

# COMMENTARY

## From Liberal to Liar

It's like their Golden Oldie," said President Bill Clinton during the first presidential debate, grinning as he dismissed Bob Dole's and other Republicans' characterizations of him and his policies as "liberal." He implied that the label is outdated as he talked about his having shrunk the deficit and the size of government, and unfair. "We don't call ourselves liberals anymore," Clinton implied, "so where do you Republicans get off dictating how we describe ourselves?"

In one sense, Clinton had a point. If "liberal" is defined as a Hubert Humphrey-era faith in government as a powerful force for serving the common good, then the label is indeed outdated, inasmuch as most Americans now understand that, for instance, Nationalized Health Care would be a nightmare combination of Post Office efficiency with IRS compassion.

But defining liberalism that way misses what it really is, instead focusing on its proponents' most dreamy-eyed rationalizations for it. According to a more accurate definition, that liberalism is simply ever-more government power intruding into our lives, Clinton's chiding was dishonest. In the underlying political conflict of our time, as measured by how long we wait each year for Tax Freedom Day, or by the wild careening of the legal system in defiance of law, or

by the movements to reward and punish people by group, to belittle personal morality, to remove religion from public life, to shove family and parents out of their central role in passing our culture on to succeeding generations, and, most profoundly, to eradicate the defining Western idea that our free will gives each of us the power and the responsibility to choose between good and evil, defining ourselves morally in the process, Bill Clinton is unmistakably on the liberal side.



Accordingly, he raises taxes, grabs land, attempts to nationalize health care and to inject homosexuals into the military, bumbles foreign policy, politicizes the judiciary, champions infanticide-abortion, wins, according to the latest *L.A. Times* poll, the nearly four-to-one support of Americans who profess *never* to attend Church or any organized religious services, and, mainly, he lies like a rug: daily, hourly, reflexively, without thinking, without hesitation, and with no more remorse or even comprehension of what he is doing than a sociopath.

Liberalism *has* come a long way, but, in another sense, it's always revolved around lying. When Lyndon Johnson and Hubert Humphrey portrayed Barry Goldwater's common sense disagreements over foreign policy as a craving for nuclear war, it was all there. What has come to be called Liberalism in this century is essentially an overall commitment to irresponsibility, the opposite of freedom's commitment to self-reliance.

Big government is only one of the most obvious symptoms of a people growing weary of the burden of freedom. A more telling one is first a tolerance, then a positive yearning, for deceptions designed to fool oneself as much as anyone.

Everyone knows not only that Bill Clinton is the world's currently-reigning prince of liberals, but also that he is probably the biggest liar among them to date. His candidacy is really about the moral sensibilities of the American people: have we grown sufficiently irresponsible, that is to say, bloated and decadent, to return to the White House a man known everywhere as a moral reprobate simply because we are afraid anymore to say that moral responsibilities matter, given that saying so might imply that we should take those responsibilities seriously even in our own lives?

This election is most importantly a measure of the moral state of the American people. Next to that, even the question: who will occupy the White House? is a secondary matter.

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permanent, professional, hermetic nature.” Justices come and go, but the entrenched staff attorneys remain, grinding out tedious and unnecessarily complex decisions. The temptation and pressure are great for a justice simply to surrender decision-making power to this powerful (but invisible) corps of staff attorneys. As a result of the California Supreme Court’s internal procedures and staffing, one is entitled to ask: who really calls the shots at the Court? When cases are decided before the briefs are read; when decisions are written before oral argument; and when permanent staff attorneys out-number justices by a margin of almost 10 to one, this is no idle question.

PROFESSOR BARNETT’S essay *should* produce an uproar. What it shows is that the California Supreme Court operates like a Potemkin Village — an elaborate facade masking a shabby reality. Imagine the reaction if a reporter discovered that California legislators routinely voted on bills before reading them, before reading any of the arguments carefully prepared by their proponents or opponents, even before conducting committee hearings — all the while hypocritically accepting the background research predestined to be ignored, carrying on the hearings drained of all meaning, reverently nodding and grimacing through the long sessions over legislation they neither knew nor cared much about, their staffs having long before made all their decisions for

them. We would call that a fraud. The judiciary is a co-equal branch of government. Should we hold it to a lower standard?

There is a great irony here. On the one hand, justices profess the importance of “judicial independence,” bristling at any notion of public accountability for their decisions. (Recall Chief Justice Ron George’s doubts about the “level of sophistication ... of individual voters,” expressed in his July/August *CPR* interview.) On the other hand, the California Supreme Court operates in the way Professor Barnett describes because it *wants* to operate that way. Yet delegating the writing of opinions and the making of decisions to civil service bureaucrats is hardly a sign of independence. Neither is the practice of voting on cases before reading the briefs and writing decisions before oral argument likely to increase the Court’s stature in the eyes of the public, to whom five of the justices will answer in November 1998. The best way for the Court to improve its reputation and repair the disillusionment many voters feel toward the judiciary would be to implement meaningful reforms. The Court, however, may be too arrogant or out-of-touch to realize this. Barnett concludes with the observation that Chief Justice George “doesn’t seem likely to challenge the institutional *status quo*, to recognize that the Court has become too bureaucratic and do something about it.” The justices do not seem to realize that they wear no robes.

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## THE MIDNIGHT ECONOMIST

# Sweatshops: Outrage and Analysis

## *The Economist in a Political Den of Iniquity*

W I L L I A M R . A L L E N

COMPASSION, IF unaccompanied by analytic comprehension, will rarely make a dent in the ills and agonies of a hard and stingy world. Indeed, schemes and stipulations to do good commonly do net harm to the targeted beneficiaries.

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*William R. Allen — who is as sensitive as Kathie Lee and a vastly better analyst — sweats to generate truth in the economics department of UCLA.*

Revulsion and indignation — genuine as well as affected — come easily in contemplation of “sweatshops,” many of them found in California.

In the garment industry, retailers — dress shops and department stores — buy merchandise from manufacturers; the manufacturers often contract with others to supply them; the contractors typically sub-contract with sewing shops, which do the actual producing. The retailers, the manufacturers, and even the contractors may do well; the hard-pressed, viciously competitive