



Imported Values

"America's Economic Refugees" (Nov.) shows the benefits immigrants bring into this country through their hard work at the grass-roots level, where true entrepreneurship is born as a matter of survival. But I was quoted as if I was underestimating the issue of exploitation. The plight of the immigrant is undeniable, and it is also undeniable that immigrants are exploited in many instances—not only by employers but also by the media, politicians, providers of goods and services, and private as well as governmental institutions.

Immigrants do bring a strong value system to our society. Among Hispanics, the rate of divorce is a lot lower than that of the general population, and the extended family is strong. Eighty-three percent of the Hispanic households in California are the classic family units that serve as a foundation for stability, compared to 64 percent among non-Hispanic whites. Where we fail the immigrants is in not allowing them to maintain a strong sense of identity and self-worth. The present immigrant bashing is an example of denying their value as human beings, and I do not know many people who can fight, much less survive, such reactionary bombardment.

We must provide them with the opportunity of educating themselves, so they can have the freedom to choose which jobs they would like to take. We must allow them to come into the mainstream, so we may benefit from their value system—

family cohesiveness, integrity, respect for others, loyalty, love for their kin. We must signal to them that it is OK to be who they are and that they do not have to choose between one culture and another, that there can be a choice of taking what is best from each culture. There is a lot to be learned from them, and in learning from them we can use their value system to return this country to greatness.

*José de Jesús Legaspi
Montebello, CA*

School Duel

From the viewpoint of libertarians, the school-voucher initiative ("Getting an Education," Nov.) was a fabulous success in one important sense. With the help of a huge number of pro-voucher volunteers, it took only \$800,000 to put the initiative on the ballot. But it cost the California Teachers Association, arguably the most anti-taxpayer labor union in the state, \$12.6 million to defeat it. All told, 95 percent of the \$16.9 million spent against Proposition 174 came from the five government-school labor unions.

Normally the CTA uses its captive dues for advancing new socialist programs and funding big-government candidates. But in this election the CTA was desperately fighting to hold on to its empire—the failing public-school monopoly.

Advocates of limited government should put a voucher initiative on the ballot every year—just to drain the coffers of the CTA and its allied labor unions. Offhand, I can't think of a more cost-effective way to deplete the campaign funding of some of our worst elected officials.

*Pat Wright
Chair, Libertarian Party of San Diego
San Diego, CA*

Tim Ferguson takes the position that another worthwhile concept has fallen on hard times because it wasn't sold right. Is it possible that it wasn't the selling job that was at fault, that the basic concept of vouchers is seriously flawed?

The elitist concept of vouchers is simply one more example of the grand old

American tradition of running away from our problems. When the farmland in the East gets worn out, we simply load the family in the wagon and head west, where the land's free and the soil is still fertile.

Universal "free" education is one of the features of our governmental system that sets us apart from the rest of the world as a desirable place to live and grow. A voucher system would be a giant step toward dismantling that system. If we have decided as a nation that we no longer can afford universal, tax-supported education, let's vote it out gracefully. Let's not cop out by picking it to death.

*Earl Gates
Decatur, IL*

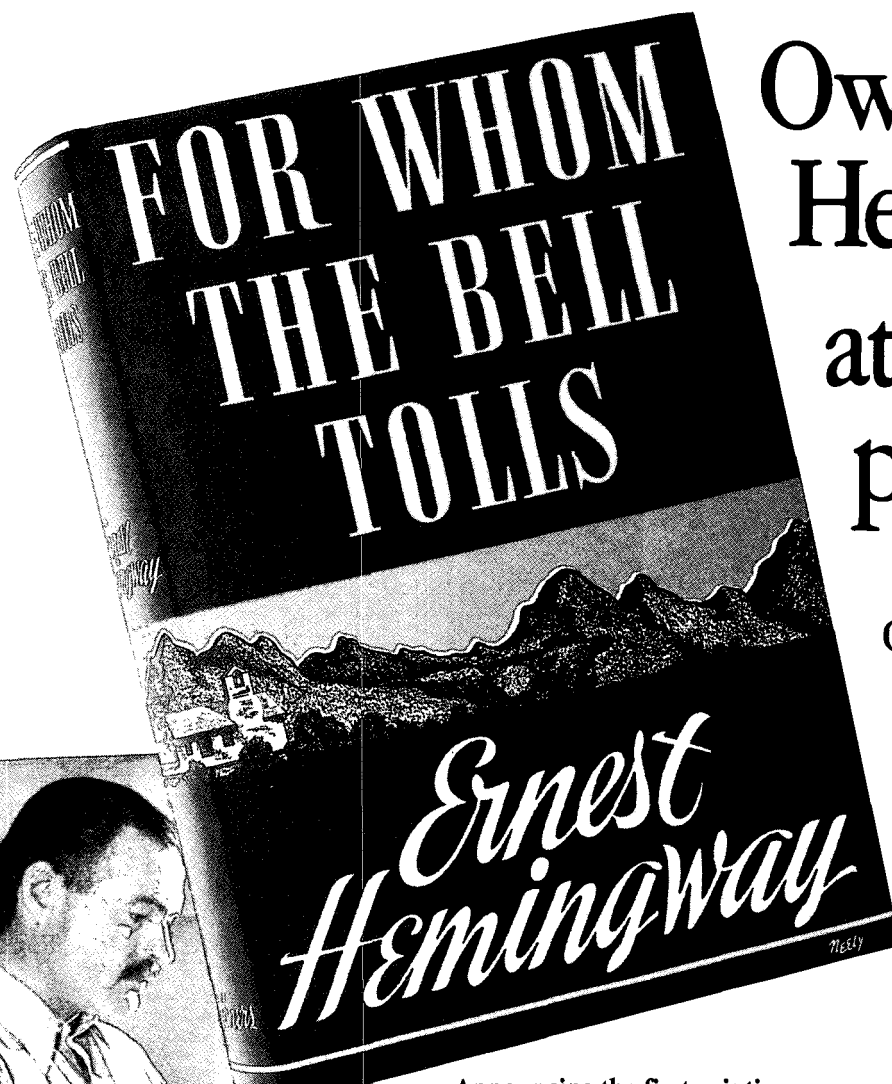
I am appalled and bewildered to find so-called libertarians and conservatives backing another government subsidy in the form of school vouchers and calling it "choice." Sure, all citizens would benefit from a good education, but what about clothing, food, health care? Why don't we ask the government to send us a voucher so we can use it for "choice" in physicians? How about food coupons so we can have "choice" in food? Why not housing chits so we can have a "choice" in neighborhoods? Why don't we just send all our money to the government, and they can send us back a coupon book? That will really increase our choices!

*Maggie Kohls
Des Plaines, IL*

Common Understanding

Loren Lomasky's review of my *The Spirit of Community* (Nov.) suggests that it is not up to my usual social-science standards. He is quite correct, but this is like suggesting that a novel does not rhyme. The book is studded with cartoons and has no footnotes or statistics; it is written to appeal to my fellow citizens and avoids scholastic vocabulary.

Lomasky, though, raises a critical issue that deserves additional discussion whether or not one acknowledges the surprisingly wide appeal of the communitarian message to our fellow citizens. He



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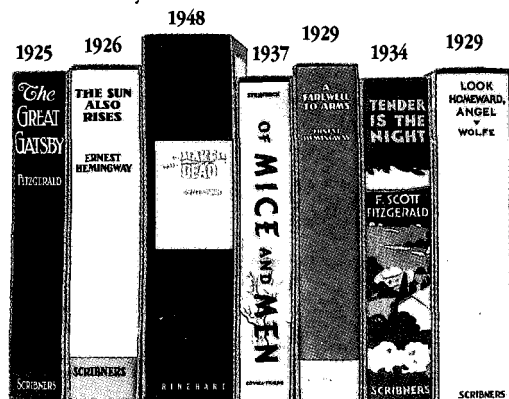
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suggests that the distinction between interests that "are deemed 'public' and those that are merely private" is ill-defined and does not hold up in practice.

Only extreme libertarians would deny the merit of such a category as the common good and put the concept of a public in quotation marks. Others regularly acknowledge that the free market will not attend (or not sufficiently) to some goods—basic research, for instance. Because the yield of basic research is available to one and all, those who heed only private interests will rationally free-ride. Yet it is in the interest of all (as well as of those not yet born) for basic research to take place. A libertarian may well warn against unnecessarily inflating this category, watch carefully that it is not used to impose more commonality than is absolutely necessary, but to deny that there is such a category seems indefensible.

Can we tell in practice what is what? One criterion is who benefits. If the Sierra Club is fighting for untrampled ski slopes for its members, it is acting as a special-interest group. If it is acting to preserve clean drinking water for one and all, it is acting on behalf of the public. Please do not throw out the communitarian baby with the liberal bath water.

Amitai Etzioni

*Founder, Communitarian Network
Washington, DC*

Another Tax Revolt

Steven Hayward's article on Proposition 13 ("Pushing the Limit," Nov.) dealt well with many of the issues surrounding spending by big government. It gave short shrift, however, to the inequities created by granting continuing tax benefits to old folks like me. Just next door is a fine young family that pays some four times the property tax that I pay for property of similar market value. Even bigger benefits accrue to owners of properties like apartment houses and large businesses that have not changed hands since Prop. 13 passed. This is the basis for still another tax revolt waiting in the wings.

How to fix it? Assess all property at its

market value and cut the tax rate to keep revenue steady. Require a two-thirds vote to change the tax rate. Key any automatic increases to the rates of inflation and population change. Finally, as Mr. Hayward ably argues, put a cap on state spending.

*George Amberg
El Cerrito, CA*

Fetal Position

In "The Killing Grounds" (Nov.), Richard A. Epstein writes: "If a person does not know whether he or she will be in the position of the woman seeking the abortion or the fetus that will be aborted, what rule of decision would that person choose to maximize the welfare of both?" Mr. Epstein assumes that the mother and the fetus are on the same level. A fetus is not a person and should not be given the same rights as a person.

Later on Mr. Epstein asserts that a fetus will become a person without further intervention and assistance of others. In reality, it's not until the 24th week of development that a fetus's lungs develop enough so that it can breathe on its own, without the help of its mother. Premature babies born after exactly 23 weeks have a 10-percent chance of surviving. Premature babies born after exactly 24 weeks have a 50-percent chance of surviving. If an abortion is performed before 24 weeks of a pregnancy, it's legal. Otherwise, the legality is questionable.

*Seth Allen
Alexandria, VA*

Only people make choices. Fetuses do not, and a non-oppressive government does not deny citizens the right of choice. Abortion, euthanasia, and suicide are very personal choices of the people involved. They only become issues in the minds of those who would manipulate the government to impose their wishes on others.

*Milton E. Bennett
Irving, TX*

Mr. Epstein replies: Seth Allen and Milton Bennett raise the familiar position that a fetus is not a person and is thus entitled

to no weight in any well-ordered political system dedicated to the rights of persons alone. That argument, however, proceeds far too swiftly for its own good, for it does not tell us what the fetus is and what rights and duties, if any, should be attached to the fetal status. If we regarded the fetus as a clump of undifferentiated cells, then abortion would be no more problematic than cutting off a hangnail. Why, then, so heated a debate for a generation? And if the fetus is not just another clump of cells, then it must occupy at the very least some intermediate position between the hangnail and the full person. If so, then it is far from obvious that its interests are always trumped by the claims of a mother whose abortion could be for reasons as serious as protection of her own life or as frivolous as her desire to look good in next summer's swimsuit.

Mr. Allen is wrong to assume that the critical question is when the fetus becomes viable. The question is when its interests start to count, for which the Rawlsian veil-of-ignorance approach is as good as any, since it reminds us all to consider our own vulnerability at the formative stages of our lives. Likewise, Mr. Bennett is wrong to frame the issue as simply one of liberty, given the harm to another living thing, with some, if not all, of the attributes of a person. In sum, both Mr. Allen and Mr. Bennett make a Dworkin-like mistake by assuming that abortion tracks the euthanasia question on all relevant dimensions. Unfortunately, the abortion issue is much tougher and will never be solved by making convenient assumptions about life and living creatures that are false to nature and false to the moral debate.

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Pest Patrol

The Clinton administration's pesticide policy: on balance, a nuisance

By Glen Litsinger

IN SEPTEMBER, THE CLINTON ADMINISTRATION unveiled its game plan for pesticide regulation. If it's enacted into law, the big winners may be the pests.

In one positive change, the new policy would drop the "Delaney Clause," which bans all carcinogens from processed food. In its place would be a "negligible risk" standard for all foods. This allows pesticides that cause a risk of fewer than one extra case of cancer per million consumers exposed to the substance over a 70-year period.

But the new policy would also:

- Streamline pesticide registration by "sunsetting" pesticide ingredients. For each ingredient in its pesticides, a manufacturer would have to prove every 15 years that toxins meet "negligible risk" standards set by the Environmental Protection Agency. The standards may change at any time, and a product with several ingredients might have a different "sunset" for each ingredient. Currently, manufacturers aren't required to reregister their products for EPA approval unless evidence of harm surfaces.

- Prevent the economic benefits of a pesticide from being considered in the approval process "except in exceptional cases involving significant disruption of the food supply," in which case the product would get a five-year reprieve.

- Make risk standards stricter by basing them on the tolerance levels of children rather than adults.

- Prohibit the export of banned ingredients or products.

- Authorize the EPA to remove pesticides from the market without warning if suspected health problems arise.

- Set national goals to eliminate all "high-risk" (that is, man-made) pesticides and institute "Integrated Pest Management" controls that would require crop rotation, natural predators, and the like by

the year 2000.

Secretary of Agriculture Mike Espy says the changes will assure safer food "while maintaining the economic viability of the American farmer."

But as effective pesticides are taken off the market, says Mark Maslyn of the American Farm Bureau Federation, farmers are worried that "this policy will result

in higher [produce] prices and lack of product." Maslyn voices other concerns, including the prospect of "citizen suit authority," which lets activists sue private landowners on behalf of the government for alleged violations, and skittish food processors who will "demand foods be pesticide-free if there's even a perception of risk."

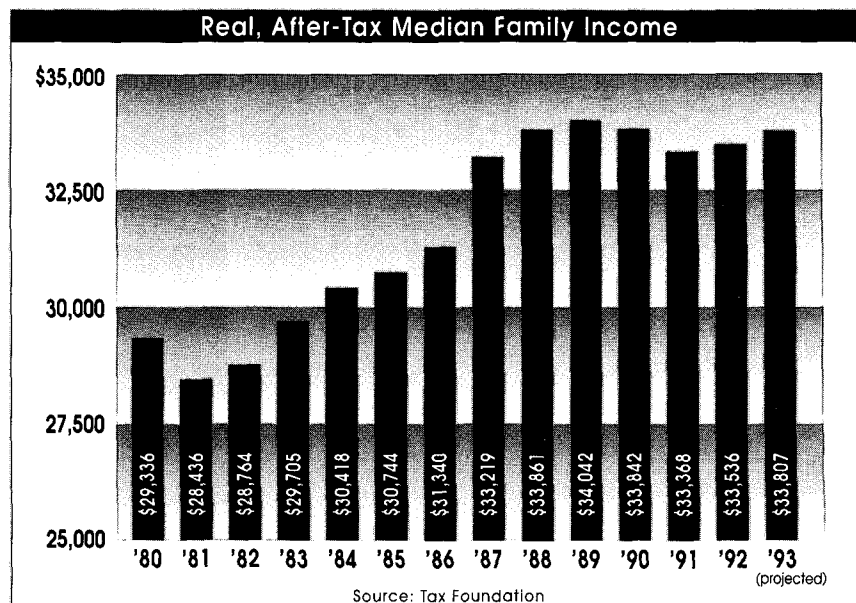
Sen. Edward Kennedy (D-Mass.) and Rep. Henry Waxman (D-Calif.) have sponsored bills that codify the administration's proposed policy. It is also part of the Food Quality Protection Act, introduced in September by Sen. David Pryor (D-Ark.).

The Tax Monster Bites Again

Where the gains of the '80s went

By Rick Henderson

The Clinton administration likes to rail against those Gordon Gekko types who made out like bandits in the 1980s while everyone else fell behind; free-marketeers counter with statistics showing every income group getting wealthier over that time. Indeed, the median family income before taxes has almost doubled, from \$26,879 in 1980 to an estimated \$51,883 in 1993. So where has the money gone? Inflation and taxes. A study by the Tax Foundation shows that real, after-tax income is only \$4,471 higher now than it was in 1980. The big culprits: Social Security payroll taxes, which increased from 12.3 percent of income to 15.3 percent, and state and local taxes, which have risen from 11.4 percent to 12.6 percent. New taxes to finance health-care reform could slice even more from our paychecks.

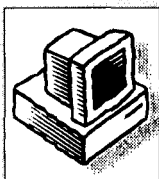


Balance Sheet

By Rick Henderson

Assets

Show Trial. Howard Stern, rest easy: The U.S. Court of Appeals for the D.C. Circuit overturns FCC regulations that prohibit "indecent" broadcasts between 6 a.m. and midnight. The ruling may also stifle congressional attempts to regulate TV violence.



Codebreakers. Congress may loosen the intelligence community's grip on encryption. (See "Hide and Peek," Nov.) Rep. Maria Cantwell (D-Wash.) offers a bill that would lift export restrictions on commercially available encryption software. If the bill passes, domestic software manufacturers say they'll sell an extra \$6 billion to \$9 billion in encoded programs each year.

Toxic Haste. While dioxin is dangerous, it never was "the most toxic substance known to man." In Seveso, Italy, where a factory explosion released one pound of dioxin into the atmosphere in 1976, a study of residents shows no overall increase in cancer rates. Most notable: None of the residents who were exposed to high levels of dioxin and developed the skin disease chloracne have contracted cancer.

Peace Plan. In case you didn't know the Cold War was over: The CIA and the Pentagon plan to sell nonclassified satellite photographs on the open market. The Russian air force will offer combat training courses to outsiders, including the U.S. Air Force. And German entrepreneur Frank Georgi will open an East German theme park, complete with spartan hotels, surly shopkeepers, and secret police.

Liabilities

Doctoring Figures. Bill Clinton complains that rising health-care costs will bust the budget. So the White House wants to conceal ClintonCare's true costs. It's urgently trying to take the plan "off-budget," so that new health-care taxes and spending won't show up in deficit accounts. Says Health and Human Services Secretary Donna Shalala, "It's not obvious that a [coerced health] premium is a tax."



Exhaust Cost. Cleaner air just got more expensive. Low-sulfur diesel fuel mandated by the Clean Air Act eats away rubber gaskets in automotive fuel injectors. Eventually the gaskets fail, causing fuel leaks. One Maryland resident tells *The Washington Post* it cost \$400 to replace the gaskets in his VW Rabbit.

Blocked Grants? Welfare reformers, beware. Old Democrats refuse to be ignored. Eighty-nine House members, including Majority Whip David Bonior (Mich.) and budget chairman Martin Sabo (Minn.), co-author a letter to Bill Clinton. "Real welfare reform," they write, must be "reinforced by substantial financial and human resources." They demand more spending for child care, unemployment insurance, health care, jobs programs, food stamps, etc.

Electric with Fear. The next trial lawyers' bonanza: electromagnetic-field suits. (See "Fear of Phoning," June.) When part of your property is seized for utility construction, rules New York state's highest court, you can seek damages if fears of EMF-induced cancer reduce the value of the rest of your land. Trial lawyers say this ruling should apply to any property adjacent to power lines. "Property devaluation cases" will surge, plaintiff's attorney Michael Withey tells *The Wall Street Journal*, "because you don't have to [prove] the science."

Bye, Granny

Nursing homes and subsidies

By Jacob Sullum

DURING THE NEXT THREE DECADES, as the baby boomers move from middle to old age, the ranks of the elderly are expected to swell by 64 percent; the number of Americans 85 and over will nearly double. So the issue of government subsidies for nursing-home care will become increasingly important, just as the clout of benefit-hungry groups like the American Association of Retired Persons reaches an all-time high.

A recent working paper from the National Bureau of Economic Research injects a note of caution into this looming debate. Economists David Cutler of Harvard and Louise Sheiner of the Joint Committee on Taxation note that public subsidies for long-term care tend to reduce assistance from relatives and other private sources. "As the ease of acquiring Medicaid increases or Medicaid payments become more generous," they write, "fewer elderly receive substantial day-to-day help from their children."

Cutler and Sheiner analyze data from interviews conducted in 1982 and 1984 with a random sample of some 6,000 disabled elderly people, about 15 percent of whom spent time in a nursing home during the two-year period. Taking into account financial, demographic, and health information, they compare admissions in states with relatively generous Medicaid policies to admissions in states with lower subsidies and stricter standards. They find that looser rules and lower co-payments lead to greater use of nursing homes among people who may not need them.

"Estimates suggest that all of the elderly admitted to nursing homes when policies change formerly lived with their children or with others," Cutler and Sheiner write. "The view that the marginal nursing home admission is an elderly person living alone and without other means of support does not appear true in our data."

School Switch

Puerto Rico's voucher program

By Rick Henderson

LAST FALL, WHILE EDUCATION REFORMERS focused on California's (unsuccessful) school-voucher initiative, a more radical program began in Puerto Rico. It may serve as a model for public and private school-choice measures nationwide.

On September 3, Puerto Rico's legislature passed the Education and School Choice Program. The plan provides a \$1,500 voucher to any student who wants to transfer from a public to a private school. It also gives a \$1,500 voucher to a public school for any student who wishes to transfer from one public school to another or from a private to a public school.

To qualify for a private-school

voucher, the student's family income must be less than \$18,000 a year. Any school that is either licensed or accredited can receive vouchers. (To receive a license, a school simply has to satisfy health-and-safety codes.)

Puerto Rico spends \$5,574 per K-12 student. As a percentage of per-capita income, that's four times as much as the U.S. average. Puerto Rico's schools have twice as many teachers per student as those on the mainland, but the graduation rate is only 46 percent.

Although the legislature approved the bill less than two weeks before the school year began, more than 1,800 students signed up for vouchers. Nearly two-thirds of them transferred from one public school to another. Interestingly, 317 students switched from private to public schools, compared with only 311 who went from public to private.

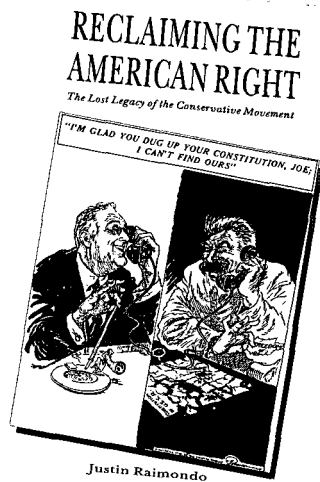
The first \$10 million in voucher fund-

ing came from privatization of the island's long-distance telephone company. Secretary of Education José Arsenio Torres has said any additional money will come from cuts in the Department of Education's \$1.5-billion annual budget.

Both the massive bureaucracy and the atrocious performance of the public schools led to passage of the voucher plan. The local teachers' union (with the assistance of the American Civil Liberties Union) has challenged the plan in court.

The Institute for Justice in Washington, D.C., will represent the parents of students who have received vouchers. Director of Litigation Clint Bolick, who successfully defended low-income voucher recipients in Milwaukee, says, "This is the most important [school-choice] litigation ever." While Bolick expects the commonwealth courts to rule on the case this spring, he says the U.S. Supreme Court may ultimately settle this dispute. ☐

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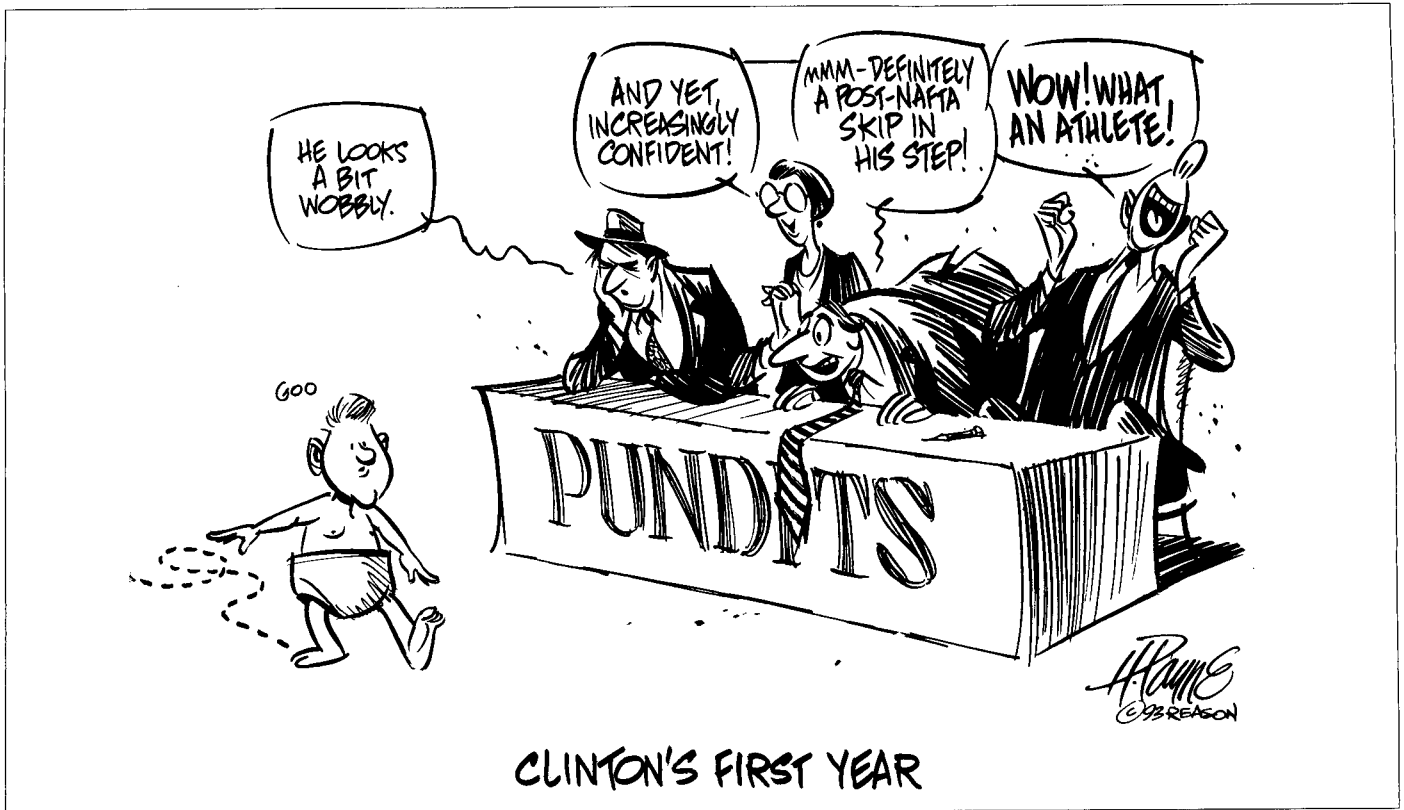
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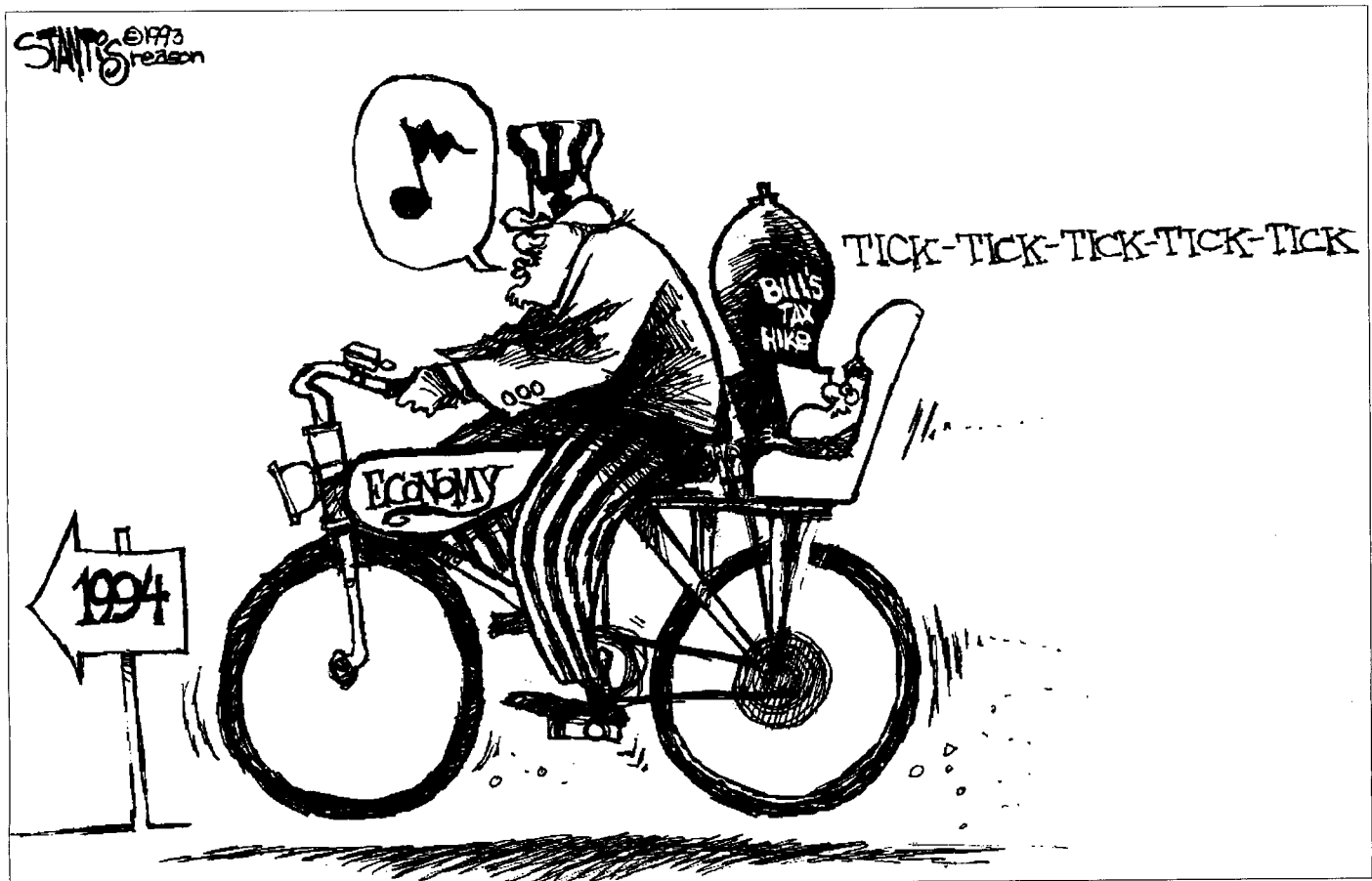
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■ **The Miami Herald** refuses to refer to the city's arena football team by its proper name: the Hooters. Paul Anger, the paper's sports editor, defends the policy, saying that he questions "whether that's an appropriate name for a professional sports team." No word yet on whether the *Herald* considers the Heat or the Hammerheads (two other Miami franchises) "appropriate" names for sports teams.

■ **Utah politicians** grappling with campaign reform have made an interesting discovery. Seems that any politician who tithes to his church has violated a 76-year-old state law. The law prohibits candidates from giving to charities or religious groups.

■ **Some friend of the environment** Al Gore is. First he redecorates the vice-presidential mansion with a rare wood. Then he has his reinventing government plan printed on glossy, full-color paper. Doesn't he know that plain, unbleached paper is so much easier to recycle?

■ **Lebanon's representative to the Miss World contest** is facing possible legal troubles back home. Ghada Turk was photographed fraternizing with Miss Israel.

The two countries are still technically at war, so many of Beirut's papers have called for indicting the lovely for treason.

■ **In Connecticut, the Caldor department-store chain** refuses to carry radio personality Howard Stern's new book, *Private Parts*. The stores always post the *New York Times* best-seller list, so management faced a quandary when the book hit the top of the list. Rather than tell customers that it didn't stock the best-selling book in the nation, Caldor created its own list, using the *Times* format and logo but omitting Stern's opus. When the *Times* found out about the misrepresentation, it threatened to sue. One wonders if Caldor was inspired by another bestseller: *1984*.

■ **Rapper-actor Tupac Shakur** was, within a period of less than three weeks, arrested in separate incidents for allegedly shooting two off-duty police officers and for allegedly holding a woman down while his friend sodomized her. Shakur is a nominee for an NAACP Image award, to be presented in January.

■ **Want to make sure your child never gets an F in school?** Enroll him in a school

in Houston. The Houston Independent School District has replaced the traditional system of report-card grading with one that shows a child's stage of development in learning things. The stages are discovery, exploration, developing, expanding, connecting, independent application, and synthesis. But irate parents are demanding the old grading system back. I guess they gave this idea a "discovery."

■ **In the Brazilian city of Belo Horizonte**, a thief was robbing a shop when he noticed a tank of industrial glue. He took a break to sniff the glue and passed out, knocking over the tank. The next morning the shopkeeper found the man glued to the floor of his store. He called the police, who cut him free and then carted him off to jail.

■ **In 1990, the Bush administration** called for the creation of a National Drug Intelligence Center "to consolidate and coordinate all relevant law enforcement information related to drug trafficking and provide a strategic picture of drug smuggling and distribution organizations." But the proposal changed a bit as it made its way through the legislative process. Instead of coordinating information, the new center will duplicate the functions of 19 existing drug-intelligence centers. And instead of setting up shop in the corridors of national power, it is located in Johnstown, Pennsylvania, an economically depressed town of 35,000 best known for its floods. Rep. John V. Murtha, Democrat of Johnstown, explains the location this way: "That's where I wanted it." He adds that the move saves taxpayers money, since rents are lower in Johnstown than in Washington.

■ **The Federal Trade Commission** has said it may require stock cars sponsored by tobacco companies and carrying the logos of smokeless tobacco products to carry labels warning about the dangers of chewing or dipping tobacco. One of the proposed warnings is: "This product is not a safe alternative to cigarettes." That should be easy to read on a vehicle traveling at over 100 m.p.h.

—Charles Oliver

Where Have All the Dollars Gone?

★ ★ ★ ★ ★ ★ ★ ★ ★ ★

How the government robs Peter to pay him back

By James L. Payne



CHIP BOK