
6. The Individual versus the State

The Myth of the Public Interest

Yuma (Arizona) Sun, November 16, 2002

One of the earliest topics I wrote about as a young man, a graduate student in philosophy, was the public interest. It even became part of my first book—but it made zero impact on public discourse, of that I am now convinced.

I saw something fishy in this concept back then, and nothing much has changed. I am still utterly skeptical whenever someone makes use of it, and there are innumerable occasions when it is invoked quite unabashedly despite my own and many others' efforts.

Recently, in my region of the world, a piece of land on the Pacific Coast came up for grabs, and various special groups and local and state officials got into the fray, arguing about what should be done with it. This was valuable property, which had been under government jurisdiction, but the government changed plans for some reason; thus a bunch of people (who had been permitted to live on it for very low rent) were suddenly disenfranchised, and the land then became a political football, with different groups hoping to get the privilege of making use of it. Of course, the usual political maneuvers ensued, and those seeking the use of the land tried to influence public officials to decide in their favor.

There is nothing very unusual about this process. It goes on everywhere that private property rights have systematically been violated and governments have confiscated prop-

erty to use as they see fit, using whatever process happens to be in vogue to decide what “fit” is going to mean. But it is still amazing to me how utterly impervious to the call for honest, ethical communication all those involved in the process manage to be (all the while, of course, wagging their fingers when corporate managers engage in chicanery).

There is hardly anyone vying to have the power of eminent domain used in his or her behalf who does not claim that this will all be for the public interest. Be it a small stretch of coastline where some company wants to build condominiums or a resort hotel or a measure that will deprive owners of their right to develop their land—in all such instances and many more, those chiming in with their pitch are claiming that they have nothing but the public interest in mind.

What exactly is the public interest, anyway? It is the measure of what will be of value to all members of the public, period, as citizens. Members of the public are citizens in a community! All such people would have to be really benefited in their role as citizens for there to be a bona fide public interest at issue.

And that means that the public interest is something rather limited, since very, very few measures in society can benefit everyone in his or her role as a citizen. The American founders realized this and stated unequivocally that the function of government is to secure our rights, to, among other things, life, liberty, and the pursuit of happiness. So, the public interest, as the founders saw it, quite reasonably and rightly, amounts to having the basic rights of all citizens competently secured.

Which means that none of the claims made by different citizens, in their role as members of special groups, counts as seeking to promote the public interest. None.

It is only when groups, such as disenfranchised blacks, women, or others, cry out to have their basic human rights properly protected that some semblance of the public interest comes into view. Even there a lot of hokum is in play—as when groups claim as basic human rights provisions or entitlements to other people’s work or income. No one can have a right to that—allowing such claims would amount to allowing involuntary servitude, or coercing people to work for others, which was supposed to be abolished along with serfdom and slavery.

Really, none of this is all that new—people have long made indecent efforts to cajole goods away from those to whom they properly belong by trying to hoodwink us all into thinking that this would be in the public interest. What warrants bringing it up once again is that there are so many people today who are outraged at corporate prevarications, and quite rightly, while perpetrating the lie that their own demands of government are all for the public interest. Let’s face it, few, if any, folks resist the temptation to play footsie with the truth when seeking government largesse is involved.

Public Education Is a Bad Idea — for the 76354th Time!

Mises.org, March 7, 2001

In Tipton, Iowa, a teacher resigned because, reportedly, her superiors were about to reprimand her for allowing a student to do research on rapper Eminem. In Mishawaka, Indiana, more than a thousand students were reported to have walked out of school because they didn't welcome a nearly complete ban on music in response to a parent's complaint about lyrics in the Shaggy song "It Wasn't Me."

And in hundreds of places and more, the issue is basically the same: what some parents want from a primary or secondary education for their children isn't what other parents want. And, more important, what may well be right for some kids to do in school may not be right for others.

Yet parents are all taxed to support a system that delivers the same for all, albeit with periodic changes, based on the political winds. If the school board decides to ban research projects on someone who may be, for some of us, an obviously obnoxious performer, everyone in the district must abstain, never mind that they may find something worth studying in what the performer has produced. If the board bans certain books, movies, or music in the district, only the very wealthy will be able to escape this ban.

And if a new U.S. president gains office, he or she, too, will urge some nationwide policies, different from those of

the previous president, that may help some but will usually not help all children in their educational goals.

To afford private education, one would need to be spared the confiscatory taxation that coerces us all to fund the public education that is imposed on most of us. Even those who do not pay property taxes directly, because, say, they rent, pay more rent because government hits up the owners of property for the loot, who then hand the cost down to their tenants. So there is no escape except for folks who are inordinately well-to-do or are willing to do without many of life's amenities to go it on their own. And even then, government officials force private schools to pass certain tests to qualify for certification.

Now it is true enough that nearly all young people ought to receive the basic tools that are usually provided in elementary and secondary schools. But then it is also true that nearly all young people ought to be clothed, fed, and given some moral education, something that is happening quite nicely, thank you, and thus far hasn't been taken over by the government. Why can we not do this when it comes to education? Why are children forced into the one-size-fits-all system of public schooling when this is completely antithetical to their nature as individuals having very different needs and contexts?

The result of the continuation of this policy is what we see around us day in and day out—battles over what policies schools should follow, who is to win and who is to lose when it comes to curricula, library materials, and prayer in school. It also leads to the constant vacillation of the one-size-fits-all system, depending on what band of politicians and bureaucrats happens to be in charge. Most recently, for example, in one Midwestern state evolution was demoted

to a loose hypothesis in high school biology courses, only to have this policy revoked a year later when new board members were elected. And whether some measure of religious observance has a role in public schools is something of a political football throughout the country, with courts offering various rationalizations for having made several unrealistic rulings on the matter.

Yes, we all need education, as we all need nutrition, shelter, clothing, and hundreds of other things, and as parents we must provide these to our children—but not in identical shape or form. Those who grossly neglect to provide their kids with such basics can be made to answer for what they do—perhaps there should be a legal category we might call “parental malpractice.” But handing the matter of educating kids over to the government is no different from handing over their religious training. It is a bad idea, and no manner of dodging that fact is going to do what is needed for the education of the young, certainly not President George W. Bush’s twisted ideas of having government bring about the improvement of this fundamentally flawed system.

In many areas of life, people try to fix the symptoms rather than the cause because they are so wedded to certain basic but flawed approaches. These Band-Aid measures may serve the purpose of getting things to limp along for a while. And that is what is being done to America’s primary and secondary education.

But what is needed is something quite drastic, even radical: let free men and women work to find solutions without recourse to the one thing government can do, namely, apply coercive force! That would unleash the creative energies of millions of people who are interested in educating children

The Individual versus the State**159**

and who would then very likely find all sorts of ways in which kids could get the kind of education that is proper for them.

Not all would go swimmingly, of course. But very little is going swimmingly now, and everyone seems upset, hoping for the miracle of getting a fundamentally misguided approach upgraded. It is a futile hope.

Where's the ACLU Now?

Yuma (Arizona) Sun, October 19, 2002

Over the years the American Civil Liberties Union (ACLU) has taken up some causes that no liberty-loving American should belittle. Those accused of crimes should receive due process, not be railroaded toward a conviction. Those who aren't members of a certain faith shouldn't be bombarded with that faith's messages in public realms. And people not suspected of a crime shouldn't be treated as suspects, as some communitarians advocate who want to clean up neighborhoods at the expense of individual rights and due process.

But the ACLU is far from consistent in its defense of the Constitution. When it comes to professionals in the world of business, the ACLU is totally silent about these people's rights, about how government routinely violates them and fails to accord them due process. Here is how that works.

Business is heavily regulated in our society, and the modicum of deregulation is but a joke—usually accompanied by different measures whereby government keeps its hands meddling in business affairs. For example, the California energy market is said to have been deregulated, but this is a lie. At most, domestic energy prices are no longer set by government, yet regulations have not been removed from imported energy prices. The resulting distortions in the energy market are now well known. Yet, politicians and

other power-seekers keep repeating the lie that deregulation is at the heart of the California energy crisis. Pure bunk.

The gist of the situation is that government sees itself as having the authority to micromanage business—set minimum wages, provide subsidies, set tariffs, and require inspection of facilities. A good case in point is the insistence of the Occupational Safety and Health Administration (OSHA) that businesses equip their offices and plants with numerous devices that supposedly protect the health and safety of employees and customers. Now this amounts to out-and-out prior restraint, treating the people in the industry as if they had no rights, as if their conduct could be restricted and their liberty curtailed, with no need to prove that they'd done anything wrong.

If people accused of a violent crime were treated this way, the ACLU would no doubt beat a path to their doors offering to help out, going public with charges of injustice against the government. Prior restraint is just that, limiting the liberty of someone before his or her guilt has been proven in line with the due process of law. The mere possibility of someone's or some company's doing something untoward in the market place is taken to be a justification for imposing restrictions on business practices. Indeed, such federal agencies as the OSHA, the Securities and Exchange Commission (SEC), and the National Labor Relations Board (NLRB) regularly treat people in the world of business as if they had been convicted of a crime for which the punishment was to have numerous financial and other burdens imposed.

With the fiasco at Enron, WorldCom, and other companies, where the strong suspicion of criminal conduct quickly worked its remedial magic, many people are asking that government impose added regulations and controls on

businesses, just in case they are about to act illegally. Yet, where is the ACLU pointing out the fact that any such precautionary and preventive policy amounts to illegitimate prior restraint? Sure, the Constitution does authorize the federal government to regulate interstate commerce, but why is that taken to be sacrosanct? After all, the Constitution also authorized the southern states to uphold the institution of chattel slavery. Does that make that institution right, good, decent? Might it be better to recognize that the law is sometimes dead wrong and needs to be repaired? And isn't it the job of the ACLU to promote such repair when it is clear that the government is being intrusive and meddling?

I call upon the ACLU to stand up in defense of members of the business community and oppose government's regulating their conduct on the grounds that such regulation constitutes prior restraint, the very thing the ACLU has been opposing when it comes to the government's efforts to regulate the conduct of suspected criminals. Unless someone is convicted of a crime, government should stay out of the way and stick to the business of protecting us from criminals, not try to prevent people from perhaps becoming criminals.

It makes no difference how much people may worry that those in business will do something criminal or hurt someone; if wrongdoing hasn't been proven in a court of law, in line with the rules of evidence and other court procedures, then nothing may be done against such people. This is true even if they are wealthy and economically powerful. That is the restraint required of the government of a free society, however eager those may be who wish for a cleaner business environment. And isn't the ACLU supposed to be at the forefront pointing out all this?

Guilty before Being Proven So

Yuma (Arizona) Sun, August 10, 2002

In contract law it is accepted that while one may be fined for failure to perform as one has contracted to perform, one may not be forced to perform. This is the rule against forcing specific performance.

In criminal law, moreover, due process requires that an accused person be convicted of a violation of a criminal statute before being treated as guilty.

It is also understood in much of the law, but especially in connection with the conduct of journalists, that no one may be coerced or punished until convicted — this is the ban on prior restraint.

Yet these same principles are largely rejected when it comes to the way government deals with many professions, especially business. We learn, for example, that just recently government regulators at the Securities and Exchange Commission (SEC) have gone after six investment banks, among them some of the biggest on Wall Street, forcing them, as the *New York Times* reported, “to pay as much as \$10 million in penalties for not keeping email messages as required.” The SEC officials, along with the National Association of Securities Dealers (NASD) and the New York Stock Exchange, were negotiating the fines to facilitate a settlement of concerns about the discarding of email messages at the banks in question. The fines were to be levied

because government regulators found that these banks did not comply with rules about email.

Government regulators at the SEC point out, as the *Time* piece notes, that banks must preserve “all business communications they have sent—both internally and externally—for three years.” And for about two years, “they must be kept in an easily accessible place.” Because the banks didn’t manage to produce all the email messages that regulators were expecting in line with the rules, they are subject to stiff penalties.

There is a perfectly sensible provision in the law that destroying evidence connected with a criminal investigation constitutes obstruction of justice, which is a crime. But what the banks are accused of is not this but of not following regulations. And it is here that the injustice should be obvious: the regulations that the government imposes force people to perform acts that are of considerable burden to them, without any proof, not even reasonable suspicion, that they have done anything wrong. Mere interest in these email messages, for example, can constitute a reason for forcing the banks to keep them on hand, even if there is no criminal investigation in progress.

Indeed, this points up one of the problems with government regulations: often they subvert justice by intruding in areas that should be the province of criminal law. For example, the SEC forbids insider trading. But frequently the issue is mislabeled. It isn’t so much the use of information about financial matters unavailable to the general public that is condemned but the way that information has been obtained—stolen or used in defiance of fiduciary duty (the responsibility to reveal the information to clients who had a proprietary right to it by having contracted to gain it when it became available). Instead, those owing the information

to their clients sometimes go ahead and use it first for themselves. And that should be considered a crime, though insider trading itself should not be since no one is wronged by it.

But government regulations confuse forcing a profession to follow cautionary standards with prohibiting criminal conduct. This is probably one of the main reasons that many who are regulated think there is little wrong with using whatever means they can, provided it is technically or plausibly legal, to dodge the regulations. They realize that they are being treated as guilty even though they do not deserve to be so treated, so they fight back with all their savvy. In the process they often skirt malpractice.

Not until this approach (involving what is basically prior restraint) to trying to make people conduct themselves sensibly, prudently, wisely is abandoned, will justice be well served in this area. If it is illegal, because unjust, to treat someone accused of a violent crime as guilty before proven so, why should this not apply to those in professions, including business, who aren't even suspected of criminal conduct?

Forced Paid Leave Is Immoral

Yuma (Arizona) Sun, October 5, 2002

There is now a lot of joy, especially in California, among those who think that government ought to draw up the terms of their employment agreements, but this joy is misplaced. It comes at the expense of the principles of free trade in the labor market.

Of course, the labor market hasn't been free for decades in America, let alone elsewhere. The Department of Labor, the National Labor Relations Board, and other state and local government bodies have been dictating to trading parties in the United States how they must conduct themselves, how they must relate to one another in the workplace.

Still, unlike in many other countries, including most Western European ones, the terms of labor relations in America have been hammered out between labor organizations or individual employees and those who hire people to work for them. And that is as it should be: free men and women bargaining about who gets what from whom at what price! That's the basic rule of the free marketplace.

But the free marketplace remains intact only in a limited realm of the marketplace. Mostly it is consumers or customers who can still act freely, by either buying or not buying from vendors, as they choose. No one forces you to shop at Costco or WalMart or Albertson's; no one forces you to buy a Chevy or a Ford or a BMW or a bike or home insurance from this or that insurance company. That's still up to you.

Nor does any government force you to deal fairly—if you don't like your hairdresser's and dentist's politics or religion, you can fire—downsize—them and go elsewhere. This is where we are free, for better or worse. (Free people don't always behave well but often do, and it is difficult to tell which qualifies as one or the other from afar!)

But when it comes to producers, the intermediary employers—for the ultimate employer is the consumer—the government tells them all what to do, in greater or lesser detail. And in California, as in Germany, France, and other places where a “Third Way” economy is in force, firms must now provide paid vacations of a certain length, on the grounds that politicians know best. As Governor Gray Davis put it, “Californians should never have to make the choice between being good workers and good parents.” He “knows,” as all his fellow dictators in Sacramento seem to believe they do!

The trouble is, they are unlikely to know what terms are best in the employment relationship, and even if they did know, they ought to refuse to dictate these terms to others. They are not rulers, kings, or Ayatollahs but hired (elected) agents whose calling is to “secure our rights,” nothing else.

The problem with criticizing the specifics of the new California law is that, of course, for some the law will be right; for others, an opportunity for abuse. Any such criticism assumes that everyone with a family ought to have the same amount of time off, something that is plainly false.

There are, for starters, too many people who have too many children that they should not be having at all when they cannot afford to rear them right. Such folks lead imprudent lives and subject their innocent offspring to their own misjudgment. These folks are not likely to attend to their families with their new longer time off, something they

didn't earn but which was secured for them by political, coercive means. They are more likely to waste away their newfound hours doing anything but caring for their kids. At any rate, no one is in a position to tell for sure how many who get more paid leave now will do well or badly with this windfall.

But there is a general principle that everyone should know but which the new law violates: freedom of trade in the labor market. It treats both the employee and the employer as conscripted soldiers who can be ordered to do as the state demands. That is plainly immoral—it is entirely unbecoming in a government of free citizens. It is the mode of government of a dictatorship.

It is worth noting that reporters who claim the law “gives workers up to six weeks off” got it wrong, too. The law doesn't give—it takes from employers hours promised to them by workers and hands them back to the workers who didn't bargain for them fair and square.

Frankly, I have no special knowledge about whether most workers whom this law will affect should or should not have more time off. That benefit is exactly the sort of deal that employees should strike with employers and not have imposed on them from above. But I do wish that those who are the intended beneficiaries of such statist directives would refuse to take the “benefit” of such coercion and stick to their own voluntary tools for gaining the terms they want at their place of work.

Finally, it is generally conceded by economists that such laws hamper employment, even create widespread unemployment, by discouraging investment since the investors now must sign up for extra costs that aren't likely to produce any revenue for the firms they may start. This is just what is making Europe an employment basket case.

Government Internet Infelicities

Lima (Ohio) News, August 15, 1999

For the past several years, I have participated fairly vigorously in Internet communications. I have four or five different email addresses. I use one of the screen names on my daughter's AOL account. I send postings to webmasters of various sites. I am part of several discussion groups and fill out surveys on political issues. Often my columns are posted on the websites of such organizations as Bridge News, the Hoover Institution, and the Mises Institute, as well as on the websites of newspapers, magazines, and scholarly journals.

The Internet is a great place to communicate, although there are some aspects of it that aren't easily adjusted to. One hardly knows the people with whom one is in contact, and some of them surprise one with their curious mores and manners.

Usually folks remain polite even in the face of arguments on sensitive topics, but not always. Even those who take part in friendly chat-groups often resort to snide comments to achieve a kind of satisfaction that's difficult for me to fathom but must be of great importance to them. Yet that, too, has its uses: one can decide pretty quickly whether to continue communication with someone who is more interested in landing digs than in getting to the heart of an issue and resolving it in the best way.

In short, there is as much variety in human beings now on the Internet as there is variety in human beings, period.

Coping with it is a little easier than usual since one does not have to hang around to be abused, insulted, offended, and so forth. One's terms are easily insisted on, and the exit option can be exercised without any difficulty. Of course, despite the perfect conduciveness of this new medium to laissez-faire, government is eager to lay its hands on the Internet. President Clinton has been itching for some way to make government a major player here, and we all know of Al Gore's pathetic effort to inject himself into this sphere.

Just the other day Mr. Clinton issued an executive order that establishes a working group "to address unlawful conduct that involves the use of the Internet." This group will "prepare a report and recommendations concerning: (1) The extent to which existing Federal laws provide a sufficient basis for effective investigation and prosecution of unlawful conduct that involves the use of the Internet, such as the illegal sale of guns, explosives, controlled substances, and prescription drugs, as well as fraud and child pornography. (2) The extent to which new technology tools, capabilities, or legal authorities may be required for effective investigation and prosecution of unlawful conduct that involves the use of the Internet."

Interestingly, the one area where Mr. Clinton's intervention may well make sense — how government employees may or may not use the Internet — is not mentioned by the executive order, nor is the working group instructed to deal with it. That specific domain is in Clinton's proper authority to supervise, but instead, he wants the working group to advise on how to meddle with other people's business, how to behave like a vice squad.

In a recently posted column on www.mises.org, I mentioned that the government ought to be strictly limited to adjudicating disputes about rights violations. A few days

later I received the following rather garbled message sent from the Federal Communications Commission public website (“fcc.gov”). From its tone, I concluded that it must have been sent by someone whose liberal democratic sentiments were simply bubbling over with excess passion. Here is part of what the message said:

Hi: It’s no wonder that you and your ilk teach at the ‘Ludwig von Mises Institute’ rather than a real institute of higher learning (does the Institute even exist apart from the Internet?), and that von Mises’ work is not taken seriously by anyone with any sort of intellectual or professional competence, much less influence or real power. I am always amazed at the amount of right wing extremist crap one finds on the net, no doubt because the lonely, isolated, powerless proponents of this sort of paranoid crap have few if any other social outlets, apart from their isolated computer monitors. (I mean, what kind of a culturally illiterate philistine would be unable to see the good – whether characterized as private, public, social or individual – in having music programs in public school?) On a happier note, we can rest assured that none of the von Mises agenda will become reality, so long as our human world is recognizable as such, i.e., as it has evolved since approximately the enlightenment. God willing, the von Mises people will go the way of the neo-nazis, anti-semites, luddites, UFO-believers, and so on, ad nauseum, straight to the dustbin of history. Have a nice day.

I might as well tell you my response:

It is not, I suppose, very amazing, after all, that you fire off a note without checking out any of your facts. First, I do not teach at the Ludwig von Mises Institute, I am an adjunct (unpaid) scholar. Second, I have taught in the California State University, University of California, and State University of New York systems as well as in several other institutions, including the U.S. Military Academy. Third, why are you so sure that such established institutions are better at

capturing the truth than those not funded by the government? For example, in the former the faculty isn't likely to challenge the very basis of its own financial support, namely, the institution of government. Just goes to show you how reliable you folks in government are when you enter the fray.

In any event, it is somewhat scary to consider that here is an employee of one of the most powerful regulatory agencies of the Federal Government firing off email messages voicing statist convictions, thereby coming mighty close to stepping outside the boundaries of his or her authority. Talk about a chilling effect!

Maybe Mr. Clinton ought to do some housecleaning before he gets set to wag his finger at the rest of us for how we are making use of the Internet.

Why Not Just Force Them to Play?

Orange County (California) Register, September 1, 1994

Baseball isn't my sport. When they go on strike, I don't miss it at all. Nor is baseball a vital industry, as defined by those who like to talk that way. It is a sport, a game to be played, not really a profession.

But because in this society what people like has been held in high regard, because people's pleasures, preferences, desires, and enjoyments have been taken seriously, baseball is an important phenomenon. The fans have made it so. The customer is king.

This is no different from what makes rock and roll, the movies, much of television, and so on central to the life of our country. The people—at least many, many of them—want it to be so. In a free society that is what counts most, what people want, provided they respect the rights of other people to pursue their own ends in peace.

But many political thinkers would like to change this. For their money, if baseball takes resources away from, say, health services, which they believe to be more important—never mind what people want—baseball should be demoted. Thus, health services will be imposed as a priority, regardless of what people want.

This, indeed, is the message of those who put the opinions of the elite before those of the millions of people who support, among other things, the game of baseball. Job security, public parks, public television, old-age security,

health and safety provisions on the job, and the like are supposed to be more important, and if people do not accept this, they will be made to comply. How? By means of legislation, majority rule, that's how.

The ideal of democracy, which is supposed to apply mainly to selecting the administrators of our system of justice, has been distorted to mean that by means of the political vote one can veto the choices, preferences, desires of millions of people. And the reason this is ridiculous can be detected by noticing that even baseball could be subjected to such democratic fascism, if only the politicians had the guts to suggest it.

Congress could vote into law a provision forcing the striking players and owners to accept certain terms and return to the game. They could argue, actually, that since the strike is putting some thirty thousand people, apart from the players, out of work—all those surrounding the game, from parking lot attendants to vendors in the parks—the strike is inhuman, a crime against the community, and the players and owners have no right to do such a thing. Just as the elitists argue that one should not spend resources on games when other vital tasks are underfunded, so the eager fans could argue that the game should not be stopped for the trivial purpose of settling differences of opinion.

In short, involuntary servitude could be instituted with the excuse that higher goals cannot be allowed to go neglected. There are, indeed, hundreds of prominent political thinkers, from the floors of Congress to the halls of academe, who reason exactly this way, at least when they can get away with it without stepping on the majority's toes. It would be instructive to remember the perversity of their thinking when involuntary servitude is urged on us—not related to a popular sport but to less widely shared concerns.

When Congress and the president want to spend money you and I have earned, fair and square, for, say, “social” projects that none of us has time to evaluate thoroughly, we should recall that doing so is no more justified than forcing baseball players or any other group of strikers to go back to work “for our sake.” Indeed, it would help to remember that in the mid-nineteenth century the law permitted government to forbid strikes on just such grounds, namely, that it would harm the community. A judge in Massachusetts finally put a stop to this and asserted the individualist principle that workers may strike for any reason they choose. It is, after all, their own labor, not that of the government, which they elect to withdraw from commerce.

But back then the idea of involuntary servitude was anathema to the American spirit. That’s one reason the Civil War was fought.

At Long Last, Prevailing Wisdom Challenged

Orange County (California) Register, April 25, 1994

I haven't had a hero for a long time, and suddenly I am elated. I have found one.

He is John Stossel, the ABC-TV news correspondent whose special program "Are We Scaring Ourselves to Death" on ABC-TV last Thursday made so many points I know need to be made in our country that I was overwhelmed. I don't know Stossel except from his various reports. I knew he was unusual when I saw a segment of *20/20* in which he allowed the late Roy Childs Jr., a libertarian wunderkind, to argue against special rights for fat people. (Roy was himself very overweight but had the integrity not to sacrifice his principles for any vested interest.)

Stossel must be one of journalism's few courageous professionals. He actually dared to challenge the prevailing wisdom about how risky it is to live in modern society. He showed that the main thing we have to fear is government trying to protect us from ourselves and from the fallout of modern civilization. Indeed, he went so far as to demonstrate beyond any reasonable doubt that the most hazardous, costly risk we face—one that kills more people than any other—is government regulation.

This is a brilliant point and one that is rarely made. Indeed, most journalists play along with government in its heated call for more bureaucratic meddling in our lives. And they try to scare us to death with their shoddy reporting of

every crisis, as if the mere improvement of reporting demonstrated greater hazards for us all.

I am not holding my breath waiting for the next such demonstration of courage. I can see ABC-TV News being swamped with protests from bureaucrats—after all, their cushy jobs are at stake. And, no doubt, there are some sincere believers in the false threats to our safety and health.

Still, this is a sign of hope for me. Maybe this country, the beacon of liberty for the world thus far, can recover its concern for individual freedom and give up the mania about security, safety, and, most of all, government paternalism.