

BRICKBATS

♦ **Tampa, Florida, police fingered Johnny Golden as the suspect in a bank robbery after witnesses picked his photo out of a lineup. Golden produced a pay slip showing he was working in North Carolina when the robbery took place. His supervisor and four other workers also told police he was working on the day the bank was robbed. It didn't help. Golden spent six months in jail awaiting trial. While in jail, Golden lost his car and his home, and his wife took their infant son and moved back in with her parents. On the first day of his trial, the teller he had allegedly robbed walked into court, saw him, and told the prosecutor they had the wrong man. Florida set him free and paid for his bus fare back to North Carolina.**

♦ **An Iranian court fined Reza Ghanilu \$330 for publishing obscenity in his magazine *Fakhur*, or *Thinker*. His crime? He ran photos of Gennifer Flowers, Paula Jones, and Monica Lewinsky—without veils. The court also ordered him to stop publication of the weekly magazine for six months. It isn't clear whether this is a reflection on Iran's medieval legal code or on Bill Clinton's taste in women.**

♦ **Timothy French robbed a bank in Grand Forks, North Dakota, of \$3,400. He might have gotten away but for one mistake. He wrote his holdup note on the back of a pay stub from a firm he'd been working for. The stub had his Social Security number on it, and police tracked him down pretty quickly.**

—Charles Oliver

now-familiar surgeon general's warnings on alcoholic beverages, was "absolutely furious that somebody would put language on wine labels that would detract from the message concerning the possible negative health effects of alcohol consumption."

Despite Thurmond's opposition, vintners said they hoped the BATF would ultimately approve the labels. In the meantime, you don't need the senator's permission to consult your doctor, and you can find the *Dietary Guidelines for Americans* at www.usda.gov/fcs/cnpp.htm.

True Crime Tax

By Brian Doherty

A Georgia state legislator, angry at those who profit from the misery caused by violent crime, has proposed a constitutionally suspect remedy: a special surtax on any money made from telling true tales of serious felonies. The tax money would primarily flow into Georgia's Crime Victim Emergency Fund, which victims can apply to for some reimbursement for the effect of crimes.

The bill, which Democratic Georgia state Rep. Chuck Sims calls "The Victims Rights Act of 1998," originally would have applied to any factual account of a crime for which a perpetrator has been convicted and which hap-

pened within the previous 20 years. In response to heated criticism from local newspapers and First Amendment watchdogs, it was amended to be "inapplicable to factual accounts...reported in any media as news reports or news items."

Even with newspapers specifically excluded, Teresa Nelson of the American Civil Liberties Union of Georgia thinks the law violates the First Amendment. "It's a special tax based on the content of your speech," she says.

Nelson notes that the bill is a roundabout way to Sims's supposed goal: relief for victims. She says the state should instead encourage victims to directly sue criminals for any money they may have, not just the proceeds from accounts of their crimes. "If the inmate sold a book of poetry, this 'Victims Rights Act' wouldn't do anything to help them," Nelson says. And if most of the money goes into the state fund, the victims affected by a specific crime would end up getting pennies on the dollar at best.

Sims thinks all this First Amendment talk is hooley. "You can't tax people writing movies, books, and screenplays? That's a complete fallacy," Sims complains, not granting that taxing written material raises special constitutional issues. "You tax cigarettes, beer, property owners, cattlemen—all those people are hit with specific taxes based on what they do or sell. All writers are taxed the income tax, so why isn't that a detriment to their free speech and ability to write?"

Because of the bad pub-

licity the bill received, Sims didn't put it up for a vote this year, but he intends to push it again in next year's legislative session. "It had lots of bipartisan support this year," he says, "and I think I can get it through."

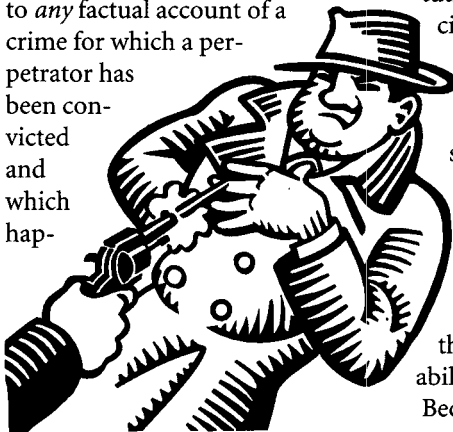
Reel Dope

By Jacob Sullum

The film *Trainspotting*, released during the 1996 presidential race, became fodder for Bob Dole's desperate attempt to seem tougher on drugs than Bill Clinton. The Dole campaign repeatedly condemned *Trainspotting* as "a movie that glamorizes heroin use."

Anyone who actually saw the film had to be puzzled by that claim. The young Scottish heroin addicts portrayed in *Trainspotting* lead lives of hopelessness and degradation: They live in filthy conditions, steal to support their habits, betray friends and relatives, and die of AIDS. In one memorable scene, the protagonist dives into a toilet bowl full of feces to recover an opioid suppository. This is glamorous?

A recent issue of *NIDA Notes*, published by the National Institute on Drug Abuse, reinforces the feeling that Dole may have been missing something. The newsletter reports that NIDA Director Alan Leshner participated in a ceremony at which *Trainspotting* received a Prism Award for "outstanding efforts by the entertainment industry to portray drug abuse and related violence accurately in films and television programs." Of course, this could be just another sign of the Clinton administration's softness on drugs.



Bidding Wars

By Brian J. Taylor

California's political establishment and its grassroots activists just can't get on the same page, especially when they're talking about initiatives on the June 2 primary ballot. At the state Republican convention in January, a vote supporting the anti-bilingual-education "English for the Children" proposal caused an embarrassing rift: Every party leader opposed the measure even though most of the delegates and perhaps 70 percent of voters favor it. In March, Democratic insiders were

similarly rebuffed when delegates at their convention rejected a resolution for an initiative drafted by party leaders and public-employees unions. The convention featured the unfortunate (for the leaders, that is) theme of Unity.

Proposition 224, the "Government Cost and Taxpayer Savings Initiative" would require contractors bidding on government engineering, design, and repair projects that amount to more than \$50,000 to submit to a process of competitive bidding overseen by the state comptroller, extending a competitive-bidding process that currently applies to new construction projects. The initiative's backers, led by construction and state employees unions, believed they would get unified support from traditional Democratic

Party interest groups.

But an unusual alliance of taxpayer advocates, civil rights organizations, local government officials, and the California Teachers Association have publicly attacked the initiative as costly and discriminatory. The taxpayer groups say the initiative could increase taxpayer costs by as much as \$1.7 billion a year and require the state to hire 15,000 new employees to do the work; they point out that a state employee group bidding on an engineering contract would have to cite only the incremental cost of hiring new workers to complete the job, while a private engineering firm must include the costs of overhead and other expenses along with their new hires.

Civil rights groups, backed by San Francisco Mayor Willie Brown, contend that

many of the state highway engineers who would benefit from the initiative are white; they fear that businesses owned by women and members of racial minorities (especially nonunion firms) would be shut out of the process. Local education officials complain that contracts that have traditionally been bid locally would have to be vetted by the state comptroller, a process that could delay routine repairs for months.

The initiative is opposed by "virtually every school district, water district, dozens of unions, taxpayer groups, and hundreds of cities," says Adrian T. Moore, director of economic studies at the Reason Public Policy Institute, "simply because they don't want to pay the higher cost of using state engineers and architects for every construction project."

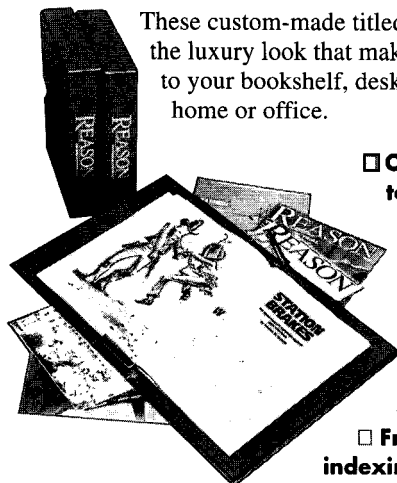


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BUYING I * N * T * O CULTURE

How commerce cultivates art

By Charles Paul Freund

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UNDRESSED but unabashed, *The Venus of Urbino* has been staring slyly back at her admirers for almost 500 years. Completed by the Venetian master painter Titian in 1538, and frequently cited as one of his two or three greatest achievements, *Venus* was soon clothed by her contemporaries in the flimsiest of classical allusions; in fact, there's almost nothing in the portrait suggestive of the mythology that provides an excuse for its eroticism. Generations of critics and art lovers have, in their turn, covered Titian's goddess in a thick drapery of their own: opaque layers of interpretation and explanation of who she is and what she means. Today she hangs in the Uffizi, one of the great art temples of Florence, at once a symbol of fleshy Renaissance humanism and of the spirit of art that is not of this world. For a woman without clothes, *Venus* has worn a lot of guises.