insurance dictator; they seem prepared to install an environmental dictator as well. The only limit on such officials' power is aggressive intervention by the courts.

We don't have democracy for its own sake; we have it to protect ourselves from the tyranny of minorities. Liberal, or constitutional, democracy goes a step further. By limiting what kinds of laws the majority can make, and by interposing often-complex procedures between the public and those laws, it protects us from the tyranny of the majority.

It also guards us—imperfectly, to be sure—from our own ignorance. Ballot initiatives frequently lead Californians to vote on issues they know virtually nothing about—complicated reapportionment measures, for example.

Representative government may be subject to procedural inefficiencies, elitism, or potential corruption. But lawmakers do have a chance to learn about pending legislation. And legislative agendas aren't rigidly controlled the way ballot initiatives are. Once specified, an initiative can't be changed. But bills are easily amended, which dilutes the power of their drafters.

The legislative process also introduces a factor sorely missed in direct democracy: time. It usually takes a long time for a bill to become law—time for people to do research, to think, to change their minds. When it doesn't, as with the flag-burning prohibition, we can usually be certain that demagoguery is afoot.

Nagging people to vote without knowledge or deliberation trivializes political decisionmaking. That may be why citizens aren't especially likely to vote when important, but extremely complex, measures are on the ballot. They simply can't be sure what effect their votes might have. The initiative process also abrogates one of the most compelling features of *liberal* democracy—the notion that government ought not intrude so much into daily life that ordinary citizens must become experts or senators or judges.

Italian voters recently cast more than 90 percent of their ballots for three referendums. The measures failed—because fewer than 50 percent of registered voters turned out, thereby nullifying the election. Many people stayed home to block the referendums, which would have restricted hunting and pesticides.

Similar laws "are already under discussion in the Parliament," reports the *New York Times*. "But given the need for broad consensus in a country where no single party can get a legislative majority, the results are likely to be watered-down versions of what might have been possible had the referendums passed." James Madison would approve. ◼

THE FOURTH 'R'

JACOB SULLUM

The "Activities" section of the typical high school yearbook may never be the same. Toward the beginning will be the Communist Youth League; a few pages after the Glee Club, you'll find a Hare Krishna group; the Ku Klux Klan will appear in between Junior Achievement and the Latin Club.

Or so the critics of a recent Supreme Court decision imagine. In June, the Court ruled that federal law requires a public high school to permit student religious groups to meet on campus if it allows other kinds of extracurricular clubs to do so. In *Board of Education* v. *Mergens*, a group of Omaha students challenged their school's refusal to authorize a Christian Club. The school, they said, had violated the 1984 Equal Access Act, which prohibits a public secondary school with a "limited open forum" from discriminating against student groups on the basis of their religious, political, or philosophical views.

"Undoubtedly, the evangelicals will try to put one of these clubs into every school in the country, and they have made clear the purpose will be to spread the good news of the Gospel," said Marc Stern, an American Jewish Congress attorney who represented the school board in *Mergens*. "This decision will also allow Louis Farrakhan and David Duke to organize groups at school."

Stern had argued that allowing the Christian Club would violate the First Amendment's Establishment Clause by placing a government stamp of approval on religion. In fact, however, the policy mandated by the Equal Access Act is explicitly one of neutrality, not endorsement. It does not require special treatment of religious clubs—merely the same treatment accorded other student groups.

Still—like Justice John Paul Stevens, the lone dissenter in the case—not a few parents will be troubled by the specter of religious cults, hate groups, and radical political movements setting up branches in high schools throughout the nation. It may be true, as Justice Sandra Day O'Connor wrote for the majority, that "secondary school students are mature enough...to understand that a school does not endorse or support student speech that it merely permits on a nondiscriminatory basis." But teenagers are still more susceptible to peer pressure and more vulnerable to offense than adults are.

These facts are particularly troubling in the context of a government-run school. As Justice Thurgood Marshall noted in his concurring opinion: "When the government, through mandatory attendance laws, brings students together in a highly controlled environment every day for the better part of their waking hours and regulates virtually every aspect of their existence during that time, we should not be so quick to dismiss the problem of peer pressure as if the school environment had nothing to do with creating or fostering it."

Parents may value tolerance and the free exchange of ideas yet balk at sending their children to a school with, say, a thriving chapter of Satanist Neo-Nazi Skinheads for a Cleaner Planet. On the other hand, parents might like their children to have the option of praying with fellow students after school. Such questions are properly left for parents to decide.

So those who object to the new policy for extracurricular activities have a point.

But the problem they sense is not unique to this situation; it is inherent in state schooling. Parents who cannot afford to pay private tuition as well as the taxes that support the public-school system have little or no choice in educating their children. They cannot select a school with good extracurricular clubs or reject a school with bad ones. More important, they have no effective control over any aspect of the school environment, including curriculum, instruction methods, scheduling, and discipline.

Indeed, it seems strange that people who would allow government to decide every important issue of educational policy—what guiding philosophy to adopt, what textbooks to use, how to treat sex, whether to teach "creation science"—object when Congress and the Supreme Court change the rules for extracurricular clubs. This is like complaining about the food on a flight that's headed for the wrong destination.

SUICIDE SOLUTION

CHARLES OLIVER

Janet Adkins wanted only to die with dignity. To that end she traveled from her home in Portland, Oregon, to Holly, Michigan. There she met with Dr. Jack Kevorkian, inventor of a controversial suicide machine that allows a person to give herself a lethal injection of potassium chloride.

Janet Adkins was in the early stages of Alzheimer's Disease, an untreatable illness that slowly but inevitably takes one's memories, and eventually, one's life. Adkins saw her future, and she refused to accept it. So she decided to take her own life.

While Adkins had already begun to experience some memory loss, her family agrees that she was still rational. "It was not a desperate thing or a depressed situation," her son Neil told the *New York Times*. "She was the one that helped us through it."

Kevorkian's machine, and Adkins's use of it, have forced the medical community to rethink its stance on euthanasia. Passive euthanasia, the withholding of life-sustaining care, when requested by a patient or the patient's guardian, has become accepted practice. But the medical establishment still refuses to condone active euthanasia. (See "Don't Block the Exit," Apr.)

Kevorkian's machine helps eliminate one objection to active euthanasia: the fear of a rogue doctor abusing his power to end lives. Adkins not only verbally requested the procedure, she pushed the button that sent the poison into her body.

But there still remains a more fundamental objection. Doctors are supposed to save lives, the argument goes, so they shouldn't end them. Some doctors feel that active euthanasia violates the Hippocratic Oath's directive to comfort the suffering, because it leaves the physician with no patient left to comfort.

But while that interpretation observes