running Matt Fong's Senate campaign) unveiled the trial lawyers' latest Trojan Horse: the Republican Trial Lawyer Caucus. This group, which has taken out misleading full-page ads in various GOP publications, is a unit of the so-called Consumer Attorneys of California (formerly the California Trial Lawyers Association). The Caucus' objective is not, as it claims, to "raise money exclusively for Republican candidates," but to elect Republicans who will oppose tort reform. In other words, to elect Republicans who will vote like Democrats. Like "Republicans for Choice," the "Log Cabin Club," and similar groups masquerading as Republicans, this group will be quoted endlessly by the liberal media to demonstrate the lack of unity within the GOP. If ambulance chasers don't like the Republican Party platform on tort reform, they should register as Democrats. Period.

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SHORTLY AFTER the last issue of *CPR* challenged the California Supreme Court to set the long-standing Boy Scouts cases for oral argument (*see* "Ron George's Encore?", November/December 1997), the court announced a January 5, 1998, hearing date. Under the court's rules, this means a decision will be issued in the *Randall* and *Curran* cases no later than April 5, well in advance of the November election, in which four (Chief Justice George and Justices Ming W. Chin, Stanley Mosk, and Janice Brown) of the court's seven justices will be on the ballot. This appears to be good news for the Boy Scouts, because — unless the court is far more brazen than even its critics suspect — it signals a ruling permitting private organizations to enforce their values. Otherwise, the court would be confirming — just in time to inflame the voters — that it is an activist court pursuing a destructive (and unpopular) liberal agenda.

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READERS MAY recall the Rev. Eugene Lumpkin, the

WHAT YOU HAVEN'T BEEN TOLD ABOUT GUN CONTROL

By WILLIAM E. SARACINO

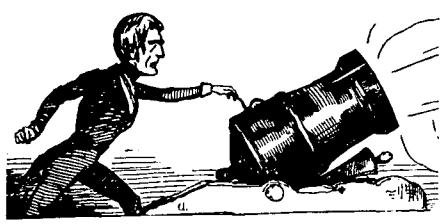
Inspired by the even more than usually ill-informed, not to say hysterical, debates on repealing the Second Amendment that characterized the just-concluded legislative session, this new regular feature adopts the novel approach of considering Facts about guns, gun control, and gun owners.

To reduce crime, liberalize concealed carry policy

Most states have "shall issue" criteria when it comes to a citizen getting a permit to carry a concealed weapon — *i.e.* the local sheriff or police chief "shall issue" a permit unless the applicant has a criminal record or mental illness.

California is in the minority of states that have "may issue" criteria — *i.e.* the local authority "may issue" a permit if the applicant shows a "compelling reason" to do so. As has been proven in study after study the most common "compelling reason" for a permit being issued is the fact that the applicant is a relative of or contributor to the local sheriff or police chief.

Yet the latest evidence from Texas and Florida further buttress the "shall issue" argument. Florida recently passed the tenth anniversary of its law, while Texas now has two years of experience. Both of these laws were passed amidst total hysteria in the media and from the gun control types. Predictions of blood baths filled the editorial pages and air waves.



The facts? Florida has now issued nearly 400,000 concealed weapons permits. Less then 200 of these permit holders have had their permits revoked, and only seven were revoked for involvement in a serious crime. Texas has issued nearly 120,000 concealed weapons permits. Exactly 57 of these permittees have had a brush with the law, with *one* being the grand total involved in a violent crime.

Oh, and by the way, violent crime has fallen dramatically in both states since they enacted their "shall issue" laws. *Society as a whole is safer when the criminals don't know who among us is armed.* CPR

William E. Saracino is executive director of Gunowners of California.

Baptist minister who was fired from his post on San Francisco's Human Rights Commission when he refused to renounce his religious beliefs. (*See* "The New Intolerance," *CPR* July/August 1997.) The Ninth Circuit castigated him as a "homophobe" and rejected his First Amendment claims, which would have been a *cause célèbre* had he been an AIDS activist instead of a fundamentalist Christian. Well, here's the rest of the story: The judge who wrote the Ninth Circuit opinion, a liberal Carter-appointee named William Norris, retired at the end of October 1997. It turns out that Norris, who once was a Democrat candidate for the state attorney general, has a long history as a judge of promoting special "rights" for homosexuals. Before he stepped down from the bench, he delivered a widely-publicized speech at the annual awards dinner of a national homosexual rights organization, the Lamda Legal Defense and Education Fund (where he was introduced by L.A. Mayor Richard Riordan). In recognition of Norris's anti-Christian bigotry, the group gave him its Liberty Award for his "forceful and courageous voice for legal recognition of equal rights for gays and lesbians in our society" (but not for Christians).

ACCORDING TO the front page story in the *L.A. Times,* in his sensational prepared remarks Norris excoriated President Clinton's "don't ask, don't tell" policy as "evil" and compared it to government-mandated racial segregation and the mass incarceration of Japanese-Americans in World War II. Norris also berated the U.S. Supreme Court's 1986 decision in *Bowers v. Hardwick* upholding anti-sodomy statutes as "surely one of the most gratuitous and vicious opinions ever written." Echoing his anti-Christian opinion in *Lumpkin,* Norris was particularly scornful of former Chief Justice Warren Burger's concurring opinion in *Bowers,* in which Burger suggested that equating homosexual behavior to heterosexual conduct would be "to cast aside millennia of moral teaching." In contrast to this denunciation, Norris praised Ellen DeGeneres. In other words, Rev. Lumpkin never had a chance.

On December 1, 1997, the U.S. Supreme Court denied review of Rev. Lumpkin's appeal of the Ninth Circuit decision authored by Norris. The moral of this story? Someone should explain to Martha Escutia that with white males like William Norris, there is little need for "diversity." CPR

THE MIDNIGHT ECONOMIST

Confusion Along the Ramparts

Property Rights, Human Rights, and Campus Radicals

WILLIAM R. ALLEN

I DON'T MEAN to be beastly about it. But there does appear to be some degree of confusion among radical reformers concerning property rights. And campus radicals, be assured, can be as confused as any other kind.

The confusion begins with the very term, "property rights." Property itself — a piece of land or an automobile — has no rights. Only people can have rights. So-called property rights are the rights of *people* to the *use* of property. Those rights to use of property are necessarily limited: within permitted limits, I can use my hammer as I please, but I am not permitted to use my hammer to break your window without your consent.

William R. Allen, whose mother was proud of a supposed trace of Indian heritage, expounds the virtues of private property while professing in the economics department of a state university, UCLA.

But the rights in question, even though limited, are mine, not the hammer's. There can be no conflict between the hammer and me over respective rights, for the property itself has none. Campus radicals are not the only ones who sometimes profess to see a contrast between "human" rights and "property" rights. And, of course, faced by that dichotomy — silly though it is — any red-blooded American would come out fourscore in favor of "human" rights.

Rights to use of property will not be abolished by the revolution — unless the revolution leaves us in a state of complete anarchy. The rights can be *re-defined* and *re-distributed* by the revolutionary tribunal, and there can be institutional and procedural changes in how those rights are *specified* and *allocated* and how *disputes* over rights are resolved. But *any* society will have *some* system of property rights and their administra-