

aren't really more deserving than those bunched below them. Surely Rush Limbaugh's radio rap isn't so much better than that of the typical local talk show host. Michael Jordan plays superbly, but not well enough to justify all the endorsement contracts he receives. Michael Jackson . . . well, you get the idea, don't you?

I confess that this resonates with me a bit. I am a small-time writer: my 12 books haven't brought in enough to pay for the paper on which they are printed, my columns earn me a pittance compared to what George Will collects, and so on and on. I am envious, at times, of all those who live in the big cities and get exposure on the Sunday morning news programs. Even in my field of philosophy, there are stars whose popularity—manifest in their repeated appearance on the pages of not only the most prominent and prestigious scholarly journals but also of national magazines and Sunday book review supplements—is way out of proportion to their talent and achievement. They are where they are in large measure from bad habit, luck, or knowing the right people—with their superior achievements probably accounting for a fraction of the rewards they reap, not just in money earned but in influence they peddle.

But so what? How dare anyone suggest that this is something that others ought to redress through coercive government intervention? It is an outrage.

I don't know if the scholars who propose this are simply morally obtuse or actually envious of the fame and fortune of a few others in their field—perhaps Nobel Prize winners Gary Becker or Milton Friedman in economics, for example. Their motivation doesn't make any difference. What is clear is that they are proposing yet another phony excuse to increase the power of the State over the lives of citizens in a supposedly free society.

It is perhaps worth noting that the complaint voiced by Frank and Cook applies to an era of American economic history that is hardly characterized by a national economic policy of *laissez faire*. Quite the contrary—our national economic system has become ever more managed by government. Regulation, taxation, nationalization of land, control of wages and labor relations, welfare, and the rest have continually expanded, both at the state and national levels. At most there has been some decrease in the rate of the growth of government interference. Even the current Republican Congress has not managed to reduce government regulation and spending, but only stem proposed increases in some areas.

But even if it were true that a bona fide free market had spawned something akin to the winner-take-all society, so what? If I wish to ogle two or three supermodels and thus increase their wealth beyond what their competitors earn, that is my business. My earnings, my time, and my good or ill fortune are for me to distribute to willing takers, not for the politicians and bureaucrats whose power Frank and Cook are so eager to rationalize.

Frank and Cook can, of course, do some good by letting us know about the trends of which they write. But their proposed remedy is wrong and should be rejected by anyone concerned for the future of our society. Liberty does require eternal vigilance, especially when confronting sophists who would arm the statists with greater power over us.

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How High a Price for Civilization?

by Stephen Gold

In the battle over tax reform, skirmishes over the current level of taxation are inevitable. As in the past, supporters of big government will almost certainly complain that taxpayer advocates only focus on one side of the fiscal equation, that is, the revenue side. What about the return on our money? As Justice Oliver Wendell Holmes once said, and high tax enthusiasts are wont to repeat, “Taxes are what we pay for civilized society.”

Of course, when Justice Holmes made this observation in *Compañia de Tabacos v. Collector* (1904) the average American’s total tax burden was about 7.6 percent of his income. Today, federal corporate income taxes alone account for a higher percentage. In all, our nation’s tax burden hovers around 35 percent of total income, not including the cost of tax compliance, future taxes made necessary by deficit spending, or regulation.

Counter tax advocates: So what? More taxes simply mean more (and, by implication, better) government. “Every nickel that goes in comes back in some way or another,” Robert McIntyre of Citizens for Tax Justice has stated. A *Des Moines Register* editorial defended the current level of taxation, pointing to the value of such programs as national defense, public schools, police and fire protection, national parks,

roads and highways, and safety nets for the unemployed, the disabled, and the elderly.

Yet such *ad populum* arguments, while relevant, leave fundamental questions unresolved—such as, how much government spending is actually necessary? Or, to phrase it in a way Justice Holmes would appreciate, how much tax collection does it take to achieve a “civilized society”?

What Is Civilized?

To answer that, we must first ask: what do we mean by a “civilized society”? In an informal sense, “civilization” simply means a modern society with conveniences, as opposed to life in the middle of the jungle—Webster’s definition. But Justice Holmes probably had in mind a more technical meaning, one centering on a stable system of governance that could protect life, liberty, and property, while providing due process of law for its citizens.

Based on this view, the United States was civilized at its founding. The central government created by the framers of the Constitution was, to say the least, a minimalist national government, with a primary mission of maintaining a military, minting coins, operating judicial and postal systems, and, later, helping to build roads and canals. Throw in some police, courts, and additional roads at the state and local level, and that was about the extent of late eighteenth-