypotheses, identified strengths and weaknesses, and might have provided real benefits. But such a project would not have received presidential praise, would not have won government subsidies, and would not have earned a profile for Hershkowitz in the *New Yorker*. When your goals are grandiose — no matter how wasteful of resources — people pay attention. Until you fail. □



"Just two bucks more, sir, and I can get a secured credit card!"

 Reflections, from page 19

movements, having been involved in them for more than three decades. His tenure as Ludwig von Mises Professor of Economics at Hillsdale College has been marked by strong personal scholarship, particularly in the area of Mises. It was Ebeling's and his wife's research that uncovered Mises' pre-war papers that were kept in the former Soviet Union.

One can only hope that the board of directors of FEE will give Richard the support he deserves and will require. One of the things that has not been said enough about FEE's dismissal of Mark Skousen as president last year is in what a clumsy and amateurish manner it was done. It is frequently the case that administrative leaders and boards of directors

do not get along for reasons of personality or policy; there's nothing new here in the case of Skousen and FEE. What reflected so poorly on the FEE board of directors was the manner in which Skousen's dismissal was effectuated.

As an organization, FEE holds little of the position it once did. Its monthly magazine, formerly *The Freeman* and now *Ideas on Liberty*, is a shadow of its former self. The likes of Hayek, Mises, and Friedman once graced the pages of *The Freeman*.

FEE was once one of the leading lights in the free market movement. Under Richard Ebeling's leadership, it could reacquire some of its former luster. — Lanny Ebenstein

 Dialog With an Absolutist, from page 30

ments for new issues of stocks and bonds.

A libertarian might argue, "If the market demanded this information, the producers would supply it." But they didn't supply it. A century ago, companies put opium in medicine to calm crying babies, and didn't mention it on the label. When federal law demanded it on the label, the opium came out. Today, no U.S. law requires the listing of ingredients in beer, and the beer makers don't list their ingredients.

In a commercial society, people have to deal with strangers. People are presented with choices, some of them affecting their health and survival. If you want a society like that, you'd better make sure it's not too difficult for people to make good choices. Otherwise you will have too many sore losers, and that will be a political problem.

9. Libertarians typically say, "Let every man be armed." Armed with what? Rifles and pistols only? Machine guns? Stinger missiles? Land mines? Tanks? Nuclear bombs? All societies set limits, and a libertarian society would have to do so, too — particularly in public spaces. This question would have to be answered with an eye to practical consequences, not theory alone.

10. How would a libertarian society handle the commercialization of sex? Is everything allowed? How about a bordello designed as a ten-story erect penis? How about a billboard for that bordello, advertising its Monday night chains-and-leather special? A TV ad for said special? I am willing to stipulate that a libertarian society would be pretty damned open, that there might be a Mustang Ranch at the edge of my town. But how in-your-face could it be?

Those are my ten points.

The reader might say, "Hey, if you disagree with us on all that, why are you here?" It is because none of the ten points are of any practical importance. None are issues currently on the table: our society is not debating commercial sex, or the right to own rockets, or the selling of city streets. It is talking about issues such as:

1. War and foreign policy;
2. Taxes and government spending;
3. Schools;
4. Welfare;
5. Social Security;
6. Medicine;
7. Race preferences and the freedom of association.

On these, libertarian theory has something to say. One

still has to evaluate it, and sometimes to come up with a softer version, like Social Security private accounts, that might make a sale.

I know the absolutist libertarian. He will be listening impatiently, with a pained "he-doesn't-get-it" expression, waiting to say: "I trust in a free people and you don't."

I trust a free people in cases of economic demand and a working market. Not always otherwise. Maybe there *aren't* enough libertarians to screw in the light bulb. And maybe I don't want to be in the dark.

I return to Rukeyser's principle: I am for liberty, and I am for what works. The absolutist libertarian is for liberty, and

*I am for liberty, and I am for what works.
The absolutist libertarian is for liberty, and he
assumes, a priori, that it will work.*

he assumes, *a priori*, that it will work. Which means, in practice, that he doesn't care whether it will work or not.

But the fact is, other people do care, and if some rule doesn't work, they will throw it out. That is what Mencken meant when he said, "all they can stand."

The absolutist will admit that, but it is a mere practical question, and he is not interested in those. He says, "How do you *decide* whether it 'works?' If you set up a principle of liberty, and you allow that principle to be compromised when you conclude that it doesn't 'work,' then you are nothing but a pragmatist."

Not entirely. I start with liberty, not with equality or some other thing. That is not pragmatism.

"But you are on a slippery slope," the absolutist will say. "If you compromise your principle at point A, you will be led to compromise it at B, C, D, and E."

Not necessarily. I am used to slippery slopes.

"But you are not consistent."

I suppose not. To be consistent, in this sense, is to accept that one political idea can give an optimum answer to all questions. It is to receive a philosophy as a black box, and to accept whatever comes out of the box.

Well, it is a nice box, but I'm not going to trust it that far. □

Thailand

Curious notion of feminine beauty from the Land of the Free, as reported by *The Learning Channel*:

Thailand's Jumbo Queen contest is held to select the contestant who best exhibits the characteristics of an elephant by virtue of her grace, elegance, and size. This year's winner, Supaporn Dongkhair, weighs 368 pounds. As Jumbo Queen, she will promote elephant conservation.

Glassport, Pa.

City legislators unaware that Alaska and Hawaii are states, reported by the *Rocky Mount Telegram*:

It has been called to the attention of Glassport officials that the city's American flag is missing two stars.

Chicago

Advance in the science of weight loss, reported by the *Sydney Morning Herald*:

A ten-year study has found that pleasant perfume can make women appear thinner to men. "Wearing a floral spice scent can reduce a woman's perceived weight by as much as 7 per cent," neurologist and psychiatrist Alan Hirsch said.

Arizona

Advance in the War on Cultural Insensitivity, from a report in the *Arizona Daily News*:

Tortilla throwing, a graduation ritual at the University of Arizona, will not be allowed this year in order to avoid insensitivity to Hispanic and American Indian community members.

Spain

Progressive social proposal from Europe's environmentalist movement, from a dispatch from Reuters:

A new proposal from the Green Party in Granada would introduce a controversial new youth sex voucher, the so-called "bonosex," to give amorous young couples aged 25 or under a 50% discount in the city's hotels.

Portland, Ore.

Evidence that only government can take the long view when it comes to preserving our heritage, from a report in *The Oregonian*:

Theodore Roosevelt IV is coming to Portland to open a time capsule sealed 100 years ago by his great-grandfather, the president, to commemorate the Centennial of the Lewis & Clark Expedition. But city officials have lost track of where the capsule is buried, and are exploring plans to excavate until they find it.

Johannesburg

Progressive measure to discourage littering, reported by *The Star*:

Retailers caught using or selling thin, plastic bags can be fined up to 100,000 rand (\$13,800) or sentenced to ten years in jail.

Washington

Another measure to discourage littering, reported by *The Peninsula Daily News*:

Owners of automobiles or watercraft who do not have a state-approved litterbag on board can be convicted of a misdemeanor and fined.

Canada

Evidence that life in the Great White North is not without its stresses, reported by *The Wall St. Journal*:

According to a national poll conducted by Ispos-Reid/Hewlett Packard, 12 percent of Canadians have "assaulted their photocopier." Another 30 percent have "come close to blows" with their copiers.

Denmark

Curious fashion note from the European Community's largest cheese-producing nation, from the *Wilmington Morning Star*:

A supermarket chain in Denmark is selling "flip-flop" sandals featuring images of Jesus and the Virgin Mary.

Florida

The criminal element perseveres against high-tech imprisonment, as reported by the *Sarasota Herald-Tribune*:

A Polk County Jail inmate escaped by wearing a wristband that had his cellmate's personal information and photograph.

Oregon

The estimable *Seattle Post-Intelligencer* reports a curious paradox of its southern neighbor:

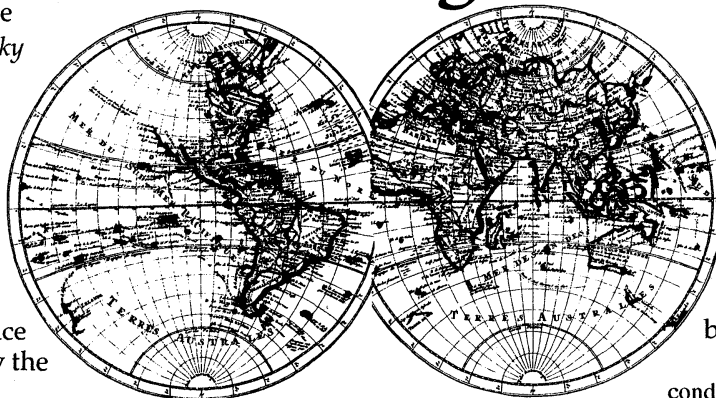
In Oregon, self-service gasoline is illegal, but self-service suicide is legal, provided it is supervised by a licensed physician.

North Royalton, Ohio

Curious choice of murder weapon, from a dispatch from the Associated Press:

Police in the Cleveland suburb of North Royalton have charged a caretaker with killing a disabled woman with a bagel.

Terra Incognita



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

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

ANNOUNCING THE CONCLUDING VOLUME OF BERNHARD KNOLLENBERG'S TWO-PART MASTERWORK ON THE AMERICAN REVOLUTION

Growth of the American Revolution: 1766-1775
By Bernhard Knollenberg
Edited and with a Foreword by Bernard W. Sheehan

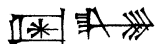
In the fall of 2002, Liberty Fund published noted historian Bernhard Knollenberg's *Origin of the American Revolution*.

Praise for this work includes: ". . . a cohesive and solid tracing of the events in history leading up to America's revolution and independence. First published a generation ago, and out of print for more than thirty years, *Origin of the American Revolution: 1759-1766* . . . is a scholarly, well-constructed, and strongly recommended account."

—*The Midwest Book Review*, February 2003

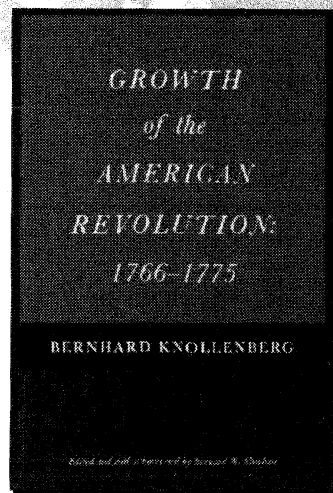
Now Liberty Fund proudly announces the publication of the second volume of Knollenberg's masterwork on the American Revolution. Knollenberg describes *Growth of the American Revolution* as ". . . an Account of the Change in the Minds and Hearts of a Majority of the People of the Thirteen Colonies Who Rebelled against Great Britain in 1775, together with a description of the Provocative Conduct of the British Parliament and Government Accounting for this Change and the Colonists' Responses to the said Conduct."

Continuing the work Knollenberg began in the first book, *Growth of the American Revolution* covers the period from the repeal of the Stamp Act in 1766 to the outbreak of hostilities at Lexington and Concord in 1775. Taken together, these volumes present an authoritative and scholarly account of the making of the Revolution.



Liberty Fund, Inc.

To place an order or request a catalog:
Liberty Fund, Inc.
Order Dept. ALM703
8335 Allison Pointe Trail, Suite 300
Indianapolis, IN 46250-1684



Available August 2003. 6 x 9.
Approx. 570 pages.
Hardcover. ISBN 0-86597-415-2. \$28.00.
Paperback. ISBN 0-86597-416-0. \$18.00.

Bernhard Knollenberg practiced law for twenty-two years before becoming Librarian at Yale University in 1938. He was the senior deputy administrator of the United States Lend-Lease Administration in Washington, D.C., and later a Division Deputy in the O.S.S., during World War II. Thereafter, he dedicated his time to historical research and writing about the American Revolution. He is also the author of *Washington and the Revolution*; *Pioneering Sketches of the Upper Whitewater Valley: Quaker Stronghold of the West*; and *Franklin, Jonathan Williams, William Pitt, and Origin of the American Revolution: 1766-1775*, also published by Liberty Fund. Bernhard Knollenberg died in 1973.

Bernard W. Sheehan is Professor Emeritus of History at Indiana University and past editor of the *Indiana Magazine of History*.

Tel: (800) 955-8335
Fax: (317) 579-6060

www.libertyfund.org

What They're Saying about the Free State Project:



"I think FSP is a TERRIFIC idea. I know a lot of people have botched 'new country' and 'let's take over a county' ideas, but FSP is different. Not only do they have the best plan I've seen for actually making it happen, it's one that doesn't ask people to front a bunch of cash or risk making any moves, until a critical mass has been reached. Even if it's a long shot, the chance of having an example of freedom at work - that 'shining city on the hill' - is too good to pass up."

LOUIS JAMES, FOUNDER, FREE-MARKET.NET

"I find it sad that these people have to beat the bushes to get 20,000 to cross state lines to preserve liberty, when our founding fathers were willing to die to do the same."

VIN SUPRYNOWICZ, LIBERTARIAN AUTHOR

"What can be done now? Are there any signs that those Americans who want to unconstitutionally control the lives of others are going to let up soon? I say no, but there's a peaceful resolution proposed by Free State Project, whose motto is, "Liberty in our lifetime."

WALTER WILLIAMS, ECONOMIST, PROFESSOR, AUTHOR, & RADIO HOST

"A free state might show the rest of the world what can be done... Let's think seriously about this."

CLAIRE WOLFE, LIBERTARIAN WRITER

www.freestateproject.org