

protein that differs significantly in structure and function, or to modify a carbohydrate, or fat or oil, such that it differs significantly in composition from such substances currently found in the food."

University of Texas Law professor Thomas McGarity, co-author of the CFA report, doesn't think too much of this standard, characterizing the FDA's position as, "So long as you don't insert a gene for a known allergen or snake venom, then it's probably substantially equivalent." But the FDA's current position is simply common sense. If a non-allergenic corn protein shows up in a tomato, so what? People have been eating corn and tomatoes for centuries.

The current system seems to work, too. There is no known case in which a genetically altered food crop that has been approved for sale has caused harm to any person. McGarity, who admits that eating genetically modified foods "hasn't adversely affected me as far as I know," pleads that "we are only urging that the U.S. join the rest of the world in adopting a more precautionary approach." This is a near-open admission that McGarity and the CFA cannot cite any credible scientific evidence that biotech crops have caused harm to human or environmental health.



## Fly the Flag—Or Else

By Stephen F. Hayes

New Jersey Democrats may be experiencing a statewide case of buyer's remorse. Before the campaign began in earnest, the party rallied around Woodbridge Mayor Jim McGreevey as their candidate for the 2001 governor's race, elbowing out Sen. Bob Torricelli in the process.

McGreevey's first move as the de facto nominee? He introduced a resolution in Woodbridge mandating that all new businesses in the township fly the American flag. No flag, no business—no questions. "It sends a message to our community and our neighborhoods that we're part of a great nation," McGreevey explained.

Naturally, the proposal elicited hoots of derision from some Woodbridge residents, from state Republicans, and from the American Civil Liberties Union. On January 4, McGreevey, a self-described "flag advocate," showed uncommon resolve for an elected official. As the howls of laughter grew louder, McGreevey restated his position: Fly this symbol of freedom...or else. But later in the day, the flag flap overwhelmed McGreevey. His proposal, you see, had been misinterpreted: The requirement was simply a flag pole, not the American flag.

Alan Westin, a former law professor of McGreevey's, didn't buy the new spin. "You can't take it seriously," he told *The New York Times*. "I mean, an empty flagpole? Am I allowed to fly the Jolly Roger? Can I fly the American flag upside down as a sign of distress?"



Or perhaps a white flag, for surrender? "After rereading my case notes for Constitutional Law 1," McGreevey said in a January 16 statement, "including the First Amendment of the Bill of Rights, I thought it was perhaps more prudent to foster a sense of community through the encouragement of flying the national flag as opposed to requiring it."

McGreevey, who at one

point claimed that politics played "zero" role in his flag proposal, waited just two days before making another non-political proposal, this one aimed at milking money from the state's tobacco settlement to pay for mammograms. "This," he explained, "is an immediate crisis in New Jersey." A more immediate crisis, at least for Democrats, might be the McGreevey campaign. ♦



☛ "Long before the end of this century, schools as we know them will no longer exist. Perhaps as early as a decade from now, Americans will no longer be found in pursuit of college degrees, majors, or standardized elementary curricula, but will learn what they wish through a staggering variety of methods and equipment, much of which does not now exist."

—Lanny Friedlander, "Editorial Introduction"

☛ "There's no greater myth than the one that increased schooling is somehow a great social equalizer or leveler. There has probably never been a more powerful instrument for maintaining the class system or power structure in any country than the classrooms."

—John Holt, "Deschooling Society"

☛ "My own feeling is that the compulsory attendance laws are probably much more rigid than they should be and that they're lousy particularly in terms of teenagers. There ought to be a lot more flexibility and more options available."

—"Interview with Christopher Jencks"

# Policy Days

**In which our man in Washington hears retirement talk, takes in an intentional congressional comedy show, and enjoys a Texas breakfast.**

By Michael W. Lynch

**Subj:** Trolls under a bridge  
**Date:** 2/6/01  
**From:** mwlynch@reason.com

'Tis the season to push policy. With Bush's Cabinet in place and Sen. Ted Kennedy (D-Mass.) enjoying movies with Dubya at the White House, there's a sense that anything is possible.

How about private Social Security accounts? That's the topic at a two-day confab at the Cato Institute. I knew the event was a big deal, as Cato President Ed Crane made it downstairs to the F.A. Hayek Auditorium to deliver the introduction. (I last ran into Crane in September at his annual Salmonfest, where we talked about Bush's electoral prospects and he asked me not to mention his hat, a baseball cap with a salmon grafted onto it.) Social Security privatization has been a rich fishing hole for Cato since its early days, the late 1970s.

"It's time to move from advocacy to action," said Harvard economist Martin Feldstein, who advised Dubya on Social Security during his campaign and was the morning's featured speaker. Feldstein thinks budget surpluses, which can be used to help fund a transition, make it an excellent time for bipartisan action on the issue. "An investment-based plan makes it possible

to maintain current benefits without raising taxes," said Feldstein. "How can any responsible member of Congress reject that?"

Feldstein's main claim is that if current funds were invested in private assets, current benefits could be maintained with only one-third the taxes necessary for the pay-as-we-go system. But he doesn't advocate a purely private system, which he feels would be too risky for many Americans. He proposes a mixed system that devotes 9 percent of payroll to the pay-as-we-go system and 3 percent to individual accounts.

This was too soft for one audience member, but Feldstein disagreed, arguing that a mixed system would minimize both the the market risk of private investment and the risk that taxes will have to skyrocket (or benefits will have to be cut) to meet the system's obligations.

I'd settled into a game of Tetris on my Palm Pilot by the time Charles Rounds of Suffolk University Law School took the podium. Rounds declared that we need to privatize Social Security because the current system is too risky for widows and orphans. Sporting a yellow bow tie, Rounds resembled a coked-up New England prep-school headmaster soliciting



alumni donations and, as such, he had my full attention. The trouble with Social Security, he argued, is that we have no property rights in our benefits. "It's absolutely settled law that Social Security is two unrelated schemes," he said, looking ominously over his half-glasses, his index finger wagging. "It's a welfare scheme and a taxation scheme." He assailed defenders of the current system for employing the language of property rights—returns, contributions, and insurance—to mask their evil deeds in propping up this "relic of the Great Depression."

"Trolls have no constitutional protection when it comes to eviction," he said, comparing Social Security recipients to monsters under a bridge. As for the risk of home ownership, which in this case is private sector accounts, at least we can buy insurance, he pointed out, even if the house is made of wood.

**Subj:** Black ties and white chocolate Capitol domes  
**Date:** 2/7/01  
**From:** mwlynch@reason.com

As I put my tux on for a night on the town, CNBC's Chris Matthews was on TV hammering the Senate's newest limousine liberal, Jon Corzine, for not supporting larger tax cuts. Two hours later, I was confronted by Corzine's mug again, as I stood sipping a vodka tonic awaiting the arrival of my benefactor and friend at the J.W. Marriott Hotel, located two blocks from George W. Bush's new house.

Matthews would soon appear on the scene as well, along with hundreds of others in D.C.'s media and political elite who didn't want to miss the Washington Press Club Foundation's annual Congressional Dinner. I watched Rep. J.C. Watts (R-Okla.), Sen. John Kerry (D-Mass.), C. Boyden Gray (a higher-up in the first Bush administration and a trustee of Reason Foundation, the nonprofit that publishes REASON), and Rep. Jennifer Dunn (R-Wash.), descend