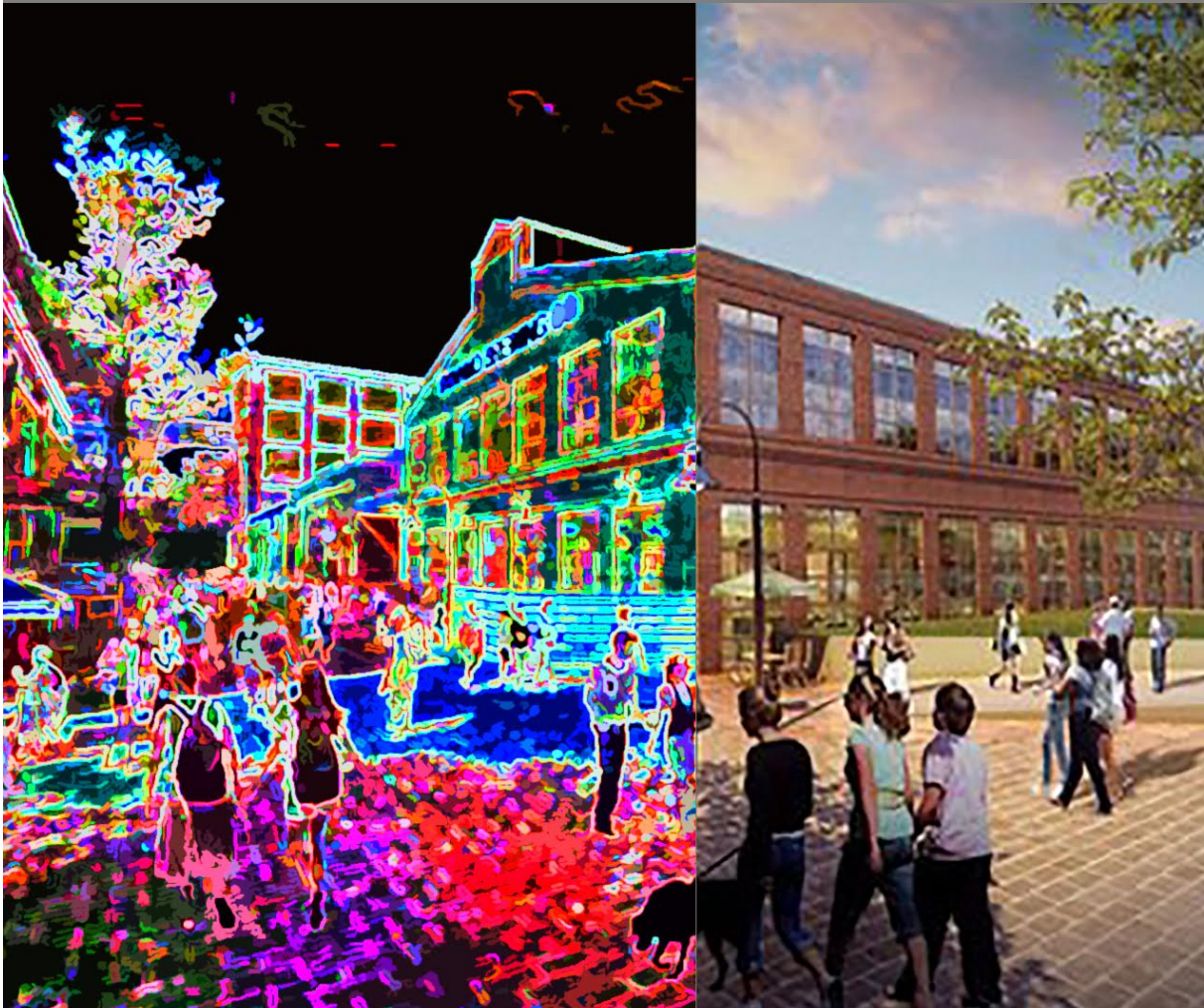


INDIANA **POLICY**

Review

Winter 2020



Private Property: Boondoggle or Boomtown

“The great blessing of private property is that people can benefit from their own industry and insulate themselves from the negative effects of others' actions. It is like a set of invisible mirrors that surround individuals, households or firms, reflecting back on them the consequences of their acts.” — *Tom Bethell*

“When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature’s God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes: and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security.”



Vol. 31, No. 1, Winter 2020

A FUTURE THAT WORKS

Our mission is to marshal the best thought on governmental, economic and educational issues at the state and municipal levels. We seek to accomplish this in ways that:

- Exalt the truths of the Declaration of Independence, especially as they apply to the interrelated freedoms of religion, property and speech.
- Emphasize the primacy of the individual in addressing public concerns.
- Recognize that equality of opportunity is sacrificed in pursuit of equality of results.

The foundation encourages research and discussion on the widest range of Indiana public policy issues. Although the philosophical and economic prejudices inherent in its mission might prompt disagreement, the foundation strives to avoid political or social bias in its work. Those who believe they detect such bias are asked to provide details of a factual nature so that errors may be corrected.

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TARRED AND FEATHERED: The Whiskey Rebellion was a 1794 uprising of farmers and distillers in western Pennsylvania in protest of a federal whiskey tax.

Wednesday Whist

Waiting for the Pothole Rebellion

My daddy he made whiskey, my granddaddy he did, too; We ain't paid no whiskey tax since 1792. — From “Copper Kettle,” a song by Frank Beddoe, 1946

(Nov. 18) — In one of the first big tests of his presidency, George Washington was confronted with a rebellion in the heartland. Farmers in western Pennsylvania balked at paying a federal tax on distilled spirits enacted in 1791 so the new government could retire its revolutionary War debts.

Those spirits, especially whiskey, had been a source of livelihood for generations, and was even a medium of exchange in some areas. The farmers resented “taxation without local representation” (their emphasis), which they believed they had fought a war to end, and they were further offended that large distillers, most in the East, got what amounted to a huge tax break.

Participants in the Whiskey Rebellion quickly moved from protest to violence, whipping one tax collector and tarring and feathering another. Washington responded with a federalized militia force of nearly 13,000 men from four states,

which required a draft that was also mightily resisted. Order was restored, and federal authority was firmly established.

I think of that bit of historical drama whenever I get discouraged that my lifelong exhortations against government overreach have been and likely will remain futile. At least it’s not a new battle. It’s been part of our fabric from the beginning.

The Founders feared more than anything a central government strong enough to be tyrannical, but they understood that the tendency of power is always to accumulate and concentrate. So they wrote a Constitution and designed a federal system designed to diffuse and disperse that authority as much as possible.

George Washington was there for the debates, so he knew this well and certainly appreciated it. Yet one of his first decisive acts was to flex federal muscle in support of a detested national tax complete with crony capitalism, and in a way that required involuntary servitude.

It was a gravid reminder of the seductive allure of power and the way it is wielded by those to whom we give a taste of it. It does not accumulate and concentrate just in Washington, D.C. It also prowls the corridors of state capitals and lurks in the corners of city halls. No matter how much we

The Indiana General Assembly has enacted a new law offering sales tax breaks for an unprecedented 50 years to any company committing at least \$750 million to build a data center in the state, something only giants like Apple, Facebook and Google could manage (thanks for the precedent, Mr. Washington). Never mind that data centers provide relatively low employment and are ripe for automation – the legislation doesn't require any job creation anyway. The tax break, unavailable to mom-and-pop stores struggling to break even, would be worth several hundred million dollars.

If you once played bridge but graduated from college anyway, or if you want to learn with other beginners, contact the foundation. We are sponsoring bridge clubs where members can safely discuss politics and enjoy an infinitely challenging game where a “contract” doesn’t necessarily involve a kickback or a rebate.

All our attention will be focused on the presidential contest, in which a Big Government incumbent Republican will be taken on by a Democrat promising a Bigger Than Ever Government.

Power doesn't just accumulate and concentrate. It drifts away, slipping through the fingers of those who should hold on to it. It is said that we get the government we deserve. We certainly get the government we are willing to tolerate. — *Leo Morris*

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The Property Cart Behind The Municipal Horse

The irony of historic New Harmony, Indiana, is that its experiment in communistic living lasted only so long as Robert Owen's mill profits could pay the bills.

Mark Franke, an adjunct scholar of the Indiana Policy Review, is formerly an associate vice chancellor at Indiana University-Purdue University Fort Wayne.



I like to think that there are two fundamental liberties from which all other rights and freedoms flow. One is the freedom of conscience as elegantly described in the First Amendment, the philosophical basis for our democratic and republican form of government. The second is the security of one's person and one's property, the primary purpose behind a government's laws and actions.

Maybe this thinking has been overly influenced by Reformation theology's formal and material principles, or perhaps it is a gross simplification of two of Aristotle's four causes. However I got there, I am becoming more and more convinced that there is no true liberty if either of these is not present or becomes compromised.

We are witnessing a progressive full-court press on freedom of conscience across multiple fronts. Business and not-for-profit leaders lose their jobs if they express belief in traditional marriage (Mozilla Foundation president, Atlanta fire chief), small business owners are prosecuted for not publicly embracing a full LGBT agenda (Colorado cake bakers, North Carolina photographers), politically incorrect public historical displays are desecrated and removed (statues, not just Confederate ones, and university building names), college students and professors are sanctioned for their speech (Sarah Lawrence College, Yale), and businesses are boycotted if management is known to be religious (Chick-fil-A, Hobby Lobby). And the list goes on.

These bigoted attacks on the First Amendment and our natural right to think, speak and worship as we please get plenty of press even if not sympathetic to the targets. We are confronted with them daily and therefore can equip ourselves for an active defense of our liberty.

It is the attack on that other fundamental liberty, the right to acquire and enjoy that which we treasure, that is under a much more insidious attack. This target of the Progressive Era, that ideology given birth at the turn of the previous century and doing well even now, has suffered from neglect by those who should have known better — classical liberals, libertarians and free-market economists. It goes by a name almost unspoken in polite society. I am speaking of property rights.

When one speaks the words, "property rights," the response is frequently that you care about

"The great blessing of private property is that people can benefit from their own industry and insulate themselves from the negative effects of others' actions. It is like a set of invisible mirrors that surround individuals, households or firms, reflecting back on them the consequences of their acts." — Tom Bethell in 'The Noblest Triumph'

things rather than people. This attests to our current ignorance of economics and of natural law, that body of higher principles which informed Thomas Jefferson as he wrote the Declaration of Independence.

Property rights are about people, about the security of their persons and their ability to enjoy the fruits of their labor. “Life, liberty and the pursuit of happiness” is what we all recite. What Jefferson called happiness, his antecedents — George Mason and John Locke — from whom he borrowed heavily and effectively quite correctly called “property,” as does the Fifth Amendment.

Property is that which citizens in a republic hold dear against the deprivations of the stronger and the usurpations of the government. Without this basic protection we are back in a state of nature. “Solitary, poor, nasty, brutish and short” is Thomas Hobbes’ famous construct.

Think of property as not just land and buildings but as all we possess physically and otherwise. It is the God-given right to work in order to obtain, enjoy and dispose of whatever moves us along the path of happiness.

In that respect property rights originate in the Garden of Eden as God gave Adam and Eve the entire world to possess with the command, and this is an important modifier, to “dress, till and keep it.” We were created as stewards with the right of freehold, to use a term understood by our Anglo-Saxon philosophical forebears.

In fact, the Garden of Eden analogy has been misappropriated by the progressives to advance their cause. In their distorted reading of the Fall, mankind sinned but can be recovered to a state of perfection with a little help . . . from the government, of course. The human race can be reformed, albeit with a stick rather than a carrot, if only we can be saved from ourselves.

This has led to all sorts of pernicious public and private action. Here in Indiana, we all know of the failed experiment of New Harmony. The irony is that this experiment in communistic

living lasted only so long as Robert Owen’s mill profits could pay the bills.

Wrap your head around this: a capitalist using his property rights profits to subvert property rights for others.

Now think of the millionaires and billionaires in our country who actively and financially support the neo-socialists in the Democrat party. The inconvenient truth of communistic property sharing is that not one single successful example can be found in history except for small and isolated religious groups.

Tom Bethell, in his seminal work on property rights, argues that it is property rights founded in the rule of law that provide liberty, justice, peace and prosperity while protecting the weak against the strong and all against state power.¹

Somehow we lost the focus on the essentiality of property rights as a foundation for human rights. The Roman republican lawyer Marcus Tullius Cicero wrote about them. The Anglo-Saxons, who provided the nursery for English common law, enforced equality before the law as the natural progression from equality before God. Our Founding Fathers rebelled against an arbitrary government taking their property through excessive taxation.

Property rights are based in natural law. I love to talk about the ethereal nature of this but not all my friends share my passion. You can imagine where the conversation goes when I bring this up between innings at my hometown’s minor league baseball park or at my neighborhood tavern. So there has to be a better way to get this point across to John Q. Citizen other than quoting Cicero.

Fortunately, there is. History is replete with examples. Bethell’s book, mentioned above and reviewed elsewhere in this journal, walks us through a historical recitation of societies that honored property rights even if imperfectly (hint: they were the successful ones) and those which ran roughshod over them (another hint: think failures). The historical record tells no lies, in

¹ See *The Noblest Triumph: Property and Prosperity through the Ages* (St. Martin’s Press, 1998) in the Bookshelf section of this journal.

spite of our modern-day censors hell bent on hiding it.

Another recent book written by economist Stephen Walters examines modern cities for growth and decay.² He provides about a dozen examples of those cities that did things right and those that did things wrong. I was shocked by his assertion that San Francisco was a textbook example of preservation of property rights. Shocked, that is, until he gave credit for this to Howard Jarvis' successful campaign in 1978 to freeze property taxes in California.

By hamstringing the tax gluttons in San Francisco, his amendment to the California constitution precipitated a rapid growth in investment and employment. By freezing tax rates, he increased tax revenues. Shades of Arthur Laffer, anyone?

Both books, Bethell's and Walters', make the case for property rights as the key to an ordered society, to prosperity, to equal opportunity, to the American Dream. Our Founding Fathers understood the importance of property rights. They are enshrined in the Constitution. To wit:

- Article I Sections 9 and 10; Article III Section 3 — proscription of bills of attainder, a device to deprive someone of his property to the benefit of the government through a legislative act naming a specific Individual.
- Article I Section 10—inviolability of contracts.
- Amendment III — quartering of troops without the homeowner's consent.
- Amendment IV — proscription against illegal search and seizure.
- Amendment V — requirement for due process in protection of property and the "takings" clause, requiring just compensation when private property is appropriated by the government for public use.

- Amendment XIV Section I — application of due process requirements to the states, including cases of property.

These rights have eroded over time as legislatures and courts leaped aboard the progressive bandwagon.³ If mankind was not moving expeditiously toward the moral perfection demanded by the progressives, then government must step in.

Why was this fallacy not noticed by those who knew better? I would liken it to the fable about the frog in the gradually boiling pot. It took a shock to awaken us, and I propose that shock was *Kelo vs. New London* in which the Supreme Court of the U.S. allowed eminent domain confiscation simply because someone else wanted the property and the owner wouldn't sell. The city liked the development promises made by would-be owner and invoked eminent domain. To its disgrace, the Court sided with the city.

The American court system is finally beginning to move the goal line back toward the harmed party in property rights cases. After the disconcerting ruling in *Kelo*, the Supreme Court may be looking to hearing property-rights cases with a more sympathetic view due in large part to an emerging majority of originalists schooled in the philosophical basis of our polity.

This may seem counter-intuitive but the recognition of property rights has evolved from the rise of public choice economics as a field of academic study and from a confluence of economics with legal studies.

Public Choice economics has pointed out what happens when property is devolved from individuals to communal groups or the government at large. Terms like the free-rider problem and the Tragedy of the Commons now appear frequently in both academic writings and public discussions. These concepts are so common sensical it is hard to understand why so many policymakers refuse to consider their negative

² See the review of *Boom Towns: Restoring the American Dream* (Stanford University Press, 2014) in the Bookshelf section of this journal.

³ Bethell provides an excellent summary of this erosion over the decades of the twentieth century in his chapter entitled "The Feudal Temptation." I am indebted to him for the feudalism analogy.

impact on individual behavior and public outcomes.

Bethell gives credit to a University of Chicago economist, Ronald Coase, for advancing the field of law and economics. For some unexplained reason his Chicago colleagues Milton Friedman and George Stigler were slow to recognize the essential nature of property rights. Fortunately, their thinking caught up with Coase's, and the Chicago School earned a well-deserved reputation for advancing free-market economics based on property rights, even if the term itself was not always prominent in their writing.

In the final analysis it is this relationship, that of law and property rights, that is key to understanding and protecting property rights. Bethell uses the metaphor of cart and horse.

The rule of law is the horse pulling the property rights cart. When property rights law becomes unsettled or abrogated by court rulings favoring communal or government power, then property rights dissipate. They are only illusory.

For without a firm basis in the law and its consistent application, absolute rights become arbitrary privileges to be enjoyed only with governmental toleration.

We revert to a state of feudalism in which we hold property only so long as the government doesn't need it. Our thousand-year Anglo-Saxon heritage slowly but inexorably fades away. And we are all the poorer for it — in body and soul.

Appendix

Stephen Walters' Boom Commandments for Urban Health

1. *Don't Steal* — It is fitting that this is commandment is number one, a warning against redistributionist taxation that most often simply induces an exodus from the city of those wealthy and corporate taxpayers to less confiscatory jurisdictions. Walters calls this Robin Hood politics and provides the economic rationale as to why this is doomed to failure at the local level. Early twentieth century Boston under Mayor James Michael Curley is a textbook example of

fleeing the rich for vote-getting political purposes until they tire of the shearing and just leave.

2. *Hold the Fort* — Capital must be maintained through secure property rights or it simply finds a better home. Unionized Detroit is an example of this loss of focus as automakers relocated to right-to-work states.

3. *Guard Against Shortsightedness* — Walters bemoans the natural tendency of elected politicians to focus on the short term because there is no political reward for seeing farther into the future...after their terms end. His solution is privatization or marketization of services such toll roads and water utilities that can be economically managed under long term contracts. Believe it or not, he offers France as an example of using this approach effectively.

4. *Don't Lie* — Government has an incentive to hide costs in large packages of tax rates so that users never know what it truly costs for the desired service. In other words markets can't operate efficiently without open, honest pricing. When this is tried, it can have immediate and spectacular results. One example is Stockholm which solved its downtown traffic congestion by charging vehicle access fees at rush hours. The lesson here is that there is no free lunch even in government services.

5. *Compete* — No one likes competition whether in the public or private sector. Government can avoid it through legislation or regulation, to the detriment of consumers who are denied any choice in how their money is spent. School vouchers such as Indiana's program force at least limited competition on public schools, allowing parents to vote with dollars as well as their feet.

6. *Get Big* — Walters is referring to the economic principle of economy of scale. He cites cities that have used this for services such as garbage pickup and sewer system consolidation. A criticism is that he is somewhat naïve in thinking that a strategy used in for-profit firms to reduce average cost will not simply be seen by bureaucrats as nothing more than expanding their scope of control.

7. *Preserve the Unseen* — The first inclination of the urban renewal crowd is to bring out the bulldozers. Walters argues that the focus should be on the human capital and not the physical structures they occupy. He cites the early twentieth century migration of poor blacks from the south to northern cities, attracted by economic opportunity. Too often it as been their neighborhoods targeted by do-gooders, to the detriment of the residents as their communities are destroyed and they are forcibly moved to low income housing elsewhere.

8. *Be Fair* — This is another of example of liberal good intentions gone wrong. Walters points to Oregon's green-lining restrictions that purport to redesign cities in some theoretically optimal layout. Approaches like green-lining and growth controls result in rising housing costs and reduction in both horizontal and vertical economic equity within the city's population.

9. *Cut Out the Middle People* — This is Walters' antagonism for economic development organizations, city bureaucracies and oversight boards that add cost to projects and interfere with entrepreneurs. Private investment is hamstrung to the point that risk-reward calculations are meaningless. Post World War II New York City is given as the worst example of this, but we see plenty of it right here in Indiana.

10. *Don't Break the Windows* — This is the "broken windows" theory of efficient policing, famously installed by New York City Mayor Rudy Giuliani. The idea is that by controlling small crimes a city significantly reduces the progression toward big crimes. Some years back there was a task force in Fort Wayne that, immediately upon learning of new graffiti in a public space, dispatched a crew to remove it. Alas for New York City, Giuliani's successors have abandoned that approach to the city's detriment. ♦

Free People Don't Ask the Government for Permission

"We've recently celebrated another Veteran's Day, where we've heard all the usual "freedom isn't free" speeches extolling the role of the U.S. military in protecting our liberties. I've got nothing against the military and respect those who served in it, but wish that Americans would spend less time waving the flag and trading in bromides — and more time thinking seriously about the precarious state of our own freedoms. 'Liberty,' Thomas Jefferson wrote, 'is unobstructed action according to our will; but rightful liberty is unobstructed action according to our will, within the limits drawn around us by the equal rights of others. I do not add "within the limits of the law"; because law is often but the tyrant's will, and always so when it violates the right of an individual.' That's as good a definition of liberty as one will ever find. Americans are supposed to be free to live as we choose—unobstructed by government and limited solely by others' right to exercise their free will. Jefferson's words can be summarized by that old cliché: Your right to swing your fist ends at the beginning of my nose. Obviously, our nation's founding was fraught with hypocrisy given that a large portion of the population wasn't free at all, but that doesn't mean that the country's ideals aren't worth pondering today. . . . Our country has strayed so far from those concepts that we've morphed into society where we constantly need permission from the government to proceed. Whereas government previously needed a compelling reason to restrict our actions, it now demands a host of permits, fees, pre-approvals and justifications. This 'Mother, may I?' situation has turned the notion of a free society on its head."

— Steven Greenhut in the Nov. 22, 2019, issue of *Reason Magazine's* "Freedom"

Eco-Devo Done Wrong

“If we’re going to turn our local governments into investment banks, we’ll need to find smarter people to run them.” — a Fort Wayne manufacturer

Craig Ladwig is editor of the quarterly *Indiana Policy Review*.



It is what you heard most during the recent municipal elections, and what should have troubled you the most: “I don’t know about the financing but I love what’s going on downtown.”

In Indiana, that might be said about a new sports stadium, or a riverfront walk, or a convention center, or an entertainment venue, or a high-end apartment complex or a boutique hotel, or an ice rink — the list goes on and on, all with obligatory parking garages.

It is known as economic development or eco-devo, enlisting local government’s help in the financing of downtown architectural splendor in steel, rebar and concrete.

Gone are the dusty old office buildings and worn-out, failed commercial frontage, demolished as the city is freed at last from the chains of private property and risk capital.

What could go wrong?

Well, it could change your city’s democratic processes irreversibly for one thing, as well as change its very nature — all for the worse. The means of financing, common sense should have told us, is critical to a city’s economic and political health. The participation of people putting their own property at risk for potential gain is essential for sustained development anywhere and everywhere.

Indeed, some of us believe that protecting the right to own and use property freely is government’s most important job.

For as influence in our cities shifts away from those actually creating wealth to those with merely the right connections, what is being created is not an enduring new downtown but a modern-day political machine, a regression to mercantilism.

A friend, apolitical and without a public-policy bone in her body, put a finger on it. “It’s impressive,” she said after a visit to Carmel, Indiana’s poster city for this sort of thing, “but it doesn’t look ‘natural.’”

Hers was a way of saying that this is not how things are supposed to work, not how economic growth normally happens, i.e., supply building up to meet demand. Instead, the process is turned upside down, initially financed not with money at risk (investment) but with a dog’s breakfast of government loans, grants and bonds backed up with tax revenue, plus special taxing consideration and outright cash gifts — in aggregate, inscrutable both to city voters and their council representatives.

It gets worse. What the promoters call “investors” are politically selected interests paid up front for their development efforts. Again, they carry little risk relative to a straightforward private-sector deal. Economists call them “rent-seekers.” Some of us call their projects “boondoggles.”

Specifically, a rent-seeker is a person involved in seeking to increase their share of existing wealth without creating new wealth. The International Monetary Fund warns that “rent seeking can result in reduced economic efficiency through misallocation of resources, reduced wealth-creation, lost government revenue, heightened income inequality, and potential national decline.”

In alliance with these new rent-seeking “investors,” the owners of our old downtowns, stuck with bad investments in declining properties, found a way out of their predicament. Their problem, though, required a political rather

than real estate solution, convincing a majority on a city council that the downtown was failing only for need of new money — “build it and they will come (back).”

In fact, though, our downtowns failed intrinsically — in both space and demand.

Jason Arp is a former trader in mortgaged-backed securities for Bank of America who now represents the 4th District on the Fort Wayne City Council. He detailed this failure in articles for two dedicated issues of the *Indiana Policy Review*.^{1,2}

Arp was the lone voice on his council connecting the dots between a \$450-million-plus downtown renovation project in Fort Wayne and a similar one that went bankrupt in North Carolina. His warning to council colleagues:

“When private investors agree to such a deal, any loss is on them. But when an unknowing public is asked to pay for what amounts to a real estate scheme, fashioned in the dark, it should be a matter of serious concern and investigation.”

In agreement is Dr. Sam Staley, an adjunct scholar of the *Indiana Policy Review Foundation*, now teaching urban planning at Florida State University. Our foundation brought him to Indiana multiple times during the 1990s to project the future of our state’s downtowns at a time when the eco-devo movement was only a gleam in the crony-capitalist eye.³

Staley began his presentations by saying that whenever he comes into a city he checks the rates advertised by the private downtown parking lots. If they are high, he can assume that demand for real estate is good. But in the case of most Indiana cities back then, they were invariably low indicating a lack of demand.

So why at the time were Indiana city halls planning to spend millions on parking garages? It is a question to which we will return.

“The chief accomplishment of some is to offer a more stimulating lunchtime environment for downtown office workers who have commuted in from the suburbs.” — Dr. Sam Staley

Staley told city leaders what they didn’t want to hear, to wit: There would be no more soaring downtowns in Indiana or America, no new Chicagos or New Yorks. The most prosperous cities were spreading out to make better use of relatively cheap land, following a highly mobile

citizenry attracted to better schools, public safety, less obtrusive government and more space to park.

Wishing that Baby Boomers could have remained forever young and in need of night spots, artistic venues, museums and sports stadiums, all within walking distance of studio apartments, does not make it so.

The downtowns that have proven sustainable, Staley said, were those that allowed prices to fall to where actual private developers would step in to fill a more modest vision, smaller markets limited to an odd mix of DINKs (dual incomes, no kids), retired couples and upper-income swingers with “downtown” tastes and habits:

“Most of the people who locate in these areas are singles, empty-nesters or young childless couple who will move to the suburbs when they begin families. In other words, downtown revitalization efforts, as successful as many seem to be, need to be understood as niches, and not as a general formula for transforming entire cities. . . . The chief accomplishment of some is to offer a more stimulating lunchtime environment for downtown office workers who have commuted in from the suburbs.”

Ryan Cummins, a business owner and former chairman of the appropriations committee of the Terre Haute Common Council, developed something of a rule for addressing the eco-devo issue among others:

“Whenever I was told I must support some issue or expenditure, it was said to be vital for one of three reasons: ‘for the children;’ ‘for public

safety,’ or ‘for economic development.’ I never heard that it was ‘for property rights,’ ‘for individual liberty,’ ‘for free markets,’ or ‘for supporting individual responsibility.’ But in fact, every vote for children, public safety and economic development ended up crushing property rights, individual liberty, free markets and personal responsibility. The damage was sometimes specifically intended and occasionally unintended but the damage was done nonetheless.”⁴

The HGTV show, “Good Bones,” featuring an Indianapolis mother-daughter eco-devo restoration team, offers a romanticized glimpse of the market in run-down homes transformed into stunning one- and two-bedroom urban remodels for the transitory hip. But Aaron Renn, another native Hoosier and an urban policy expert, predicts that the good times for such renovation, unlike the TV show, will not be renewed:

“The dirty little secret is that a lot of these places have been growing their youth populations by ‘hoovering’ up the children of their hinterlands. To the extent that urban population growth is dependent on intrastate migration in these states with declining working-age populations, at some point there are just plain going to be a lot fewer youngster to move to the big city.”⁵

Renn, with the Manhattan Institute, identifies Indianapolis as a prime example of this folly. Since 2000, about 95 percent of that metro area’s net migration has come from outstate, he says. About half of the state’s counties are projected to lose population by 2050 with Indiana projected to add only 100,000 15-44 year olds by 2050.

“Even if 100 percent of them, or even more than 100 percent of them, are in Indianapolis, this still implies a fairly modest growth rate,” argues Renn, who sees rural-to-Indy migration already falling off.

That obviously is a problem for midsize and smaller Indiana cities — they don’t have enough of those types to “naturally” populate a downtown (to

continue my friend’s depiction).⁶ Nor as “destination” cities can they draw from a large enough surrounding population to justify in a commercial sense the extravagant building.

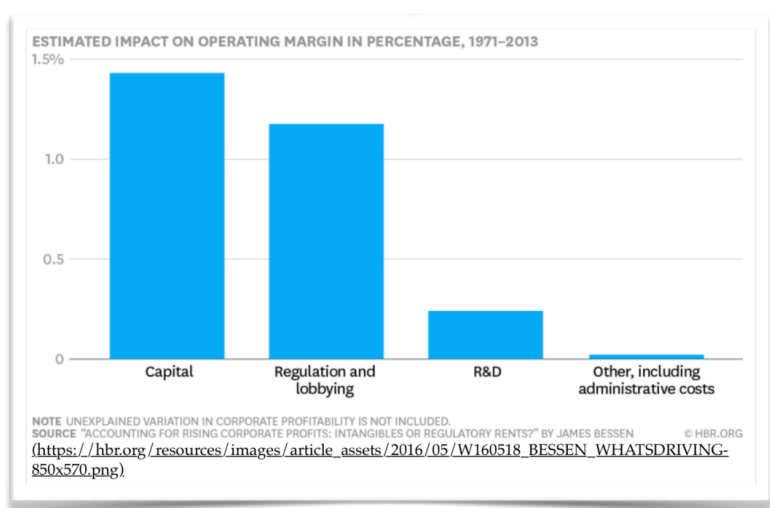
The point is that events, facts, people, can hit us in ways that change our self-plotted course. That often can be seen in charts and tables. Two such examples came across my desk recently, each applicable to Indiana’s economic-development efforts.

The first, pasted below, should give pause to the thought that subsidized and bonded downtown “development” is necessary regardless of expense in lobbying and regulation. Economic growth, it turns out, is more than shiny new buildings and manicured greenways.⁷ It is even more than expending or dedicating tax dollars.

It is the *type* of financing that matters after all.

That being so, our question should be what drives an organization’s profits and not the grandiosity of the architecture. Those communities that have chosen a system keeping government out of the way and allowing private capital to be freely raised on the strength of ideas, products, services and market demand, have chosen wisely. For only a productive community can thrive.

It should be self-evidently foolish for a city to pin its hopes on widely held corporations that depend for their profits on the quick and the



clever to manipulate local governments. As the lady said, sooner or later you run out of other people's money. Your city will be left in the hands of an unaccountable group of insiders, "crony capitalists" being only the nicest way to describe them.

A longtime Fort Wayne manufacturer put it in this nutshell: "If we're going to turn our local governments into investment banks, we'll need to find smarter people to run them."

As it stands, Indiana's regional quasi-official economic "development" agencies, popular though they may be at the Statehouse, are the beginnings of what will become political machines usurping local democratic authority.

A second chart is from Joel Kotkin and Wendell Cox in the *City Journal*. It shows that investors and businesses avoid central cities where unconstrained regulation and taxation invite inside dealing, encouraging the government rather than the market to designate winners and losers.⁸

Again, Staley predicted this more than two decades ago in a Fort Wayne seminar. He advised leaders there to leave downtown to market forces and focus instead on collaborative efforts to fight crime and reform public education. The successful city, he warned, will be built on a tax base of boring, traditional, middle-class families regardless of ethnicity.

Indiana mayors, Republican and Democrat, are ignoring that advice, dumping the treasure of a generation into an endless series of downtown renovation projects. That is being done even though 70 percent of millennials already live outside core city counties.

And Kotkin and Cox say that if the flight of moderate, middle-income homeowners continues, urban centers will be at best "sandboxes for a progressive political class," hugely expensive ones.

Here's where all those parking garages come in. If developers could convince a local government to help them build enough parking garages, then the geo-economical disadvantages of downtowns could be reduced — at least for an elite market niche able to pay the fees and rents.

For it is quite possible to spend enough of someone else's money in a prescribed area of your city, to hand out enough sweetheart deals, to pour enough concrete, to set enough rebar, that development of sorts takes place — at least for a time and within a limited space.

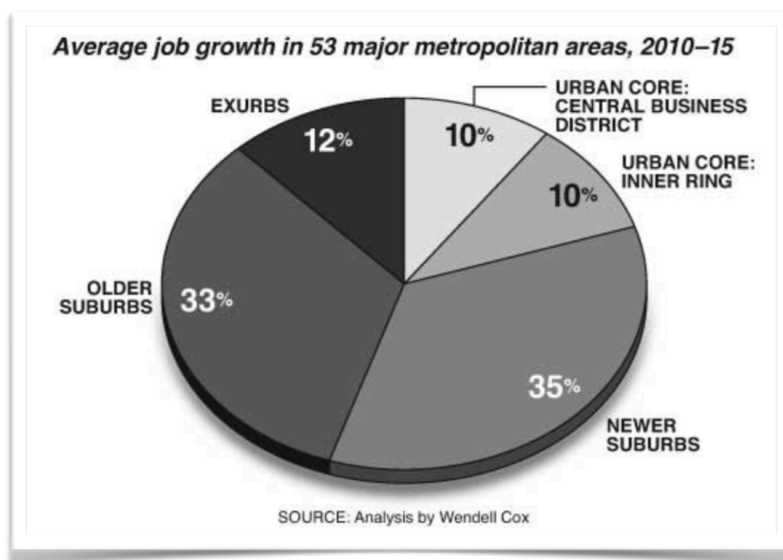
So why isn't every place rich?

The model for this chimera is Baltimore, Maryland. There, the Baltimore Development Corporation (BDC) was formed to do what "natural" economic development could not do.⁹

The price paid was accountability and the creation of what amounts to a shadow government. For the BCD was the product of a

merger of such diverse eco-devo agencies and Chamber of Commerce-like outfits that it was not directly accountable to any electorate, the assorted boards being controlled by the local power brokers.

Most important to this argument is that the BCD's complex arrangement and the sometimes secret financing of its wide and varied projects made it impossible to determine ownership— impossible, at least, without the power of subpoena or even surveillance, plus access to the highest levels of expertise.



The historically essential element of private property, with its incentives and accountability, was not on the table.

This is not to say that Baltimore's Inner Harbor by itself is not successful. Anyone who has visited there will enthusiastically attest to that. It is an architect's dream, described by the Urban Land Institute in 2009 as "the model for post-industrial waterfront redevelopment around the world."

That success, however, was analogous to planting a settlement on Mars. It was limited to a technically prescribed site and was sustained by an artificial atmosphere — and that still is true after decades of operation. Baltimore, in spite of billions dedicated to the Inner Harbor, is still Baltimore, corrupt only on a more selective, grandiose scale.

And most disturbing, what makes all of this so dangerous, is that the model of corruption is "bipartisan" in the sense that George Carlin used the term, that is, "a larger-than-usual deception being carried out."

Indiana Republicans and Democrats, once they have bought into the idea that private property is merely a construct, climb on board the local eco-devo bandwagons together. Our bank presidents like it. Our union presidents like it. Our Republican and Democrat county chairmen like it.

Those with reservations are quickly marginalized. Ultimately, you join Hammond or a Gary and the other cities on the "most miserable" list of Business Insider magazine ^{10,11}). You end up being ruled by a regulation-happy political establishment so detached from property rights that it scares away more investment than the crony capitalists can line up.

Economists call that a form of "regulatory capture." A recent New York University study

"The dirty little secret is that a lot of these places have been growing their youth populations by 'hoovering' up the children of their hinterlands. . . . at some point there are just plain going to be a lot fewer youngster to move to the big city." — Aaron Renn

added up the cost of the lobbying necessary to do business in such an environment. It found that the entry and growth of small businesses relative to large businesses is reduced and, combined with rising entry costs, leads to a less dynamic and adaptable economy.¹² Here is Tyler Richards with George Mason University reviewing the study:

"Since the confluence of regulations and lobbying have a strong negative effect on any

potential competition, this leads the authors to a theory explaining what happened: regulatory capture. At some point, regulations start shifting away from the public interest and toward the interest of those they are meant to hold in check."¹²

So, in our vain efforts to string together a continuous run of leisure, success and happiness without the need to produce or compete, reality gets in the way. A bottom line, solid ground, must be found.

Most individual Hoosiers, balancing their books at the kitchen table, learn that early . . . the transmission goes out, the washing machine is on its last legs, someone broke into the shed and stole the lawnmower, adjustments must be made, the new jacuzzi is put on hold.

We are learning that our council majorities cannot be trusted to perform such a reality check, at least not beyond the electoral cycle.

It's not their transmission, washing machine or lawnmower, you see. ♦

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4. Ryan Cummins. Email exchange of Oct. 21, 2019.

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**"At some point, regulations start shifting away from the public interest and toward the interest of those they are meant to hold in check."
— Mercatus Center**

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11. Steve Malanga. "The 'Miserable' State." City Journal, Oct. 9, 2019.

12. German Gutierrez and Thomas Philippon. "The Failure of Free Entry." National Bureau of Economic Research, June 2019.

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States' Use of Data Shines a Light on the Administrative State

"The White House announced a new Governors' Initiative on Regulatory Innovation. Led by Vice President Mike Pence, the aim of the initiative is to work with state, local, and tribal leaders to advance regulatory reform, and in particular occupational licensing reform, in the states and around the country.

"For three years, the Mercatus Center has been compiling data on state-level regulation. This effort has culminated in the release of a new dataset, called State RegData, which quantifies regulation across the US states. Until recently, economists have not had good ways to assess how much regulation states have, either on their own or relative to one another. By extension, policymakers have not had a clear idea how much regulation their states have or how burdensome their regulatory environments are compared to their neighbors. That's all starting to change as a result of work that Mercatus has been conducting.

"State RegData uses text analysis and machine learning algorithms to convert legal text into data. State administrative codes are analyzed to identify the number of regulatory restrictions, as measured by counts of the terms 'shall,' 'must,' 'may not,' 'prohibited,' and 'required.' Machine learning processes are also used to identifying the industries most targeted by state regulation."

— Mercatus Center, Oct. 23, 2019

Does Indiana Tax More Or Less than Other States?

Maryann O. Keating, Ph.D., a resident of South Bend and an adjunct scholar of the Indiana Policy Review Foundation, is co-author of "Microeconomics for Public Managers," Wiley/Blackwell.



(Nov. 16) — Larry DeBoer and Tamara Ogle of Purdue University presented a comprehensive webinar last month entitled "On Local Government: A Look at State and Local Taxes in Indiana." It is worthwhile summarizing a few of their findings.

The webinar, sponsored by Community Development Extension, asked, "How high or low are Indiana's taxes compared with other states?" It analyzed Indiana's tax regime both in terms of economic incentives and in taxes paid by low income households.

In 2016, residents in Indiana's four surrounding states paid higher percentages of their personal income in state and local taxes. Hoosiers, like those in Texas and Utah, remitted approximately 8.5 percent to 10 percent of their incomes to local and state government. Those living in New York, North Dakota, Maine, Minnesota, Rhode Island and Vermont paid 11 percent or more.

However, Indiana's 7 percent sales-tax rate is tied for 2nd highest in the U.S. Indiana relies more heavily on general sales taxes than most other states. Except for groceries, the Indiana sales tax is widely applied to most goods and services. A wide sales-tax base is desirable given economists' fear of distortions resulting from exemptions granted certain industries.

Fortunately, local cities or counties within Indiana do not have a sales tax in addition to the general sales tax. Indiana is also less likely than other states to depend on selective miscellaneous or motor vehicle taxes.

Indiana's income tax is a flat tax meaning that higher income households pay more but at the same rate as lower income households. Although Indiana remains in the bottom third of states relying on income-tax revenue, it is one of the few states in which some towns and counties assess an additional local income tax.

Local property tax rates in Indiana are capped, but obviously the amount paid depends heavily on how property is assessed. Property values in Indiana tend to be low relative to the rest of the country, and the amount collected as a percent of home values is 0.82 percent. This is well below the average U.S. rate.

Figure 1 breaks down the shares of total tax revenue collected by various types of state and local taxes in Indiana and for the whole of the U.S. Note that compared with Indiana, states as a whole depend more on property and less on sales taxes. Note as well that the share paid on individual and corporate income taxes exceeds that of the U.S. as a whole.

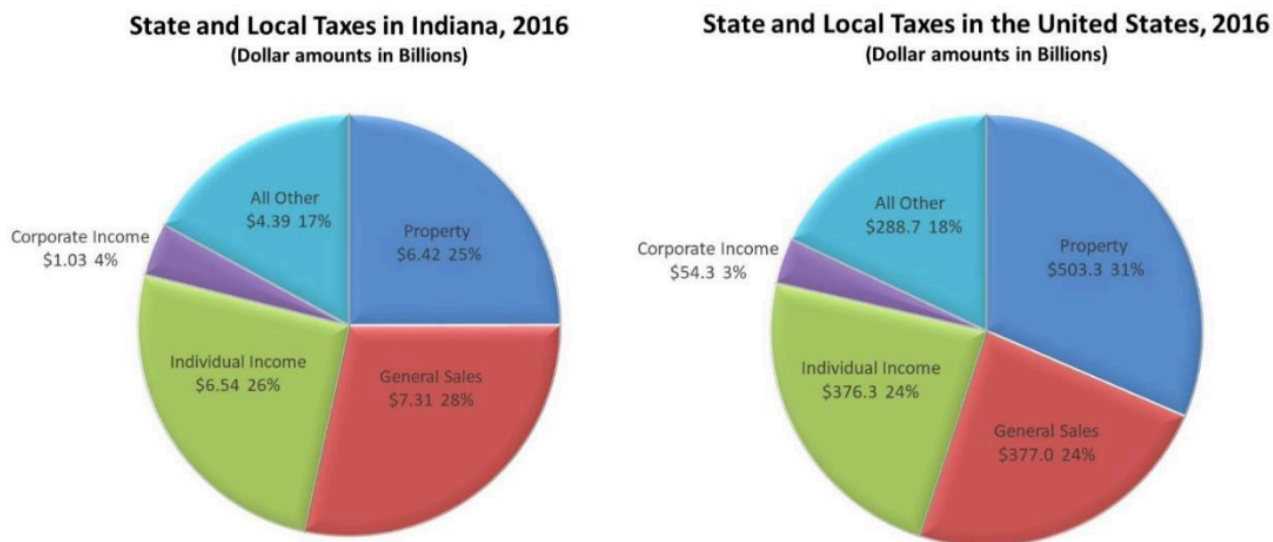
The Purdue webinar went on to show that Indiana taxes are pretty evenly balanced between types of taxes as compared with states such as New Hampshire with no general sales tax but raising 65 percent of its state and local revenue with property taxes.

Taxes should have low collection costs for both taxpayers and government. In addition, taxes can be evaluated on two criteria: first, on non-interference with household and business private decision-making; and secondly, on fairness both in terms of services received and in not contributing to income inequality. Two organizations that evaluate state and local taxes are the Tax Foundation and the Institute on Taxation and Economic Policy (ITEP).

The Tax Foundation in 2019 rated Indiana 10th best of all states in having a healthy business climate. Indiana achieved this ranking for the most part due to relatively low rates applied broadly and for having flat rates on individual and corporate income.

On the other hand, ITEP ranks Indiana 12th worse in terms of promoting post-tax income

Figure 1



Source: "On Local Government: A Look at State and Local Taxes in Indiana," *Purdue Extension*, Oct, 16, 2019.

equality. The 20 percent of Indiana households at the bottom of the income scale pay between 12 and 13 percent of their before-transfer income in state and local income taxes; whereas the high income top 20 percent of households pay somewhere between 7 and 8 percent. The difference to a large degree results from Indiana's reliance on regressive sales taxes. Lower income people spend rather than save and hence pay a higher share of their income in sales taxes. In addition, Indiana does not compensate for its regressive sales tax with progressive higher income-tax rates. Indiana does, however, offer a refundable Earned Income Tax Credit.

Indiana ranks above neighboring states, Kentucky, Michigan, Ohio and Illinois, in terms of Business Tax Climate and above Illinois in terms of ITEP's Tax Equality Ranking. The Purdue study singles out Utah for further analysis, because it manages to attain the same relatively high ranking as Indiana on Business Climate but ranks much higher in terms of Tax Equality. Utah's low income families benefit from income-tax credits and deductions and a lower sales-tax rate.

Factors unrelated to tax structure can affect the variation in taxes paid as a percentage of income between low- and high-income households. For example, Utah's pre-tax median income is relatively high allowing some lower income households to save as well as spend.

Also, pre-tax income equality in Utah exceeds that of any other state in the country; thus, differences between households in the percentages of income paid in state and local taxes tend to be smaller.

How state and local spending reallocates income between households is a completely different story and beyond the scope of how tax revenue is collected. Hoosiers need to decide the extent to which both the state and local tax and spending regimes reflect personal priorities.

Meanwhile, we might derive some satisfaction in knowing that as a percentage of personal income we presently enjoy relatively low taxes compared with other states and the country in general. ♦

Eric Schansberg

'Socialism' — They Don't Know What They're Saying

D. Eric Schansberg is Professor of Economics at Indiana University Southeast, adjunct scholar for the Indiana Policy Review Foundation and author of "Turn Neither to the Right nor Left: A Thinking Christian's Guide to Politics and Public Policy."



(Nov. 25) — Economists

Robert Lawson and Benjamin Powell have written "Socialism Sucks: Two Economists Drink Their Way Through the Unfree World" — a breezy book on a stale and lousy economic system. Its casual tone is rooted in their use of beer as a metaphor and a key prop to describe socialism in various countries.

Their punchline: Many people advocate socialism without knowing what it is. Socialism is when government owns all of the means of production rather than individuals. But few people really want that, including most self-styled socialists. Instead, most of them imagine "socialism" as a dog's breakfast of Leftist and Liberal policy proposals. They see it as a vague call to increase government activism, justice, fairness and, ironically, democracy.

So, if you're worried that so many people are advocating (real) socialism today, you can rest easy. They're not advocating the abolition of private property and political oppression. (Not many people understand capitalism either, but that's another story.) Their policy prescriptions might be troubling but thankfully few folks are really embracing socialism.

Lawson and Powell visit eight countries to describe various types of socialism. They start with Sweden as "Not Socialism." Contrary to popular opinion, the authors cite data from the "Freedom Index" to note that Sweden has a relatively free economy. They note its high taxes and expansive welfare state (with the resulting

problems), but that doesn't make it a socialist economy.

Next is "Starving Socialism" in Venezuela. The authors note that American Leftists were praising this country a decade ago. Now, however, the country is a nightmare, with plummeting incomes and rampant inflation. While Venezuela might be a poster child for socialism, it's also Exhibit A for why socialism is inhumane.

Cuba is labeled "Subsistence Socialism." It's better than Venezuela. But the food is bland with so few available spices. Government hotels are run-down; private Airbnb-style housing is much better. Havana is famous for its 1950s American cars but that's not nearly as glamorous as it sounds, with outrageous car prices and run-down rides. And there are no storefront signs. Even poor market economies have advertising, but in Cuba, there's little incentive to sell, since the state owns everything.

North Korea is "Dark Socialism" — named for the famous satellite photos that show how little light they have. Lawson and Powell have the same experience on the ground, as they look across the river from their hotel in China — into the utter darkness of a large North Korean city at night. We've seen a natural economic experiment over the 60 years in North and South Korea. If socialism is the experimental treatment, one can only recommend living in the control group.

China is "Fake Socialism" — with its big increases in capitalism and income over the past few decades. Russia and Ukraine are depicted as "Hungover Socialism" — better off since the fall of the USSR but still stuck with heavy doses of crony capitalism and statism. And Georgia is their example of the "New Capitalism" — a Soviet-bloc country that has many disadvantages but has embraced market reforms and is growing.

Throughout the book, the authors underline the importance of the "rule of law" for economic incentives and performance. They mention the history of mass murderers in Russian and Chinese 20th century socialist history. But they also bring repeated attention to the devastating correlations between reduced economic freedom, diminished

civil liberties and social repression by government.

I was fortunate to visit Berlin with a friend before the Wall came down. East Berlin was the most impressive city in the Eastern Bloc. But compared to West Berlin, East Berlin was drab with little variety and a far-lower standard of living. We were walking around and my friend said, "This isn't so bad." I replied, "All you need to know is that they built a wall to keep these people in."

While socialism could work in theory, the data indicate that people will be worse off — economically and socially — with socialism. It can be hoped that Lawson and Powell's book will convince people to reject an economic system that has caused so much devastation and forgo government solutions that look promising but usually fail.

A Forgotten Man in Civil Rights

(*Nov. 25*) — The David and Linda Beito biography of T.R.M. Howard is academic in substance and detail, but an easy read. Still, it is a long read, unless you're really into the broader topic of the American Civil Rights movement and its heroes.

But even for those who won't want to read the entire book, it's worth it to read a review to learn a bit about an important but overlooked historical person.

By profession, Howard was a doctor. More broadly, he was an entrepreneur who dabbled in all sorts of business ventures, built hospitals and constructed community resources, including a park and a swimming pool for blacks (54, 56). His legacy is a "testament to the largely unsung role of the black middle class during the 20th century" (xvii). Even outside of politics, his contributions to economic activity and civil society make him a fascinating figure.

But Howard was also prominent in the Civil Rights movement. He had a tremendous influence on many of its leaders. Beyond Martin Luther King Jr., the Beitos link Howard to influencing Rosa Parks, being the key catalyst for Jesse

Jackson's emergence (Jackson officiated at his funeral), his various tussles with Thurgood Marshall, his work with Medgar Evers, his correspondence with Roy Wilkins as the head of the NAACP, and as the subject of Juan Williams' work when he was a young journalist.

The most interesting part of the book: Howard was a key player in the Emmett Till murder trial. The Beitos devote two chapters to the Till story and Howard's role in it. (This is, by far, the most detail I've seen on this brutal incident.) Chapter 6 describes the murder and the trial in great detail. Chapter 7 covers the aftermath, with Howard helping to publicize new details about the crime that emerged after the trial. In this, he criticized the FBI in their role as investigators, which led to a public spat with J. Edgar Hoover (with Marshall defending Hoover behind the scenes).

In the Beitos' telling, Howard was a top-tier civil rights player. Why has he been relegated to historical anonymity? Some of this may be the vagaries of history, timing, etc. His influence in Mississippi peaked before the expanded reach of television. He was then superseded by others who were better placed to stay in our historical memories. He spent the last half of his public life in Chicago, making it difficult to put him in a convenient historical box as either Southern rural or Northern urban. (He was the son of tobacco workers, born in Murray Kentucky, in 1908.)

Howard was in between the more militant and more passive wings of the civil rights movement. So perhaps his fervent but still moderate approach doesn't catch the historical eye. But the larger problem seems to his complexity as a man who can't find eager champions.

The Beitos express surprise that Howard's complexity hasn't attracted more attention for him, since there's something to appeal to everybody, whether conservative, liberal, moderate or libertarian (257). But that's also part of the problem, since people like their heroes to come without ideological or personal warts. Howard was a big game hunter (223, 228-229) with a "safari room" in his home but a man who opposed gun-control laws on racial grounds (116). He was a prominent abortionist and had a

"pattern" of rampant infidelity, fathering many children from those dalliances (23, 72-73, 225). He was avidly opposed to the New Deal and efforts to subsidize people (32) — and an anti-communist (thus, avoiding some of the negative attention that King received from the government). Howard went back and forth politically (191-192), in a time when African-Americans were not so beholden to a single political party. He finished as a Republican — even running for Congress, and getting trounced by a long-time incumbent and member of the party machinery in Chicago (ch. 8, esp. 191-193, 210).

The Beitos' broader discussion of abortion was intriguing. They detail the debate about the eugenics aspects of abortion, noting Dick Gregory's opposition on those grounds (238). (They also describe Jesse Jackson's avid opposition to abortion into the 1980s until he ran for President [239-240].)

Howard applied eugenics arguments to the disabled, but vigorously opposed them when applied to race (34-35). He saw abortion as an important option for the poor, even defining anti-abortion laws as "unjust" (44). (Of course the science has come a long way, so it'd be interesting to see what he would think today.)

That said, most of his (illegal) abortions were for whites with financial means (94). Before *Roe vs. Wade*, its illegality was determined by state, but he often worked around the law with bribes (190). He finally ran afoul of the law (much of ch. 9), causing him trouble toward the end of his professional and political life.

Howard is a complex man whose life deserves more renown and more study. Thankfully, the Beitos have produced a book that documents this complexity and celebrates another key figure in a key era in American history.

Who Are You, and What Have You Done With Elizabeth Warren?

(*Nov. 20*) — When one of my sons does something unexpected, I like to joke: "Who are you and what have you done with my son?" After

reading Elizabeth Warren's three books on politics, I had the same question about her.

The first, "The Two-Income Trap" in 2003, is moderate or even conservative. Some of her arguments on public policy consequences are so well-reasoned that it brings a tear to an economist's eye. But really, the book is what you'd expect from an academic — thorough work, thoughtful analysis and careful conclusions.

Warren's thesis is that when financial troubles come, life often falls apart — even for two-income families who "play by the rules." Higher household incomes could have meant more savings and less risk. But household spending increased as well. With both parents working, a family has less flexibility — thus, "the two-income trap."

Warren notes that most of the increased spending came from housing. And she rightly saw a connection between housing prices, K-12 school quality and neighborhood safety. This led her to advocate greatly expanded school choice — vouchers, charters, and so on — to break the link between housing and schools.

The policy prescriptions in the book are mild, compared with her later books and her proposals today. This stemmed from her understanding of how subsidies distort markets and inflate prices: "America simply cannot afford mass subsidies for its middle class to buy housing. Besides, direct subsidies are likely to add more ammunition to the already ruinous bidding wars, ultimately driving home prices even higher."

She made similar arguments to criticize subsidies for day care. But her analysis and prescriptions were not always impressive. She complains about inflation in higher education without noting the impact of its massive subsidies. And her level of trust toward consumers, particularly the poor and certain minority groups, is not high.

Unfortunately, the impressive things about Warren went out the proverbial window when she became a politician. It's easy to see when you compare her first book to her other two political books: "A Fighting Chance" in 2014 and "This

Fight Is our Fight" in 2017. Both move toward rhetoric, biography, and boilerplate — and away from careful analysis.

New policy preferences emerge which look like a crass grab for political power. And beyond grand plans that can't possibly be financed through wealth and income taxes, Warren's avid embrace of wide-ranging and extensive subsidies — for college, student loan forgiveness, child care and health care — makes no sense and has no apparent cause.

So, here's the most amazing story in Warren's books: Her research on bankruptcy leads to political influence. She gets the opportunity to meet with First Lady Hillary Clinton and argue against a bill penned by industry lobbyists. Congress and President Bill Clinton support the law. But Elizabeth persuades Hillary, who persuades Bill to veto the bill.

But here's the kicker: The bill is reintroduced in Congress the next Spring. "This time, freshman Senator Hillary Clinton voted in favor of the bill . . . The bill was essentially the same but Hillary Rodham Clinton was not. Her husband was a lame duck at the time he vetoed the bill; he could afford to forgo future campaign contributions. As New York's newest senator, however, it seems that Hillary Clinton could not afford such a principled position." Ouch!

Eleven years later, Warren tells the story again in a "Fighting Chance." This time, she shares Hillary's role in persuading Bill to veto the bill but does not mention Hillary's affirmative vote in 2001. Of course, Warren's redacted retelling is a smart political move. But it is also indicative of her emergence as a political animal in her own right.

Her flips on public policy are staggering enough — from one who knew better and opposed to someone who pretended not to know better and supported. The hypocrisy is even worse because she crushed Hillary for the exact same move — and Warren's own sins in this regard are far worse.

So, what happened to Elizabeth? I heard Rod Dreher speak at the 2019 Touchstone Conference

on "The Benedict Option." Dreher had been a devoted Catholic but "lost his faith" as he investigated the Catholic sexual abuse scandal for the New York Times. He started to obsess on the important work he was doing. He began to imagine that he was indispensable. He didn't take steps to ground his work in something greater. In Christian terms, "the good fight" became an idol — and idols always fail.

When Dreher used the term "fight" to describe his crusade, it immediately brought Warren's last two books to mind — with "fight" in both titles and "fighting" as her most prominent metaphor to paint her own efforts. My best guess — and I think, the most gracious interpretation of her hypocritical flips — is that she has traveled a similar path to Dreher.

It can be hoped that Warren will not get to enforce her preferred version of society and her hypocrisies on others. And as Dreher eventually learned, it can be hoped that Warren will find that there are things much more important than "the fight." When the ends justify the means, it's never ultimately good for those who misunderstand — or those they try to influence and control.

All Lives Matter, Mr. Kaepernick

(Oct. 25) — When I teach about "personal discrimination" I often use the example of bigotry against the number 13. You've probably heard that some people have the strange religious belief that 13 has supernatural powers.

Owners of tall buildings have succumbed to this bigotry by getting rid of the 13th floor. Well, not eliminating the entire floor, but pretending that it doesn't exist by adjusting the numbers on elevators and office doors. (The bigotry is amusing when one realizes that the folks on the 14th floor are really on the dreaded 13th floor.)

Even if the owner doesn't share this numerical bigotry, she's likely to defer to it. She can probably find enough tenants who don't personally fear or hate the number 13. But these tenants would still reasonably worry about prospective employees and customers who dislike 13. And that's enough

to make 13 unattractive to tenants — and thus, the owner.

Why do we tolerate this blatant discrimination? Because we don't care about the number 13 — and the costs of discriminating against it are quite low, for individuals and society.

Then, I turn to a tougher example. What if you own a restaurant in the Deep South in the 1950s? You're not a racist, but . . . If you hire blacks or serve blacks, there could be big trouble for you. Your home or business could be fire-bombed. You or your family might be attacked. You will lose friends and be ostracized by neighbors.

What should you do? In class, I allude to the moral and ethical standards at hand, but leave the question unanswered — as a matter of conscience for my students. Of course, the point is as clear as the question is difficult. Following a moral standard may be costly — and for many, too costly to follow.

What makes this case much more difficult? In contrast to the number 13, we do care about how African-Americans are treated, but we realize that doing the right thing could have been quite costly.

In recent years, to play further with the concept of personal discrimination, I've started to discuss Colin Kaepernick, Tim Tebow, Michael Sams, Kareem Hunt, Tyreke Hill, Joe Mixon and Ray Rice. All of these football players have characteristics beyond their performance "on the field" that has impacted their "productivity."

For team owners, the two most prominent goals are to make money and to win games. These players might be capable enough on the field. But they might impact team chemistry or cause a

media circus that would sacrifice wins and profits. Hiring a football player is not simply a matter of his productivity on the field.

Now, back to bigotry and personal discrimination. Aside from questions about their "productivity," these players might be judged and disliked by owners for their off-the-field behavior or beliefs. For example, an owner might have a problem with Kaepernick's kneeling, Tebow's Christianity, Sams' homosexuality or Hunt's domestic violence. But even if an owner doesn't care about these things, what should he do if customers or other players are bothered by their character or behavior?

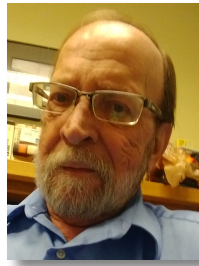
Finally, let's turn to Hong Kong and the NBA's recent troubles with China. Many pro basketball players stood with Kaepernick and for free speech — in his protest against police shootings and his support for the "Black Lives Matter" movement. But all of those NBA athletes caved when it came to free speech and protest against China's oppression of Hong Kong.

What's the difference? Not principle, since the actual and potential human rights abuses against those in Hong Kong are far greater than those currently against African-Americans. Perhaps it's nativism or xenophobia, but I think the most likely explanation is costs and benefits.

What's the solution? Embrace core principles consistently. Be more focused on character and integrity than virtue signaling and accumulating wealth. And advocate justice for all people — not just when it's cheap for you or only relevant to those you love, especially if you're powerful or prominent. ♦

Leo Morris

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An Unconcerned Vacation

(Nov. 4) WIMBERLEY, Texas, early morning, some day or other — This is my first vacation at my brother's since I retired, and somehow I thought it would be different this time. Less relaxing, perhaps, and therefore less fulfilling.

Vacation, after all, means “an extended period of leisure and recreation, especially one spent away from home or traveling.” Its purpose is to leave everyday obligations and worries behind long enough for the batteries to recharge.

With most of my cares swept aside with the 9-to-5 job, how would I tell the difference between a vacation day in Texas and an ordinary day in Indiana? Exactly what would I be leaving behind?

A state of mind, it turns out.

Though ending a career lifts the daily grind of duty, it leaves in place the habits and routines that fueled the duty: Rising at the crack of dawn, weekly household chores precisely on time, evening TV newscasts obsessively watched even if the burden of editorializing about events has been lifted.

If you stay where you've always been (to paraphrase an aphorism), you'll feel like you've always felt. If you want to feel better, go someplace else. When that plane lifts off from the layover in Atlanta and heads toward Austin, my mood lifts with it, yanking all tension and anxiety out by the roots.

Leaving a void to be filled with routines and habits of a different kind.

The best vacations, I've learned over the years, painfully, are not the ones spent frantically in search of new and exotic adventures, filling every minute of every precious day with shiny spectacles of sight and sound. It's the kind of “relaxation” that leads people to lament, semi-facetiously, “Whew, need a vacation from my vacation.”

The real comfort, the kind that untangles the knots and smooths the rough edges, comes from the sharing of familiar rituals. The Saturday welcoming dinner is always pot roast. The Friday night excursion is always bingo at the VFW hall. In between there are always a steaks-on-the-grill night, a make-the-world-safe-from-paper-targets session at my brother's shooting range, a trip to town for Mexican or barbecue.

In and around those touchstones are the small indulgences of sloth. Sleeping late. Snacking often. Wandering around sock-footed with tousled hair until the deck calls out for a sojourn with a cup of coffee and a good book. There are live oak trees in front of the deck, and deer and gray foxes often meander into their shade.

News about Indiana, my strongest pursuit in a lifelong newspaper career, follows me around, always ready to pounce on my well-being. But I am able to keep most of it filtered out, letting it dribble in a story at a time without the force necessary to upset my emotional equilibrium.

I see that Mayor Pete, in between lunatic socialist ravings disguised as Middle American common sense, has confessed to using marijuana “a handful of times a long time ago.” Everything he says, I have come to notice, sounds like a footnote being added to a term paper, so this is nothing to get outraged over.

Looks like Republican U.S. Sen. Mike Braun has joined the growing number of so-called conservatives trying to stay ahead of the Twitter mob by parroting progressive mantras. He has joined the climate-change-will-kill-us-all crowd. I should be bitterly disappointed, but I learned long ago never to trust any politician of any political stripe. They'll break your heart every time.

Updates pop up for the stories that never go away. The opioid crisis hasn't been solved. The

state attorney general still says he never groped any women. Indiana University is still searching for a post-Bobby Knight identity. I promise to start caring about all that just as soon as I get back in state. I choose to focus on a Hoosier story that at least amuses me a little, finds my funny bone to tickle all the way to Texas.

Fans of Capt. Kathryn Janeway, starship commander in the “Star Trek: Voyager” TV series, have taken note of the fictional character’s Indiana roots. They plan to install a monument to her in Bloomington, “the place of her future birth.”

Her. Future. Birth. If we can make a habit of demolishing monuments honoring our actual past, I suppose there’s a certain balance in erecting ones to honor a pretend future. I wish them well, but it sounds like a monumental task with lots of tedious effort involved. If they need a break before the work is done, I know a place where the deck is always inviting and the coffee is always hot.

In the meantime, I notice that Hays County, Texas, in the gun-carrying, flag-respecting heart of Red State America, has decided to replace Columbus Day with Indigenous Peoples Day. Doesn’t bother me a bit, but I hope it doesn’t drive my brother crazy before my vacation is over.

Retirement Musings

(Nov. 11) — I had not planned on covering the same topic for two columns in a row, but here we are. Let’s call this one, “Retirement musings, Part 2.”

That’s what happens when you have time to fill. Your mind tends to wander, and sometimes it lands in a spot you’ve already been to.

My sister is coming up on that age when she’s thinking about being a woman of leisure, and she wants to spend her time doing something more fulfilling than vegetating in front of the TV set.

She’s starting to make practice runs at various pursuits. Her latest involves pulling strands of fabric together into something useful. It’s either knitting or crochet – I forget which is which, but one uses a single hook, and the other uses a

couple of needles. She is good at one and having trouble with the other and frets over whether it’s worth the trouble to master both.

My advice would be no. Ignore the one vexing you and stick with the one you enjoy, even to the point of obsession. Having fun is not supposed to be hard work.

I speak from experience.

Looking back, I realize I have sampled numerous avocations, a string of them one after the other. (Calling them “hobbies” would make them seem more frivolous than I think they were.) I would pursue each furiously and single-mindedly until I got tired of it and/or something more diverting caught my attention.

Pool. Bowling. Racquetball. Videotaping. Multiple-track recording. Poker. Experimental cooking. My obsession usually lasted until I got pretty good, but boredom usually set in before I got even close to great.

I might have become an excellent chef. At one point, I had more than 100 cookbooks, and I ambled over to the bargain section for another one or two with every trip to the bookstore. Poring over recipes was like my porn. But a rainstorm and a leaky roof destroyed most of the collection, and I drifted away from the kitchen.

My latest diversion, discovered much too late in life, is bridge. Unlike poker, which required psychological warfare against other players in order to get to a level above that which skill alone could achieve, bridge is almost entirely about the logical subtleties of mental calculation. It’s fairly easy to learn, but its intricacies can take a lifetime to conquer. I wish I had encountered it at a much younger age.

I’m also returning to the joys of watching pro football, the only sport I’ve been able to tolerate as a spectator, except for an occasional taste of baseball, thanks to my father’s love of the Cincinnati Reds, and a love-hate relationship with the IU Hoosiers that lasted until Bobby Knight got fired.

I boycotted the NFL for a year because of the league’s pusillanimity in dealing with all that take-a-knee-for-the-anthem nonsense.

That made me feel smugly anti-progressive until I realized I was letting the political ugliness of half-wits spoil my vicarious amusement.

That's the second piece of advice I would give my sister: Don't let others influence the way you decide to relax and unwind. No matter what you choose, there will be somebody who will declare it a waste of time and ask, condescendingly, if you can't find something more worthwhile to dedicate yourself to.

It will not occur to them to accept that they, too, have pursuits others would find silly and pointless.

Except for those who plan to devote every waking moment of retirement searching for cancer's cure or exploring Aristotle in the original Greek, we all need to use some of our time for pure and simple self-indulgent delight.

You choose your waste of time, and I'll choose mine, even if it involves suffering through the Colts blowing another season or building a bridge to nowhere.

Lefties Suffer the Military Salute

(Oct. 28) — With Veterans Day coming up, it's time to demand that the U.S. military truly create a welcoming environment for all who wish to serve in the defense of this country.

Efforts have been made to accommodate women, religious and ethnic minorities, gays, transgenders, even non-citizens. But the feelings of one of the largest and longest suffering minorities have been all but ignored.

To understand the problem, consider these instructions for how to perform a proper salute in the armed forces:

"Right arm parallel with the floor, straight wrist and hand, middle finger touching the brim of the hat or the corner of the eyebrow, and palm facing downward or even inward. The salute should be a smooth motion up and down the gignline, with the individual of lower rank raising their salute first and lowering it last."

That sounds straightforward and reasonable until we acknowledge one important fact: Roughly

10 percent of the people in the world are left-handed.

Executing such an intricate maneuver with the right hand feels completely unnatural to them, and members of the military can be required to do it up to a dozen times a day, day after day, for years. Imagine the toll this must take on their emotional well-being.

Consider what this Army corporal from Evansville might have said had anyone ever had the decency to ask:

"I've felt like a freak all my life, having to concentrate just to do the simple things others take for granted, like shaking hands or buttoning a shirt or pushing an elevator button. Then there was the shame from thoughtless remarks like 'right thinking' and 'left-handed compliment.' And don't get me started on 'southpaw.'"

"I thought it would be different in the Army, a real meritocracy where I could prove myself. But on the first day a lieutenant blocked my way and wouldn't let me pass until I almost smacked myself in the head with my right hand. It was humiliating."

To their credit, Pentagon officials have been assessing the situation, but there are problems with both possible solutions they have considered.

One option is to make all soldiers use a left-handed salute. Such tactics have been increasingly successful in civilian life, where the tiniest minorities have started dictating the acceptable activities of overwhelming majorities. But the military mindset, which places an inordinate amount of faith in logic, is likely to insist that if a policy upsets 10 percent of the population, it makes little sense to correct it with a policy that upsets 90 percent.

The other alternative is to simply allow soldiers and sailors to use whichever hand they choose to salute with. This might make sense to civilians used to making countless decisions every day for which there are no negative consequences, such as which TV show to watch or which diet to fail with next. But the military requires unit cohesiveness, which is possible only with a rigid chain of command. Letting individual choice replace the

need to follow orders might possibly be a detriment to military preparedness.

The choice seems clear then. The only real solution is to do away with saluting.

What's the point of the practice anyway? Legend has it that the salute dates back to the Roman republic, when assassinations were common. Anyone approaching an official was required to show that the right hand – the “fighting hand” – was empty of weapons. Is there any point in carrying on such an outdated tradition other than to force the oppressed to pay tribute to their oppressors?

Some questions involving handedness are too complex to be addressed by the military, such as whether having a dominant hand is a matter of nature or nurture and whether there is, indeed, only a binary choice, both issues clouded by the increasingly strident protests of the ambidextrous, who claim to be equally comfortable with either hand, and the even tinier percentage swearing they are cross-dominant and switch hands depending on the task involved.

But armed forces commanders can at least foster a nurturing environment by getting a firm grip on the situation. Let's keep our fingers crossed and hope we don't have to twist somebody's arm.

An IU Mascot

(Oct. 21) — There is distressing news from Indiana University.

In the Daily Student newspaper, the headline tells the sad story: “Forty years have passed since IU sported a mascot.” The university is one of only three of the 14 schools in the Big Ten conference, along with Michigan and Illinois, to have no mascot.

No Purdue Pete or Brutus Buckeye or Herbie Husker to growl and prowl the sidelines, impossibly big heads always seeming on the verge of toppling off.

No Herky the Hawk or Willie the Wildcat seething courtside while the cheerleaders soak up all the glory.

Not even a Bucky Badger or Goldy Gopher to act as role models for all the anthropomorphized woodland creatures deemed too creepy at the Sesame Street auditions.

How heartbreaking for the students. No one to get them on their feet when their school spirit lags. No one to jazz them up with taunting insults of the other team. No one to console them on another dreary Monday when the shame of another loss surrounds the campus like a shroud.

All that pent-up frenzy from the life-and-death struggles of athletic competition and no totem for the clan to dance around while they ask the sports gods for mercy. What empty lives they must have. No wonder they're turning to socialism.

It's not that the school hasn't tried. Over the last century, the athletic teams have flirted briefly with numerous mascot attempts.

An owl.

A raccoon.

A bald eagle.

A goat.

A bulldog.

A Border collie.

No chipmunk or crow, though, and no French poodle, so perhaps they didn't try hard enough.

The most effort went into a student government-sponsored move in the 1960s to make a bison the team symbol, borrowing the idea from the state seal.

The school nixed a plan for a live bison for football games (not in the gym, one presumes) because of cost concerns.

The first effort at a bison costume was deemed a failure because it had no arm or leg holes. A redesign with the assistance of a Los Angeles firm (after Disney Studios refused a plea for help) was scrapped because the student wearing it complained of not being able to see or breathe. Wimp.

The last hurrah came in the 1970s with a proposed addition to the Big Head Brigade, Mr. Hoosier Pride, who sported a cowboy hat and a red beard. He looked like a demented cousin of Paul Bunyan. “The most asinine and ridiculous-

looking character anyone could have ever dreamed up,” complained a letter to the editor from a student, apparently not grasping the point of having a mascot.

I spent some time coming up with suggestions if IU wants to remedy the situation. Since the teams of late aren’t doing so well, how about the Hummingbirds, because they expend so much energy to stay in the same place? How about the Sheep, to honor the university officials who follow the lead of coastal elites?

Borrowing from the state seal has been done, but how about paying tribute to elected politicians? The Snakes, or perhaps the Vultures? Personally, I can see a winning future for the Hoosier Weasels.

But I finally thought of The Rileys, in honor of James Whitcomb Riley, the poet laureate of bad verse.

The mascot could wear a scarecrow outfit, complete with tattered straw hat and corn cob pipe, and shout out, “Ain’t no frost on THIS punkin” every time the team scores.

And he could periodically taunt the visiting team with sneers of “fodder’s in the shock, fodder’s in the shock,” which is silly and pointless but sounds sort of vulgar.

Which is a good place to stop. Time for a night of peaceful rest before I hear that rooster’s hallylooyer.

Hoosier Roosters? He shoots, he scores, cock-a-doodle-do! Some possibilities there.

Municipal Voting

(Oct. 14) — Municipal elections are coming up in Indiana, and it’s hard not to be cynical about them.

In my city of Fort Wayne, participation in odd-year balloting has been plummeting. In 2003, just above 30 percent of eligible voters went to the polls. In 2011, it was only 26.21 percent, and in 2015 it was 22.49 percent. It might well sink to a new low of 20 percent this year. It’s much the same in most other Hoosier cities. Statewide, only 13 percent voted in this year’s primaries.

And it’s puzzling why this should be so.

Surely it can’t be because residents don’t think their votes matter. They have the least control over the federal government, yet vote in much greater (though still pathetic) numbers for president and Congress. Decisions by local leaders affect how we live every day of our lives, so why are we so unconcerned about who they are?

It isn’t that not enough people aren’t eligible to vote. Considering that in the beginning only white male property owners over 21 could vote, we’ve come about as close to universal suffrage as we should be, unless you really want to make the case that children, non-citizens and felons in prison should have a say in things.

And, despite complaints to the contrary, is ballot access really that much of an issue? We could make some improvements – same-day registration, no; but, several days of voting instead of a 12-hour window, yes. But the truth is that anybody who wants to vote can and will find the time and a way.

So, if you don’t vote, it’s because you don’t want to, either because you don’t see the point, or, more likely, because it doesn’t even occur to you.

University of Chicago professor Eric Oliver, noting similar local-election voting declines in America’s biggest cities, offers a plausible explanation: Barring a scandal or major initiative, local politics mostly functions in an “equilibrium state” that “isn’t conducive to generating voter interest.” Interestingly, says *Governing* magazine, although Americans aren’t apt to vote in municipal elections, “Gallup surveys indicate they trust local government more than the state or federal levels.”

That trust is more than “interesting,” isn’t it? It could be, as the pundits like to say, dispositive.

Imagine we’re on an ocean liner – oh, the Titanic, say. It’s like the old joke about the guy explaining why he doesn’t fix the hole in his roof – when it’s raining, he can’t, and when it’s not raining, he doesn’t have to. As long as the ship is sailing along smoothly, we don’t worry about it. Our suites are comfortable, we’re having a good

time, and we trust the captain and crew to keep it that way.

And when the iceberg looms, it's too late to worry about it. "Oops, guess we shouldn't have trusted them after all." No point in raising an objection at that juncture.

I have no great wisdom to impart, just the obvious point that we are more than passengers on this particular ship. If we believe in the principles of a federal republic, and accept the responsibilities that come with freedom, we are also owners of the line.

Which means that if we just sail blithely along, ignoring the lack of lifeboats though their absence is obvious, we don't have the right to complain when we find ourselves in freezing water. If the mayor sees that only 51 percent of 20 percent elected him, he is less likely to care about the wishes of his constituents. If the participation rate were to jump to 50 or 60 percent, he might steer more carefully.

Please note that I am not asking you distract the crew and annoy fellow passengers with irresponsible complaints and inane observations if you don't know what you're talking about.

In other words, if you choose to be uninformed about the issues, do us all a favor and stay away from the polls on election day.

Love Denied, Schooling Begins

(Oct. 7— The story seemed to pop up then fade in less than a day, which was warp speed even in today's social-media-driven news cycles. And it was pretty tame stuff, considering how normality is sliding into the abyss from both sides of the great divide these days. Still, there was something weirdly compelling about it.

Fifth-grade teachers at Riverside Elementary School in Jeffersonville sent a letter to parents informing them that they would be implementing a "zero dating policy" in their classrooms to "combat students having broken hearts."

"At this age, children are dating and breaking up within days of each other," said the letter.

"This leads to many broken hearts, which carry over into the classroom."

It went on to say that the students involved in relationships were given two days "to make sure that relationships have ended."

Parents, understandably, freaked out a little. "They're worried about the heartbreak, but what about the anxiety that comes with (being forced to end their relationship)?" one of them asked a local TV station. And she wrote on her Facebook page: "We all had elementary boyfriends & girlfriends. We've all had our hearts 'broken' when young. That's part of life. It's a learning experience."

Indeed. But "that's part of life" doesn't track in the world of zero tolerance.

If schools can take the idea of a gun-free zone to the point where a student can get suspended for drawing a picture of a rifle, it's no great surprise that a couple of students spotted holding hands would lead to a no-dating policy.

If there is a policy of trying to keep children from having hurt feelings, how surprised should we be that it escalates into broken-heart prevention?

In a way, our schools are doing our students a service by preparing them for the even-more intolerant atmosphere of college life. They will not be terribly shocked when told they are not allowed to question whatever orthodoxy is fashionable or tell jokes that might offend anyone or say anything that triggers somebody's anxiety.

And, to be fair, they are not doing anything we have not asked them to do.

In loco parentis has always been the guiding principle when we give our children over to the institutions in which they will spend the majority of their waking hours. We understand the adults there will be standing in for parents and even expect that they will exercise the same duties and fulfill the same responsibilities a parent would.

That has always involved, whether we wanted to admit it or not, a great deal of indoctrination, which worked out just fine when we mostly agreed on what the doctrines should be: the community's culture and heritage, our common values, a shared sense of the rights and wrongs defining

morality. How we could learn to make our way in the world our parents inherited, changed and passed along for our contributions to it.

Children came home in the evenings and shared what they learned during the day. And the joke was that poor old Mom and Dad couldn't help with the math homework because it was so far beyond what they had learned, ha ha. But nobody disputed the importance of learning math.

Today, we don't seem to agree on much of anything. No culture is better than another, our heritage is suspect, values are fluid, and morality is subjective. When parents today welcome their children home from a day of school, they have to wonder what has been pounded into their heads that must be undone.

That the world is being burned to a cinder, soon to be uninhabitable? That fifth graders, instead of being forbidden to date, might need to worry that they have been born into the wrong gender? That capitalism is evil? That religion has caused most of the world's miseries?

It must be exhausting.

Riverside Elementary, bowing to parental objections, has backed off its no-dating edict, which it now insists was not intended to be a real policy, and, anyway, the teacher's instructions had been "misinterpreted." Parents probably breathed a sigh of relief – this time, but with a certain amount of trepidation about what might come next.

I have always been skeptical about private schools and home schooling, especially when parents ask taxpayers to foot the bill.

I saw public school as akin to public transit, which we all pay for and may use if we choose. Private school is like taxi service, something extra we should pay for ourselves if we don't like taking the bus. Home schooling is an extra step removed from the world for the insular few who want no taint of outside interference.

I never really bought the argument of parents who said the tax portion taken for schooling was still their money, to be used as they saw fit to educate their children in the way they desired.

But more and more, I'm starting to get it.

Finally, Sophomoric Rule

(Sept. 30) — A line from a Bob Dylan song keeps going through my head: "Ah, but I was so much older then, I'm younger than that now."

That describes well my year as a high school sophomore, a member of that cohort, which, with a perfectly balanced mix of arrogance and ignorance, knows absolutely everything worth knowing and is eager to share it if only the world will admit its failures and seek our wise counsel.

At that age, in that time of our lives, we believe every discovery we make is being discovered for the first time, every idea we have is being thought of for the first time, every burst of pure emotional righteousness is being felt for the first time in the history of the universe. Only we can see clearly the urgent problems of the world, and we demand they be fixed, right now, with no excuses.

If only the world had heeded our calls. We could have not only quickly ended the Vietnam War, but put an end to all wars, and conquered hunger, poverty and all other forms of human misery in the bargain. And there would be love instead of the worship of material wealth, and our prisons would empty, and hate, prejudice, envy and selfishness would all be tossed into the dustbin of history.

All that was required was for people to do the right thing, and, when they failed to do it, the government, run by a benevolent philosopher king, would step in and make them do the right thing. So simple.

One cannot stay a high school sophomore forever, so, alas, we grew up, and spent the rest of our lives unlearning everything we had been certain to the core of our being was unchallengeable truth. And the world kept stumbling along, one step forward, two steps back, somehow steadily improving.

But we will never run out of high school sophomores. There always will be an incoming crop to replace the outgoing one, each more eager than the last to make the world pay attention.

I see them in the media all the time, leading the charge on everything from gun control to

white privilege and the misdeeds of the heteronormative, patriarchal elite. Young people today, says a writer in *Forbes* magazine, are ready to “own their title as ‘the future’ — all while taking a killer selfie.”

They are especially in the forefront of the climate-change crisis, marching in the streets to demand that we immediately fix the global warming that will, at some vague point in the future, slowly kill the planet somehow unless we give up our whole way of life and submit to total government control of everything.

Masses of them — four million of the, by one estimate — went “on strike” from school recently, angrily demanding in cities and towns all across the world that complacent world leaders wake up and heal the planet. One of the Indiana co-organizers, yes, a high school sophomore from Carmel, says the students will keep coming back “until our message gets across.”

It’s tempting to dismiss such enthusiasm as merely part of the natural rhythm of life, like the return of autumn or the calls for more transparency from aspiring officeholders.

People are always quoting Aristotle or Plato or some other dead Greek to the effect that “young people today are so disrespectful” to prove that the modern dismissive attitude toward youth is misguided. But it also proves that young people have always thought they know more than their elders, and always will, until they grow up and discover reality. It’s an endless cycle.

But perhaps the cycle can be broken.

I came across a January *Atlantic* interview with South Bend mayor and presidential candidate Pete Buttigieg, conducted in a New York restaurant over a lunch of tempura fried chicken. The candidate “announced with intrigued wonderment” that the sauce had “a beginning, a middle and an end,” the first time ever anyone had discovered the culinary delights of wasabi honey.

He says he thinks a lot about “intergenerational justice,” by which he seems to mean that, as a young person, he would engage in “long-range solutions” as opposed to the old

fogies now in charge who only worry about short-term thinking because they’ll be dead before their mistakes become obvious anyway.

He “means no disrespect,” of course, but there have been too many years of “kicking the can down the road,” and the consequences are now coming due, and people his age just aren’t going to settle for “We’ve always done it this way,” certainly the first generation to make such a brilliant observation in the history of the universe ever.

If we accept that “high school sophomore” is not just an age group but a state of mind, it’s clear what is going on. It is quite possible that the next president of the United States, the leader of the free world and the hope of all humankind, could be a high-school sophomore.

And that would mean a coming generation of high-school sophomores might realize the dreams of all their predecessors — actually being in charge of the world. Dare we think of what that might mean?

I can’t believe I’m the only person in the whole world who sees this. Perhaps I’m even more even perceptive and insightful than I realized.

Or perhaps I’m regressing.

Paths of Least Resistance

(Sept. 23) — Those of us with libertarian instincts who want less from government — less spending, less growth, less meddling with the private sector — are frustrated at every level. We’ve all but given up on Washington, and even state capitals seem more interested in directing their citizens than in serving them.

That leaves the local level, where residents most directly feel the effects of government actions, and where officials have the best chance to lead by bold example.

But officeholders desiring re-election — and that is almost always almost all of them — seldom fail to find the path of least resistance. A couple of examples cropped up in Fort Wayne recently, both in the same news cycle.

In the first example, the bold option was proposed by three brave but foolish City Council members, and immediately rejected out of hand.

The city had awarded garbage-removal service to a company clearly not up to the task. After more than a year and a half of continued missed pickups, angrier and angrier feedback from residents and thousands of dollars in fines by the city, it seemed clear that the company might never get its act together.

Look, said the three councilmen, why should the city be involved in the first place? Let's just get out of the business and let residents make their own best deals with trash-removal companies that will compete with each other to offer the best price.

No, no, no, said the upholders of the status quo, there are too many uncertainties about such a drastic course. The uncertainties were never specified, but it's easy to imagine visions of a beleaguered homeowner trying to negotiate with a rogue hauler while garbage piled up in the alley, or of that rogue company bypassing a landfill to dump his load in the Maumee River.

A less fretful imagination might have anticipated the possibility of neighborhood associations, strong in Fort Wayne, negotiating contracts for their residents that were both economical and workable.

But the city prefers known mistakes to potential ones, so it is left with three unappealing options: Make the fines much steeper, declare the contract in breach and start over, or limp along with a company that was, incredibly, given a seven-year deal.

So, limp along it will be.

In the second example, the bold solution was never even mentioned.

A local entrepreneur got approval to begin adding a 9,000-square-foot garage to a residential building. That was just a tad big for most residents' automotive-parking needs, but perfectly acceptable under the city's zoning ordinance.

But it soon became obvious that the work being done was more suited for a commercial

enterprise. At first, the builder said, it would be a restaurant. Then, perhaps, a shopping plaza with four units. In the end, who knows? But lots of money had been spent and the City Council was asked to please rezone the site from single-family dwelling to limited commercial, which, come on now, was the kind of zone already right next door.

Oh dear, oh dear.

Granting the rezoning, some said, would set the precedent of being able to ask the city for forgiveness rather than permission, mocking the whole zoning process. No, the man's supporters said, he has made all kinds of concessions to nearby residents, so the real precedent would be to tell developers to do things the right way or face restrictions that could cripple chances to make a profit.

Of course, the rezoning was granted, with no one quite realizing that no precedent at all had been set. The council was merely drifting along, as always, taking the easiest course in the least reflective way.

A more reflective response would have been to ask why the city was even involved. If the two zones are adjacent, as many competing interests are, why not let the private enterprise system sort it out? In fact, why have zones at all? Houston seems to have created a dynamic, thriving city without city planners fussing over where people can or cannot put their businesses.

But people capable of imagining rouge trash haulers despoiling our rivers can also easily envision someone throwing up a chicken coop or pig farm right next door to the city's fanciest restaurant. Got to keep the riffraff at bay, this ain't the Beverly Hillbillies here.

It is true, unfortunately, that local governments are taking a less active role in how we live these days, but not in a good way. According to *Governing* magazine and the Tax Policy Center, federal funds now provide about a third of state budgets and about a quarter of city and county budgets. And that money comes with incentives and conditions – lots and lots of strings.

Have you noticed a certain sameness about the direction of Indiana's urban areas – not just big ones like Indiana and Fort Wayne, but smaller ones as well? Lots going on in downtowns – new amenities such as baseball stadiums, trendy shops in old industrial buildings, riverfront work, bicycle paths and on and on.

That's where the money is. The Planners – and they deserve the capitalization – don't like the way they have spread ourselves out, so they've decided to herd us back into downtown clusters. And our local elected officials – well, the money is there for the taking. The path of least resistance wins again.

Not exactly a libertarian's dream.

A Happy Birthday

(Sept. 16) – I quietly celebrated another year above ground earlier this month and realized I had reached the fourth stage of birthday celebrations.

The first stage comes when we are young and yearn to be older. We want to escape childhood and reach the magic age of 13, gateway to the teenage years. We are buoyant as we edge ever closer to 16 and being able to get a driver's license. And 21 is the absolute apogee of anticipated age, the key that will unlock the secrets of adulthood – marriage, career, adventure beyond imagination.

In retrospect, it is easy to understand that such longing sprang from immaturity, which, you know, came with the territory. What was in fact a momentary freedom from life's responsibilities seemed a prison, our innocent exuberance always being checked by someone with power over us.

The second stage is one of dread, somewhere between mild anxiety and outright panic, as the milestones of reality loom.

When I was growing up, we were told repeatedly to never "trust anyone over 30" and, alas, believed it, so that was a big one. That awful "middle age" began at 40, a period of life scorned by both the young and the old. And who would delight at the thought of being 50, which, if nothing else, seemed like a halfway point, either to decrepitude or something worse?

For some reason, I did not share most people's distress over those even-numbered decade markers. The "5's" were the stressful ages for me – 25, 45, 55. And 35 was my absolute worst age (or perhaps best, in one way), the moment when I finally understood the great mystery: Real life is not the one we get to after we're done fooling around with this practice one. We have only one life, and this is it.

The third stage is for regret.

We look back at where we started, what we dreamed of and where we ended up and wonder if we could have taken a different path. What happened to that great American novel we were going to write, or the astounding new discovery that would amaze our detractors? Why didn't we visit more exotic places, reach out to make more friends? How much more fulfilled would we be if we had taken more chances, been less afraid of risk? What will we leave behind as a reminder that we were even here at all?

And, now, the fourth stage.

If began, I think, with a deceptively negative feeling, finally noticing with shock one morning the wrinkled old face looking back at me from the bathroom mirror and thinking, "How in the world did that happen?" On the one hand, maybe it just crept up on me. On the other, as Norman Thayer said in *On Golden Pond*, "Surprised it got here so fast."

But once I accepted it, that what I was seeing was how the world saw me every day, it was liberating.

I was beyond being vain, overly fussy about how a haircut or a minor fashion change would affect my appearance – what you saw was what you got. And I had earned the right to think what I would, and say what I thought, take it or leave it.

I had nothing to prove anymore, to anyone, about anything. My choices had been made, my battles fought. My goals, for better or worse, had been met or missed, and there was no going back. I had earned who I was, and it was my decision to embrace it or not. I own it all.

Birthdays are such arbitrary occasions, artificial signposts at which we are supposed to

pause and take stock. But our journeys are so brief in the grand scheme of time that when the calendar prods us, we are bound to always hunger to be somewhere on the path we are not.

Most of the time, on the ordinary days filled with breakfasts and books and appointments and vacations and family and autumn leaves, we just live our lives, finding joy in small moments and hope for peace in the search for grace.

But the birthdays march on and demand to be noticed. I trust there will be a fifth stage. I don't know what reflections it will trigger, but I hope to find out and let you know.

The Andrew Luck Drama

(Sept. 9) — It's stretched beyond two weeks since the abrupt departure of the Colts quarterback, and so far, we seem to have been spared the awful kind of puns usually favored by newspaper headline writers and TV news readers:

"Colts are out of Luck."

"Team can't count on good Luck."

And, what would have been my favorite,

"If it weren't for bad Luck, we'd have no Luck at all."

We have, however, been treated to a workshop on the pathology of sports fanatics. "Bad fan," it turns out, might be a redundancy.

First, we had the absolute vilification of Andrew Luck, who selfishly quit the Colts at the unforgivable age of 29, just as another NFL season that would mean absolutely nothing in the history of the world was about to amuse Indianapolis residents and distract them from another record number of murders.

I was watching the preseason game against the Bears when word of Luck's desertion under fire leaked. As he left the sidelines and walked out of Lucas Oil Stadium, he was taunted with a chorus of boos from the same people who had cheered wildly for him mere months ago.

The highlight of this snarling reversal was the young man, captured almost lovingly by the network's camera, who yanked off his No. 12 jersey and threw it savagely to the ground. Take

that, you dirty traitor. How can this heartbroken fan possibly go on with his empty life?

Somehow, after tsk-tsking the sad state of our sports culture for a few days, the coverage skipped right over the mundane details of an ordinary story. The one about the talented athlete who loved the game but decided the endless cycle of injury and rehabilitation had taken all the joy out of it.

Then it went right to the end phase, the near deification of Andrew Luck.

Colts owner Jim Irsay had "gratitude and thankfulness" for the "blood, sweat and tears" Luck spilled for the team. Goodness. He could win a world war next.

If he has time. Cowboys owner Jerry Jones said he hopes Luck will run for president of the United States. Move over, reality star Donald Trump, we can make politics in this country even weirder.

A Hoosier columnist was eloquent in his appreciation for the "heart, soul and distinction" Luck invested in "our community" and praise for his "displays of courage" that seem to be "lacking these days."

If we have, as Daniel Patrick Moynihan said once, defined deviancy down, we have done the same thing for our nobler virtues. "Courage" once meant the off-duty firefighter who rushed into the burning building. It described the heroic single mother sacrificing everything for her child. It enabled the otherwise timid bystander to stand up for what was right.

It would not have been used for a sports star with a whole life ahead of him and \$25 million in the bank.

What is it in the modern condition that makes us invest so much of our own happiness in the performance of a frivolous game by highly paid, emotionally stunted perpetual adolescents? We love them, then we hate them, and often we do both at the same time. They are, notes the New York Post's Mike Vaccaro, "at the core of our dreamscape, forever young, forever strong . . ."

Last year, I should confess, I wouldn't have paid so much attention to this story. I might not have even noticed Luck's retirement.

That's because I was boycotting the NFL, annoyed at a few players' flag-kneeling, anti-American posturing and the league's disinclination to deal it. Took all the joy out of the game (as Luck would have it).

But that silliness seems to have evaporated, and I also decided I was wrong to let politics spoil my pleasant Sunday afternoon escapism.

So now I'm back.

It's still not as much fun as it once was, though. I even find myself rooting for the Colts with much less enthusiasm than I had when Peyton Manning was the quarterback. He was much more entertaining than the always stoic, seldom smiling Andrew Luck.

Have you seen all those hilarious commercials he does these days? What a hoot.

Man, I love that guy.

Manufactured Crises

(Sept. 2) — “We’re All Going to Die!”

Imagine seeing a headline like that. Naturally you can't ignore such a story. So, palms sweating and perhaps heart fluttering, you begin to read, dreading news of a ghastly plague sweeping the globe or a brewing nuclear war or even an unstoppable meteor the size of Texas hurtling toward Earth.

But it turns out to be just another one of those tedious essays about the meaning of existence and the inevitability of mortality, concluding with something on the silly side of profundity, like, “Our time is limited, so we must treasure every precious moment.”

Welcome to the roller coaster world of “Gotcha!” journalism, where our anxieties are manipulated into stomach-churning thrill rides of pretend disaster.

The manufactured crisis of the hour is the looming recession, ready to steal our life savings unless we immediately take it out of the bank and bury it in the darkest corner of the basement. At least that's what the news accounts might lead us to believe, unless we read all the way through and

discover that the evidence of imminent catastrophe is somewhat tenuous.

“Economists are warning,” says the first paragraph of an Associated Press story, “that a downturn in shipments of recreational vehicles from the northern Indiana county that calls itself the ‘RV capital of the world’ suggests an impending recession.”

But later in the story, we learn that, while it is predicted sales might be down about 14 percent by the end of the year, RV sales have dropped in five periods since 1981, “but only three of those periods were followed by recessions.” So, not that alarming. Furthermore, we learn that unemployment in the county has edged up from 2.8 percent a year ago to 3 percent, below both the state and national averages and nowhere near the staggering 19 percent in early 2009, when “the recession caused RV sales to crash.”

Huh? Are declining RV sales an early warning sign of recession, or does a recession cause declining RV sales? My head hurts.

The local morning newspaper kicks the doom-and-gloom up a notch with this headline on its economic-forecast story: “Recession’s Looming, so Be Prepared.” Oh, no! A “We’re All Going to Die!” must-read.

Slog all the way through the story, though, and you discover that a recession is coming because they always do, because the economy is cyclical, and we’ve been on an 11-year expansion run, and expansions “don’t usually die of old age,” according to a Purdue economist. But “this one might be the exception.” Consumer confidence, after all, is still high, which you can tell by seeing all the full restaurants on a Friday night.

And, whew, just like that, the roller coaster ride comes in for a safe landing.

It's as if these business reporters keep hearing everybody talking about a recession coming, so they think they have to as well and, even though they can't find the compelling evidence, they write about it anyway.

And that just adds to our “crisis is coming” mentality, and we start behaving accordingly.

You probably know what happens next. We're so worried about a recession that we start cutting back on our spending. And since consumer spending accounts for about 70 percent of gross domestic product, our actions trigger a contraction and, bingo, we have a recession.

We change our behavior because of our anxieties and create the very thing we were anxious about, the definition of a self-fulfilling prophecy.

Which, by the way, is but one category of what psychologists call the "availability heuristic."

We like to think we are always completely rational creatures, analyzing all available evidence to weigh the pros and cons of any given situation in order to make the most logical choice.

But the reality is that we often take a mental shortcut, a decision-making "heuristic" of quick calculations based on personal experience, so-called hunches or gut instincts, the rule of thumb or an educated guess. It's at the root of discrimination, a neutral concept that can be positive when we use it to decide, say, the kind of restaurant we might like, negative when we decide what we think of certain individuals based on the race or ethnic group they belong to.

The "availability" heuristic is the one that causes us to make decisions based on the most recent information we have or the information we can most easily remember. Immediacy is the key. Something we just learned is fresher in our minds than something we already knew. If we can easily recall something, it must be more important than something we have to dig through memory for.

It's why people sometimes worry about shark attacks and why they almost never worry about getting hit with by falling airplane parts, although the latter is much more likely to happen to them (you can look it up). That's because every time there is a shark attack, the media pounce on it. It seldom makes the national news when people get hit with airplane parts.

It's why people obsess over global warming, a phenomenon presumed to happen gradually, off in the future, but give only a passing thought to the flu, which will kill thousands of Americans

this winter. Output depends on input, as the computer folks would say.

It's why few people can tell give you a careful analysis of President Trump's domestic policies, but many can tell you they love him or hate him, depending on whose Twitter feeds they read. Social media might just be the best enabler and magnifier of the availability heuristic ever conceived. They confirm our worst hasty judgments and enflame our most reckless passions. Clear thinking is not just shunned. It is shamed.

What to do. You can hide in the basement with your money, or venture outside in the hopes you won't be attacked by a shark before global warming gets you.

Or just take a breath, and let it go.

After all, in the long run, you'll be dead anyway.

Squelching History

(Aug. 26) — Does it embarrass you to know that the Ku Klux Klan was once such a dominant force in Indiana? Want to ignore that whole sorry episode from our past and never mention it again?

Or should we teach it in our schools as a way to remind the oppressors' descendants of the sins they must live down and remind today's victim groups that their grievances are still valid?

That might seem like a false choice between two deeply flawed approaches to history, but Brooklyn writer Libby Emmons makes an intriguing case that it also describes reality.

In a perceptive essay on "Hiding George Washington" in *The Federalist*, she describes efforts in San Francisco to remove murals depicting the nation's first president's life from the high school bearing his name because they "show America's history from the colonizer's perspective," offensively depicting the racist history of which Washington was a part.

One side wants to destroy the murals because they glorify a man who, although he did so much good for our country, also participated in a society that allowed the evils of slavery. The other side

wants to preserve the murals, for exactly the same reason, as an aid for “critically examining the country’s oppression of people of color.”

In other words, it’s a “classic Left versus Left scenario, with the upholders of the old, classical liberal tradition that values freedom of expression over anything else against the new guard that values the sensibilities of the offended over all.”

After first considering whitewashing the murals (really, with no sense of irony), school board members came up with the idea of hiding them behind solid panels, so the works “won’t be destroyed,” but “won’t be visible, either.”

It’s a solution they might have learned from Indiana University, which took exactly that course in dealing with a controversial work of art by Thomas Hart Benton.

Not the entire 22-panel series, which depicts the social and industrial history of Indiana “from Native American mound builders to the industrialized age.” Just panel 10, in an aged classroom in Woodburn Hall, which depicts the influence of the Ku Klux Klan in Hoosier politics into the early 20th century.

Protesters wanted the offending art destroyed or removed so the university would “take a stand and denounce hate and intolerance in Indiana and on I.U.’s campus.” Instead, I.U. decided to stop holding classes in the room and keep it sealed off from the general public.

The protest leader called it a “small victory.” While the university has “a long way to go” in terms of overall diversity, the decision was “a step in the right direction. This is progress, and any progress, no matter how big or small, is important.”

Ah, history will not be destroyed but will be ignored. That is progress and “a small victory.”

And what is that hidden history? Smithsonian Magazine summarizes:

“In the 1920s, the Klan dominated Indiana politics. Counting among its members the governor of Indiana and more than half of the state legislature, it had over 250,000 members — about one-third of all white men in the state. While devoted to denying equal rights to

African-Americans, the group also denounced Jews, Catholics and immigrants.

“Only the relentless coverage of the Indianapolis Times turned the tide of popular opinion. Because of the paper’s reporting, the state’s KKK leader, D.C. Stephenson, was convicted of rape and murder of a young schoolteacher.

“Stephenson’s subsequent testimony from prison would bring down the mayor of Indianapolis, L. Ert Slack, and Gov. Edward L. Jackson, both of whom had forged close political and personal relationships with the Klan. In 1928, the Indianapolis Times won a Pulitzer Prize for its investigative work.”

The mural by Benton, a painter who adamantly denounced racism throughout his life, celebrates this victory. It depicts a reporter, photographer and printer in the foreground — “an homage to the press of Indiana for breaking the power of the Klan.” In the center, a white nurse tends both black and white children in City Hospital. The Klan members are sinister, shadowy figures in the background, where public scrutiny had pushed them.

Sounds very much like the mural takes a stand to “denounce hate and intolerance in Indiana,” doesn’t it?

Which brings us to the third way to approach history, which seems not to have occurred to the Left. What public scrutiny does in the present, honestly studying history can do for the present.

We have not always been nice people, so history can be a dark place, Emmons writes about the George Washington flap.

But it was our mistakes, “as well as our successes, that got us to the place where we are today. Despite the horrors our nation experiences, and how badly mainstream media portrays our culture today, we have freedoms because of, not in spite of, a history that we would do well to publicly honor, flaws and all.”

Study our history to learn from it. Such a simple but powerful idea that you’d think high schools and colleges would be inspired by it, not terrified. ♦

The Bookshelf

The Noblest Triumph: Property and Prosperity Through the Ages

It is a mixed blessing to suddenly discover a book that was missed back when; I'm never sure whether to metaphysically kick myself or channel Archimedes in his bath by shouting "Eureka!"

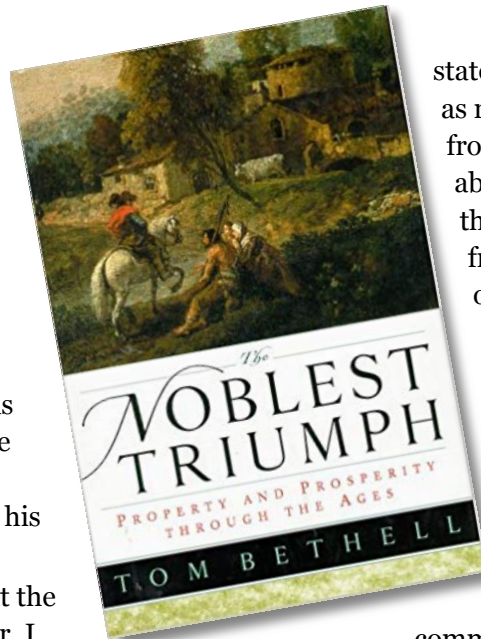
Such was my reaction when, at the suggestion of this Journal's editor, I read Tom Bethell's "The Noblest Triumph: Property and Prosperity through the Ages" (St. Martin's Press, 1998).

How I missed this 20-plus years ago is a good question. Bethell is a regular contributor to *The American Spectator* magazine and a Hoover Institute scholar. This should have been on my radar but somehow slipped past.

There isn't much written about property rights in general and their effect on historical development of the nations' economies through history. Bethell begins by chastising jurists and economists alike for their acquiescence to the triumph of the welfare state and its direct attack on property. His thesis is twofold: 1) Property rights must be secure if to be effective; and 2) this can only happen under the rule of law.

Bethell divides the law into the law of persons and the law of things but does not divorce the two. He also argues that the political right to property is grounded in an economic principle, getting cause and effect correctly established. These intellectual arguments for property rights serve as a backdrop for his history of property.

The book is organized as a walking tour through history as Bethell expertly demonstrates how economies succeeded and failed based on their adherence to the rule of law in protecting property. He begins with Rome, perhaps giving them more credit than I would. He quotes the



statesman Cicero, one of my favorites, as referring to natural law as coming from God and not subject to abrogation. The great land crisis of the second century B.C. stemmed from the state's taking ownership of conquered territory and assigning it to the politically powerful. Compounding this was the Gracchi brothers' legislation to take it back, giving security to neither landholder nor tenant.

He then moves on to England where property rights were built ground up through

common law court cases. In Bethell's words property rights law was discovered gradually not invented suddenly. This gave legitimacy and permanence to property rights within the common law. It is no wonder, Bethell says, that England led the industrial revolution. He also notes that there is relationship between religious liberty and property rights; if all are equal before God, then all are equal before the law, whether lord or peasant.

After a useful detour through the history of classical economic thought, Bethell returns to historical examples of the failure of communal ownership. One case we Hoosiers should know is Robert Owen's New Harmony, a community lasting only so long as the Owen's fortune could subsidize it. The irony is that Owen used his wealth created through his property to subvert that very concept. Ultimately, Bethell finds no examples of large communal experiments that succeeded, only small ones based on a few families united by religious belief.

These experiments resulted directly from the progressive belief that mankind could be perfected so that individual ownership could be entirely eliminated. This utopian philosophy always hits reality head-on when put into practice. The free rider problem is endemic in such societies to a much greater extent than in those with secure property rights. Eventually what Garrett Hardin named "the tragedy of the

commons” rules. The Jamestown colony failed largely due to free riders and Plymouth Bay colony struggled until land was allocated to families rather held in common.

Other failed experiments are listed and they are many. Soviet communism gets a lot of well-deserved attention. Bethell shows how all economic data coming from the USSR was built on lies, starting with plant managers up through the Politburo. Playing poker with Monopoly money, he calls it. It all collapsed, of course, but it is disheartening to be reminded how many American intellectuals believed the lies, most egregiously Paul Samuelson’s best seller college economics textbook that claimed Soviet economic superiority over the West as late as 1989.

Bethell warms to his role as counsel for the prosecution as he presents evidence of collectivist failures in land reform (Vietnam), water distribution (California), international development aid (every country receiving it) and the list goes on. He even argues that the advance of the Sahara Desert can be correlated to an absence of property titles in Arab society.

It’s not adequate to simply allow property ownership; secure titles must be granted. He cites Peru as a model for this based on studies by the economist Hernando de Soto. Once secure titles were put in place, land values doubled literally overnight. Post World War II Japan and pre-Ayatollah Iran are also examples of economic growth made possible by securing titles to land.

He touches on the welfare state, summing it up as a philosophy of income redistribution based on a belief that the recipients will enjoy it more than the dispossessed will miss it. He argues that true social justice is only possible through secure property rights since it puts the onus on individual responsibility rather than the wisdom and beneficence of government bureaucrats.



There is a lot of data in this book as well as a lot of theory. Bethell performs an exemplary job of showing how one (theory) produces the other (data) in a predictable manner. He cites enough historical evidence to win the case before any impartial jury. Those driven by quasi-religious ideology such as today’s neo-socialists won’t be convinced but most will.

It is fitting to end this review with Bethell’s reference to Frederic Bastiat, who wrote that property is a

natural right and not a mere creature of the law. It is the purpose of the law to protect property, which remains a right even if the law fails in its role.

Recommendation: Absolutely essential for the library of any liberty-loving citizen and available used through Amazon for about \$6.

Boom Towns: Restoring the Urban American Dream

“It was the best of times, it was the worst of times . . .” So begins Charles Dickens in his “A Tale of Two Cities,” a novel contrasting London with revolutionary Paris during the Reign of Terror.

The same title, if not the same opening paragraph, could have been used by economist Stephen Walters in his “Boom Towns: Restoring the Urban American Dream” (Stanford University Press, 2014).

Walters begins his study of urban decay and renewal with a tale of two representative cities, one that successfully reversed decay and another that hastened its decline. Now here is the rub: The Bad City is Baltimore, no surprise there especially given recent headlines this past summer, but the Good City is San Francisco.

San Francisco? In spite of my incredulity, he makes a strong case on both accounts.

Walters' theme is one near and dear to the hearts of classical liberals, free-market economists and libertarians, to wit: Urban centers can only prosper if they clearly and consistently protect property rights. No amount of government spending, social engineering, good intentions or political posturing can do anything but ratchet up the cost of the decline when property rights are run roughshod. He makes his point with data on city after city after city.

So why is San Francisco of all places held up as an example of successful city growth? It all comes down to Proposition 13, Richard Jarvis' grass-roots ballot initiative in 1978 which capped the amount of property taxes that could be assessed in California. Urban population decline reversed as investors ranging from entrepreneurs to large corporation to homeowners felt safe in buying and improving property there. San Francisco, according to Walters, benefited greatly from this.

Compare this with Baltimore, which continues down the path of tried-and-true urban nonrenewal strategy — massive governmental projects without private investment. No secure property rights, no purely private investment by businesses or homeowners.

Other cities Walters points to as exemplars are Boston, which turned its back on decades of "Robin Hood" economics begun under corrupt Mayor James Curley, and Indianapolis, which is held up as the "truth in taxation" poster city.

Most readers of the Indiana Policy Review, I am sure, look to Indianapolis and its Unigov centralization as a textbook violation of small government principles. Walters asks us to look beyond this philosophical notion to see what Indianapolis has done under mayors like Stephen Goldsmith. He claims Unigov actually reduced total government spending at least for the first few years through economies of scale and elimination of duplication of bureaucracies. (Note, though, Walters' review of Unigov was focused on its early years. For a more in-depth analysis of Unigov, see *The Indiana Policy Review*, Winter 2006.)

Walters also lauds Indianapolis for its "truth in taxation" approach to property taxes. The city has 63 different taxing units that are itemized on billing statements. That's a lot of government, certainly, but Marion County residents know what they are paying for — or at least to whom they are paying it.

Indianapolis also gets kudos for its take on privatization of certain city services, but with a twist. Walters calls the Indy approach marketization rather than privatization because city departments were given the chance to submit bids for the services being privatized. The sewage district actually underbid for-profit competitors while reducing costs by 40 percent — and get this, raising worker wages through increased productivity. Superfluous workers were found jobs in other city departments, in legitimate openings one would hope rather than make-work positions.

Other examples are provided. Stockholm, capital of that "good socialism" home of Sweden, was one of the first to combat downtown traffic congestion by implementing market-driven tolls on commuters. Peak hour traffic immediately decreased.

France, another nation assumed to be near-socialist, has benefited from private water suppliers. It routinely puts out public services for bid, with the winner being the competitor offering the lowest cost to the end consumer. Compare this to utility and communication semi-monopolies here, frequently chosen for offering the highest kick-back to local governments.

Privatization, or marketization to use Walters' preferred term, is always attacked by the vested interests — bureaucrats who might lose control, public employee unions who fear loss of jobs and the entire choir of left-leaning intellectuals and politicians. Private firms are subject to "the profit motive," a euphemism in the left-wing dictionary for greed and price-gouging. Walters responds that "people don't become selfless just because they work for a government agency." True, and the profit motive also has a real element of personal financial risk to the owners.

The problem in most cases is a syndrome Walters calls the Magoo Principle. Short-sightedness is endemically built into our governance structures as decision-makers have no incentive to take a long-term view. Those who try are typically punished by the voters or short-term elected officials. The failure to maintain the New Orleans levees is perhaps one of the most disastrous examples of this myopia.

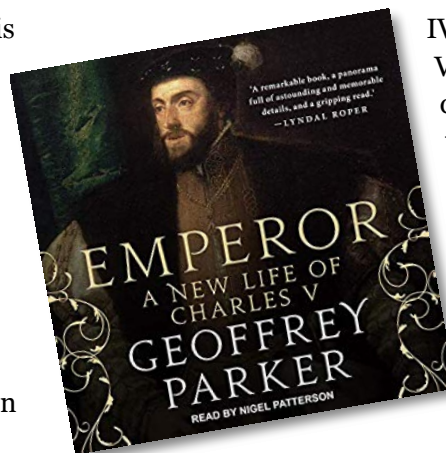
There is an arrogance involved as well. Take Robert Moses, the urban renewal czar of New York City, who is already condemned to Dante's ninth circle of hell by many for driving the Dodgers out of Brooklyn. His grandiose plans to demolish slums resulted in forcible relocation of over 250,000 New Yorkers, mostly the minority poor. His critics are legion, bucked up by national data that says five homes are lost for every one created in urban renewal projects.

I can't say I agree with every solution Walters puts forth but his arguments are well-reasoned and cogently put. And he distills it all into one inviolable economic principle: promise and sustain secure property rights or learn to love urban decay.

Recommendation: Certainly worth it, especially given all the examples of good and bad urban policies. Easily digested by non-economists.

Emperor: A New Life of Charles V

While I love history in general, I tend to focus much of my interest on medieval Germany. The constitutional history of the Holy Roman Empire of the German Nation is fascinating in spite of, or perhaps because of, its inscrutability. So it was with eager anticipation that began reading Geoffrey Parker's impressive new biography of the Habsburg emperor Charles



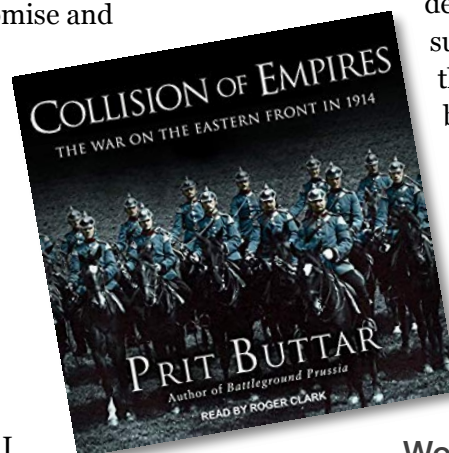
IV. "Emperor: A New Life of Charles V" (Yale University Press, 2019) did not disappoint. Biographers often become too sympathetic toward their subjects, a flaw Parker neatly avoids by balancing Charles' praiseworthy decisions with a critical view of others. Charles was a man of his times, the turning point from the middle ages toward the modern era, and Parker does an exemplary job of judging him by the standards of his

time and not ours. He was a man of deep religious faith balanced by a real politic view of his world. He fought off enemies aplenty and preserved his enormous patriarchy for his heirs. Parker gives him credit for attempting to enforce humane treatment of his New World subjects, a royal decree mostly ignored by the Spanish grandees in charge of the new colonies. His discussion of the realistic options Charles had to counteract the Lutheran Reformation in Germany is balanced and sympathetic, the author not being as hard on Charles as he was on himself for his failure to maintain the unity of the Church. Parker sums Charles' reign by acknowledging Charles' uncanny luck which did much to offset the few bad

decisions he made thereby successfully governing an empire that was ungovernable. The biography is just over

500 pages long, short by modern standards, and includes an appendix discussing previous biographies for accuracy and bias.

Recommendation: Easily accessible for even those with only casual interest in the era.



World War I in the East

British doctor turned historian, Prit Buttar, has established himself as a leading historian of the world wars in eastern Europe. He recently completed a tetralogy for World War I on the eastern front. The four volumes are, in order: "Collision of Empires," "Germany Ascendant,"

"Russia's Last Gasp" and "The Splintered Empires." All were published by Osprey beginning in 2014 and concluding in 2017.

Make no mistake: These are serious, detailed history of the war and its aftermath in Russia. Buttar has a good grasp of the geography and the cultures in eastern Europe during this period. He also does an admirable job of recounting the military campaigns in terms of both strategy and tactics. He excels, in my opinion, in his understanding the key political and military leaders as tells the story of human beings operating under high stress in an unstable and often byzantine environment where reputations and careers were at stake. *Recommendation:* For the serious military historian.

The Great Partnership: Robert E. Lee and Stonewall Jackson

While I like military history for itself, I find reading it serves as a primer for management in general. Other than the very important fact that nobody dies in civilian organizational leadership, the lessons learned by combat commanders are



applicable to those running businesses and not-for-profits. Such is the theme of "The Great Partnership: Robert E. Lee, Stonewall Jackson, and the Fate of the Confederacy" (Pegasus Books, 2019) by Army War College historian Christian B. Keller. Now this topic is fraught with intense partisanship going back to the Lost Cause movement and the bitter recriminations by Confederate generals. Keller is in the pro-Jackson, anti-Longstreet camp to be sure but his point is that the Lee-

Jackson relationship was special because of the strong personal friendship they developed spurred in large part by their sharing a deeply devout religious faith.

The managerial advice in the book is summarized neatly in an appendix. His key points include the usual strategic insights needed by senior management in order to act quickly and correctly but he prefaces this by focusing on the key ingredient of personal friendship that leads to trust among the C-suite team. *Recommendation:* So-so for its military history but worthwhile for its management advice.

— Mark Franke

Backgrounders

Indiana's Conservative Movement Still Lacks a Political Vehicle

Richard Moss, M.D., is a surgeon, author and columnist in Jasper, Indiana. He has written "A Surgeon's Odyssey" and "Matilda's Triumph," available on [amazon.com](https://www.amazon.com).



(Nov. 18) — A year ago I was locked in a political race for the Republican nomination for Congress from Indiana's 8th district. I was running against then four-term incumbent, Larry Bucshon. I had also run in the prior election cycle in 2016. And I had run in 2014 against Mike Braun (now U.S. Senator for Indiana) for state representative.

Among issues popular among conservatives, I had what I thought was a compelling matter regarding the incumbent: Bucshon and his family had moved to Washington D.C. I had hoped that this factor combined with his generally weak voting record could propel me to an upset victory, which is never easy against an incumbent. I started early and ran hard. I had raised money and traveled extensively throughout the 18 counties of Indiana's 8th district, meeting and interacting with voters.

Despite a vigorous, hard-hitting campaign, we came up short — actually worse than the prior election. I had dropped from 35 percent to 26 percent. I also observed that many in the 8th district county-level GOP establishment were upset over my criticism of Bucshon for moving to D.C. I contended, however, that a representative and his family must live, work and attend schools in the area he represented. In this era of an increasingly centralized federal government, far removed from its constituents, Bucshon's decision to move to Washington exemplified a D.C.-centric mentality that defined perfectly what was wrong with our political system — and why I had run.

Having lost in three political campaigns, I can report that it is wonderful not to run for office. The reasons for running in three separate

campaigns, however, have not disappeared. Our "one party" system in Washington remains profoundly corrupt and self-serving. It consists of career politicians from both parties, special interests, donors and lobbyists, all of whom agree on one thing: growing the size of government.

The Republican Party, in its budgeting and voting, is a left-of-center party; it is, as I often referred to it as, the Republican wing of the Democrat Party. With an increasingly Marxist Democrat Party, and no serious conservative opposition from soft-progressive Republicans, the trajectory of the nation is all to the left: more spending, more programs, more socialism, and ultimately more tyranny.

Rather than promote a constitutional, limited-government agenda that would actually expand liberty and shrink the power of the federal government, the GOP, in effect, embraces the tenets and policies of the Democrats (other than occasional, meaningless rhetorical flourishes to the contrary). Thus, there is no active force to thwart the mortgaging of the nation and future generations by politicians seeking short-term political gain.

Thanks to our federal government, for example, we have annual trillion-dollar deficits, a national debt approaching \$22 trillion (larger than our GDP), and \$200 trillion dollars in unfunded liabilities. The actuaries of Medicare and Social Security indicate both programs will be bankrupt in 2026 and 2035 respectively. The Republican Party, allegedly a stronghold of fiscal prudence, is, in fact, handmaiden to profligacy and insolvency.

The GOP remains hapless on the issue of immigration. It has done nothing to curtail and reform legal immigration to reflect the national interest (i.e., to make it meritocratic, limited and diverse; to end chain migration, the "diversity" visa, birthright citizenship and lawless "sanctuary cities," among many critical issues); it has not secured the southern border nor prevented the influx of hundreds of thousands of illegal aliens, virtually all of whom are impoverished, uneducated and unskilled, and who will burden

our schools, hospitals, courts and public systems. Many of them are disease carriers, drug dealers, criminals and terrorists. Thanks to feckless Republicans, our immigration system has become a giant welfare magnet for the world, a threat to our sovereignty, the rule of law and national security.

Utterly feeble on the cultural front, the Republican Party has meekly accepted the cultural Marxism of the left rather than pushing back against the nihilism and degradation of our popular and politically correct culture. It has failed to promulgate a conservative narrative to confront the anti-Christian, anti-family, anti-American narrative foisted upon us by our cultural overlords.

Today's Democrat Party, overtaken by the radical French Revolutionary left, is not the Democrat party of your grandfather or father, of Truman or Kennedy, or even Bill Clinton or Barack Obama. This bunch, should they come to power, is preparing the ground for future gulags not unlike their Marxist predecessors of the 20th century.

In summary, the conservative movement lacks a political vehicle in which to enact its agenda, policies, and narrative, hence the nation is at the mercy of liberaldom. Absent effective and principled resistance from a fighting Republican Party, the leftward tilt of the nation, its decline into socialism and bankruptcy, its fragmentation into tribalized, warring identity groups, and the continued breakdown of its culture, is unavoidable. The Trump years, like the Reagan era, will represent temporary but minor respites in the downward spiral of the country.

We live in treacherous times and the fault lines dividing us may be insurmountable. But conservatives must continue to uphold our priorities that the nation may return to its foundational principles and beliefs. We must reassert the religious and cultural underpinnings of the country, the central role of the two-parent family, faith and the Judeo-Christian tradition; we should foster an appreciation of our unique history and heritage, of liberty, individual rights,

the rule of law, free markets and the principles of our founding documents, the Declaration of Independence, the Constitution and the Bill of Rights. We, the believers, must remain the vanguard defending Western and American civilization — with or without the Republican Party.

The NYT Has a Dark History

(Nov. 13) — With the launching of the New York Times's "1619 Project," the self-promoted "paper of record" seeks to reframe American history. Formerly we had assumed the birth of the nation to be July 4, 1776, with the writing of the Declaration of Independence. But no, the newspaper has another date in mind.

It is now said to be 1619 with the importing of the first African slaves to America. That moment, the Times believes, more accurately depicts the founding of the nation and its underlying precepts. We now learn that our Declaration, the Constitution and the Bill of Rights and our disingenuous claim that "all men are created equal" do not define the nation. Rather, it is that America is a uniquely racist and exploitative enterprise, a criminal operation, morally stained in its DNA, founded as it is on the institution of slavery.

Furthermore, we are to understand that all the advances and benefits that have accrued to our nation in its 243-year history, come not from our religious underpinnings, individual and private property rights, free markets and our constitutional system of limited government, but rather slavery.

Others have refuted the ideological and political 1619 Project so I will not retrace ground covered elsewhere. It makes more sense to declare a new project that I will describe as the "1932 and 1939 Project," not as a new timeline and birthdate for the founding of the nation but rather as the origin of the despairingly predictable leftist propaganda machine that the media have become.

Why 1932 and 1939? These are the years that the New York Times chose to ignore, cover up and whitewash for ideological purposes what were

among the worst genocides of the 20th century — the Ukraine famine and the Jewish Holocaust.

Walter Duranty was the Times Moscow Bureau Chief from 1922-1936, soon after the Bolshevik overthrow of the Russian government. Duranty was an apologist for Communism. Many in the American intelligentsia were also sympathetic to Communism and appreciated Duranty's dispatches.

It was after Joseph Stalin's first five-year plan, 1928-1933, in which Stalin attempted to restructure the Soviet economy, that Duranty became prominent as a result of exclusive interviews with Stalin. The dictator's policies led to widespread famine, particularly in the Ukraine, where estimates of up to 10 million people perished between 1932-1933, thought by many to be a deliberate genocide.

Duranty received the Pulitzer Prize in 1932 for a series of reports from the Soviet Union in which he defended Stalin and denied that there was widespread famine. Contemporaneous observers reported that Duranty knew of the starvation and knowingly misrepresented the evidence.

The Times is also notorious for covering up the Holocaust, the Nazi effort to exterminate the Jews during World War II. It did so by burying stories about the Nazi genocide against the Jews in the back pages of the paper, avoiding the front page except on rare occasions.

The Times often avoided mentioning that the victims of the Nazi persecutions, deportations and death camps were primarily Jews. If you had read only the front page of the Times during the period of the Holocaust (1939-1945), you would have missed the fact that the Nazis were rounding up, imprisoning, torturing, starving, executing, gassing and otherwise exterminating on an industrial scale millions of innocent Jews.

If the Times can casually change the birth of the U.S. from 1776 to 1619 and redefine our founding principles as it does in its 1619 Project, then surely we can recommend reasonable start dates for the perversion of our media. And what better and more consequential press outrages

than the gloss-over by the New York Times of two of the 20th century's greatest genocides?

The media is no longer content to simply fulfill its obligation to the First Amendment and report the news objectively, share ideas, challenge dogmas, enlighten the public, promote American principles and provide critical oversight of the government. Instead, it has descended into an openly leftist propaganda outfit intent on promoting a Marxist view of reality indistinguishable from that of the Democratic Party. This collapse into summary leftism in support of one political party and dogma has reached its acme in the age of anti-Trump where even the pretense of impartiality is discarded.

My "1932 and 1939 Project" targets two critical moments when the Times, the dominant media voice of the radical left, failed to expose and marshal attention toward a critical matter. It chose instead to conceal and bury two instances of catastrophic annihilation, deliberately collaborating in the deaths of millions of innocent victims.

The Ukraine Catch-22

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(Oct. 30) — In the present Ukraine matter, the mainstream media propaganda machine is missing something basic. The error is exposed by the uniform and diversionary way the Trump-Ukraine accusation is framed: President Trump, they say, asked the Ukrainian government to investigate Democrat politician Joe Biden for the purpose of getting "dirt" on the rival candidate. Because of this apparent internationalization of political intrigue, the conduct by Trump qualifies as a possibly criminal and impeachable offense — that is, obtaining foreign campaign assistance of value. So goes the simplistic narrative.

Time out. The underlying error in the popular view is the familiar illogic of presumption of motives. Trump's critics forcibly impose only one motive on the notorious telephone discussion between Trump and the Ukrainian president — i.e., help in domestic politics. Rightfully, the case should be closed already against the critics because such presumption is inadmissible in serious discourse.

The explanation is that to assume one of an infinite number of potential motives is face-invalid and unreasonable. All one must do to falsify such a pseudo-argument is identify a single plausible alternative motivation, and a big one is readily at hand: As the chief law enforcement officer of the United States, Donald Trump has a constitutional obligation to investigate illegal behavior, especially when committed at the highest level of our government. Hence, a more than plausible alternative to the subjective and partisan attack device is conspicuously present, truly an elephant in the room — that somehow remains inscrutable to the chattering class. Lawful obligation trumps unwarranted and inadmissible assumption, as it were.

And what evidence of illegality is there to justify the constitutional basis for Trump's request that Ukraine investigate Joe Biden? Merely objective evidence, both direct and circumstantial, that Biden has been running an international influence-peddling (China) and extortion (Ukraine) operation. Biden boasted of sacking the Ukrainian prosecutor who was investigating his son's company, but with the alternative and exculpatory rival motive of legitimate Western concern about government corruption in Ukraine already being refuted publicly by Ukrainians themselves in this case. Then there is the \$1.5-billion Chinese payment to the unqualified Hunter Biden's rookie equity fund, ostensibly buying access to the office of U.S. vice president just as the elder Biden was assuming the China portfolio for the Obama administration.

Thank you, President Trump, for finally trying to advance the ball against high-level government corruption that typically goes unreported,

uninvestigated, unprosecuted and unpunished — when perpetrated by Democrats.

But the logical extension of the Democrat position on Trump/Ukraine "collusion" becomes even more bizarre. If constitutional investigation or even phone interchange incorporating pursuit of foreign evidence by an American president is disallowed if it happens to implicate an opposition politician, then all opposition pols are therefore inviolable and above the law — because they are interpretable as victims of presidential campaign misconduct via involving a foreign entity in domestic politics, as creatively construed.

In other words, no matter what crime a partisan opponent has committed or is suspected of, the justice arm of government dares not investigate because, once it does, it is guilty of the illegal campaign behavior of targeting an opponent. This is catch-22 territory, thus an absurdity that, in turn, renders the Democratic complaint preposterous. QED.

A further weakness of the accusation is the "political opponent" dimension per se, again referencing Joe Biden. Sorry, but Biden is not Donald Trump's political opponent, and may never be, because he is not the presidential nominee of a political party. Nor has the 2020 presidential campaign formally begun. By the Democratic critic standard, President Trump cannot seek information on illegal behavior by any Democrat in the U.S. who meets the constitutional qualifications for the presidency — e.g., 35 years of age — because all are potential political opponents.

How convenient that the Democrat position in the latest faux scandal reduces to this: All Dems are above the law.

Reparations: A Memorandum

Terry Smith, a member of the foundation's whist team from Columbia City, wrote this at the request of the Indiana Policy Review Foundation.

(Oct. 24) — The early definition of "reparations" was simply "war debts." It consisted of war losers paying the cost of waging war to war winners. As they say, "To the victor go the spoils."

Citizens in their individual capacity did not participate in the flow of reparations. The transfer of wealth was from one nation-state to another nation-state.

The more recent and enlarged definition includes “restitution or atonement for damages inflicted.” As it applies to the demand for reparations for slavery, this broader definition raises numerous questions. Who is the payer? Is the payer also the perpetrator? If the payer is not the perpetrator, what is the legal basis for making a claim for payment? How is the victim class defined? What is the measure of damages?

Seeking answers to these questions is complicated by the fact that there are different political beliefs regarding payment for labor. Socialists such as Bernie Sanders believe that all payment for labor is owned by the nation-state and the nation-state will decide how much of one’s payment for labor he or she will be entitled to keep

On the other hand, conservatives believe that all payment for labor belongs to the citizen, subject only to an amount taxed as agreed upon by the citizens. Unearned income, such as interest, dividends, rents and profits are treated in a similar manner as payment for wages (the government of progressive liberals claims to own all income).

If my payment for my labor is my property, and if I have not owned slaves, how can I be required to make reparation for slavery? Or if payment for my labor is owned by the American nation-state and that state gives my property to a black American, does that mean I am or have at sometime in the past been an owner of a slave?

So I reject being labeled a “slave owner.” In criminal law, judges order perpetrators to make restitution to their victims. As to reparations for slavery, I am being accused of victimizing persons I do not know. Where is my due process?

In the political arena, the current claim is that the American nation-state is the perpetrator and that black Americans are victims, but reparations paid in 2019 for slavery that ended in 1865 makes no sense unless words are tortured to mean

something different than intended. Democrats understand that “reparations for slavery” makes good press but at the same time raises so many questions that the public would never consent to such an expenditure of the U.S. Treasury.

A history of slavery in the United States convincingly refutes any reparations payable by our national government to individuals. The United States of America has only existed since 1788 when the U. S. Constitution was ratified by the seventh colony. Prior to that, black Africans were rounded up mostly by Arabic Muslims and sold to white Portuguese slave traders who sailed their slave ships to the British colonies where the black Africans were sold into slavery to British citizens. No reparation by my nation-state is justified here.

From 1788 until 1865 the American nation-state fought to keep all new states and territories free of slaves. The history of the U.S. is mostly forgotten that all 50 of the United States of America are “nation-states” except with respect to those powers given to the national government through our Constitution. The southern nation-states that legalized slavery perhaps should pay restitution but the national government is blameless when it comes to slavery.

It appears that Democrats should be making their claims to African states, Britain and Portugal, certainly not to the United States. (There might have been a few Frenchmen involved in the enslavement of blacks in and around New Orleans; Democrats can add them to the list of perpetrators they claim owe them reparations for slavery.)

I realize that none of these arguments will dissuade Democrats from advocating payment of reparations from the American treasury, but they still have the problem of identifying the class of injured persons entitled to restitution. Certainly, there are no persons alive today living in the U.S. who were enslaved by any southern nation-state. And that understood, what criteria do we use to define the “class” of recipients?

This is where Democrats change their definition, “slavery” being replaced with

“discrimination.” All living black Americans at one time or another have been the victims of discrimination and therefore are entitled to reparations, it is argued, not for slavery but for being black. The class of victims entitled to reparations, then, is not those who suffered from slavery but all black Americans.

Moreover, Democrats lately have been using phrases such as “victims of Jim Crow laws” supporting segregation and “victims of discrimination.” These arguments, however, are inapplicable because the American nation-state was not the source of victimization. Rather, it was liberal Democrats who inflicted harm upon black Americans.

In fact, Southern Democrats enacted the Jim Crow laws, Democrats formed the Ku Klux Klan to enforce segregation and discrimination, Democrats stood firm against civil-rights laws, including the right-to-vote laws eventually enacted by a Republican Congress. In any case, neither the Democrat National Committee, nor the Southern Poverty Law Center, nor the southern states have the financial wherewithal to make anything but token reparation payments. There is no pocket deep enough to justify a national campaign except that of the U.S. Treasury.

This demand for reparations for slavery, then, is nothing more than an artful deceit for a transfer of wealth to black Americans.

And what is the measure of damages? As much as they can get.

And what is the purpose? To buy votes.

A Callow Strike for a ‘Perfect’ Climate

Dr. Ken Bisson grew up in the Finger Lakes region of New York state, earning a bachelor’s degree in Chemistry at Indiana University, Bloomington, and moving to Steuben County, Indiana, in 1980 after completing Medical School at I.U. He raised four children in Angola and has 10 Hoosier grandchildren. The former chairman of the Steuben County Lakes Advisory Board, Dr. Bisson devotedly researches environmental issues and is known to care dearly about the quality of his county’s 101 Lakes.



(Sept. 23) — Young people around the world went on “strike” Friday as a statement of their concern about climate change. Perhaps that makes this a good time to consider climate change on a scale much larger than their short lifetimes.

Since our earth first obtained an atmosphere, the global climate has been changing. Someone has put the idea into the young minds of last week’s strikers that it is both possible and desirable to arrest earth’s ever-changing climate. I suspect, however, that it is as impossible to stop earth’s climate from changing as it would be to prevent the oceans from having tides.

Even if one accepts the suggestion that humans can end climate change and forever maintain earth’s climate at the most desirable state, it might be a good idea to examine what that ideal state might be. It would have spoiled Friday’s student strike if they had known that mankind has throughout history fared better when global temperatures were higher than they are today. They would be dismayed to learn that sea levels have been 700 feet higher than today’s level as well as 425 feet lower. In a display of arrogance, these strikers believe the climate of our earth should remain only as it was when they were born — that we grown-ups must now stop it from changing.

History is often beyond the ken of young minds. Fortunately, we have a great deal of scientific data about the history of earth’s changing climate, as well as data about the numbers of lives lost each year from “cold weather” and “hot weather” aberrations. (USA Today says that at current climate conditions cold weather annually kills 20 times more people on earth than hot weather.)

While youth are urged to panic about the 5-inch rise of sea levels during my 65 years of life, they do not bother to learn that during a similar short 65-year period of time in the recent past (since the last glaciation) sea levels rose 10 feet. (See Meltwater Pulse 1A).

Those of you a bit older than Friday’s strikers will remember when climate alarmists of the mid-20th century warned us of the coming Ice

Age. You may have even read the Harper's Magazine article, "The Coming Ice Age," published in 1958 (still available on line). From my perspective, there will be continued global warming for some time. There also will be more episodes where glaciers will cover the parts of North America that I love so much.

But, I will not be asking you to abandon your activities to insist that your legislators "do something." I have little faith, though, that our legislators actually accomplish what they intend with legislation. I have even less faith that they can (or should) create laws that will arrest earth's constantly changing climate.

And please don't inform our strikers about the sun's limited hydrogen fuel. If they learn that it will someday burn out, we'll never get them back into classes.

Religious Liberty

Mark Franke, an adjunct scholar of the Indiana Policy Review, is formerly an associate vice chancellor at Indiana University-Purdue University Fort Wayne.



(Sept. 24) — Some folks in the federal courts and governmental agencies decided to read the actual language of the First Amendment, that part which says the practice of religion cannot be prohibited. Instead of being cat's paws for the anti-religion crowd, they came down on the side of the free exercise of religion as the amendment specifies.

The Veterans Administration (VA), in a moment of temporary insanity, seemed bent on removing all religious symbols from its hospitals. No Christmas carols, no Christmas trees and certainly no Bibles in hospital chapels, decreed these Scrooges. No Bibles in the chapels? And they were serious. But VA Secretary Robert Wilkie, with support of President Donald Trump, issued a directive restoring freedom of religion. The freedom that combat veterans fought for can once again be observed at the medical facilities built to serve them.

The U. S. Supreme Court ruled overwhelmingly that the Bladensburg Cross can stand in spite of its purported offensiveness to a few. The cross stands at a military cemetery in Maryland and has become a community as much as a religious symbol. The Supreme Court recognized this dual purpose, effectively secularizing to a degree the religious nature of the cross. I'm not sure how I feel about that part of the ruling but at least the cross still stands to recognize that the servicemen buried there died for religious freedom as well as all the others.

A federal appeals court ruled that a Christian filmmaking couple in Minnesota has the right to ask for court protection of their religious liberty against a state law that would force them to produce films in violation of their religious beliefs. Incredibly, the state argued that filmmaking was not speech and therefore under the jurisdiction of its draconian law that subjects religious entities to state oversight for their speech and actions. Based on the decibel level of the howling, state officials are not happy with this decision limiting their freedom to restrict that of others.

The Arizona Supreme Court instructed the city of Phoenix in a preemptive case that it cannot use an anti-discrimination ordinance to coerce an art studio into creating a custom wedding invitation in violation of its owners' religious beliefs. The court's opinion stated that "an individual has autonomy over his or her speech and thus may not be forced to speak a message he or she does not wish to say." This case revolved not on refusing to serve specific customers but on what the artists would be required to design.

The recurring nightmare of the Colorado wedding cake baker may finally be over. After losing in the U. S. Supreme Court, Colorado officials charged him a second time but dropped the case with pre-trial discovery found "anti-religious hostility" on the state's part. However, the courtroom door was left open to a private plaintiff for a civil suit which was filed in June. Even though this is a private action, it is hard to

conjure a set of legal principles different from those already adjudicated.

There are more but these five indicate a welcome trend to affirm that the First Amendment still has writ in our nation.

The opponents of religious liberty argue that any display of religious symbols on public and quasi-public land, and here they mean primarily Christian symbols such as the cross, constitutes an establishment of religion which is proscribed by the First Amendment. They frequently cite the “separation of church and state” principle, which language is not to be found in the text of the amendment but rather in a letter written by Thomas Jefferson whose anti-Christianity pedigree is well documented.

While atheists and other non-religious people have the same rights under the First Amendment as the devout, their rights do not trump ours. My religious liberty as a Christian is not abridged when I drive past a mosque or some secularized humanistic sign. I can just keep driving by. My freedom of religion is secured by the free practice of other religions and non-religious belief systems in the public square.

Note, too, that there is no language in the First Amendment protecting us from exposure to all religion, only from an established religion enforced by the state. As politically incorrect as this has become, the inconvenient fact of our nation’s founding rests largely on groups looking for religious freedom. School children used to be taught the real reason the pilgrims and other groups came here. =Not any more, alas.

The defense of liberty requires constant vigilance. The power of the state advances whenever and wherever it can unless it is constrained. In a republic like ours, it is incumbent on the citizenry to erect these constraints sometimes at significant personal cost. Fortunately there are those like the Minnesota filmmakers and the Colorado baker willing to pay that cost.

“Freedom Is Not Free” preaches the popular bumper sticker. That is proving to be more true than its clever author could have anticipated.

Constitution Day

(Sept. 13) — As he was leaving the Constitutional Convention for the last time, a citizen asked Benjamin Franklin what the delegates had given her and her fellows. “A republic, if you can keep it.”

To be precise, what Franklin and his colleagues had given us was a document that serves as the philosophical and practical foundation for a system of government. This republic, which we as Franklin’s posterity are charged with keeping, can only be kept if the seminal document . . . the Constitution . . . is itself kept.

This was no easy document to write, in spite of the fact that the true “Greatest Generation” had gathered in Philadelphia to draft it. It was an exercise in compromise, in spite of the often bitter debate that preceded such compromise. And it was a glimpse into the future, in spite of the fact that the delegates were solidly grounded in their own here and now.

The Constitution was controversial even then. Anti-federalists objected to the supremacy of the national government over the states. They were quite exorcised over the preamble’s beginning with “We the people” instead of establishing the new nation’s basis as a compact among the states.

Federalists won the day as eventually all 13 states ratified the Constitution, thereby choosing to join the new union.

The federalist vision, that the document would serve as the substance of a new nation with unlimited prospects, was tempered by an understanding that the Constitution offered strict boundaries on the government’s power while at the same time being flexible enough to promote, rather than restrict, unforeseen growth.

Even though he is not given credit for his influence, John Adams’ philosophy served as the basis for the national government’s structure. He promoted the idea of a three-part government based on the British model of king, lords and commons. We have a President, Senate and House of Representatives designed to represent, in reverse order, local interests, the states and the

nation at-large. We've strayed from much of Adams' vision but his framework stands.

We have a great divide in the country today. Actually, we have way too many divides but one that underlies many of the others is how to interpret the Constitution. One side argues that the Constitution is a "living" document, one that must evolve over time as society changes and new challenges arise. The Founding Fathers, according to this line of thinking, could not possibly have anticipated the complexities of the future so their language is dated and must be rescued from its era.

The other side, usually called originalism, disagrees. This viewpoint holds that the Constitution is a document of words, words that have specific meaning both then and now. The words mean what they say, what their authors meant them to say. If the meaning must be changed, then the amendment process is the appropriate way to address that. Twenty-seven amendments are attestations to the foresight of this approach.

As a conservative with libertarian tendencies, I agree with the originalists even if I did not do an adequate job above explaining their philosophy. To think that we, and by we I mean a society driven by postmodern cultural conceits, know better than the Founding Fathers is not just arrogance but hubris. "Whom the gods would destroy, they first make mad," a quote thought to have originated with the ancient Greeks, seems apropos here. With due respect for my many friends who disagree, I can't help but think it madness to believe we are smarter than that prescient group of 55 delegates locked in a hot chamber throughout the summer of 1787.

We must keep in mind that our nation was founded on the principle of natural rights as forcefully stated by Thomas Jefferson in the Declaration of Independence. The 9th and 10th amendments make clear that our liberty does not flow from the Constitution but quite the opposite. We voluntarily surrender a limited amount of liberty for the common good. This is our Anglo-Saxon heritage, that governmental power flows

upward from the people with defined limitations on its use. It saddens me that so many willingly jeopardize this liberty simply to achieve short term, issue-based victories. Political expediency has become the watchword.

In a recent Wall Street Journal interview, U. S. Supreme Court Justice Neil Gorsuch cited two rules he teaches his law clerks. I paraphrase: First, don't make stuff up. Second, when being pressured by political factions to decide a case as they demand, remember rule number one. Benjamin Franklin would agree.

9/11 Amnesia

Joshua Claybourn is an attorney in Evansville and an adjunct scholar with the Indiana Policy Review Foundation.



(Sept. 11) — Everyone has their 9/11 remembrances and that is fine. Understand just how rapidly it is receding into the unremembered past: The number of Americans with no real memory of it approaches one-third, and the number of Americans with no adult memory of it creeps toward half.

With the forgetting comes the loss of emotive content. It is a mixed blessing. On the one hand, the falling-away of emotion means we lose the felt sense of the only silver lining of the whole blood-soaked affair: the flowering of patriotism in the immediate thereafter. Those of us who lived through the bright autumn of 2001 witnessed the last mass expression of a common American patriotism of the 21st century. No moment like it has come since, and it is unlikely to reappear. If in this vein we are the people we were two decades ago, the evidence has yet to present itself.

That said, we should not over-value the people we were two decades past, either. The best of us rushed into burning towers in September or descended upon Afghanistan in October. The rest of us watched in stupefaction or satisfaction, or perhaps both. That goes even for direct witnesses of the great massacre, including me. We spectated. It was not two years later that the

phrase emerged, not from Afghanistan but Iraq, that in the post-9/11 era only the American military was at war: the American people were at the mall.

This is the other side of the emotive forgetting: We may begin, after two decades, to assess ourselves honestly. We may begin to acknowledge that the surpassing quality of American strategic leadership has been an admixture of arrogance and incompetence, fully in view by the close of 2001 to anyone who cared to look. We may acknowledge that one of the major strategic goals of Al Qaeda, the enmeshing of the United States in draining “crusades” in the Islamic world, was fully achieved — and in this particular sense they won the Battle of 9/11.

We may acknowledge that we never, once, took on our real enemy in south-central Asia, the Pakistani apparatus. We may acknowledge that the purported strategic benefits of the Iraq invasion proved entirely illusory — and that the original rationale for it was, to be exceptionally

charitable, pretextual. We may acknowledge that the entire United States armed forces is in quiet crisis after two decades of post-9/11 war, having missed a generation of weaponry and systems, and mired in a recruiting crisis with no foreseeable end.

We may acknowledge that the breadth and depth of our errors is survivable only by a nation of extraordinary wealth — and that we’ve spent a lot more of it than we admit.

We may acknowledge that the real coda to 9/11 is imminent. Everyone knows now that we have been negotiating with the Taliban for some time. It is nearly certain that we will exit Afghanistan in the near future, with the Vietnam model fully in mind. A decent interval will ensue. And then, soon, the Taliban will win. The Islamic Emirate will enter Kabul, raise its black flag, and resume the project we interrupted in October 2001.

Forgetting is a choice. We’ve made it. But understand: We made it a long time ago. ♦



Thomas Hoepker, Sept. 11, 2001

The Outstater

It's Time to Use our Outside Voices

(Nov. 20) — Some years ago, two officers of this foundation sat down with a powerful GOP committee chairman. We were there to discuss a year-long study that explained why teachers were concerned about Indiana education and how the Statehouse could make teachers' lives better and their classrooms more effective places to learn.

The committee chairman read the executive summary over coffee and then pushed it back across the table. "I couldn't get this out of committee," he said. So much for GOP leadership.

The study bore the title, "Education Without Romance" based on the work of Nobel Laureate James Buchanan and his school of Public Choice economics. It was bold and promising. Largely unread by the legislative leadership, it still is bold and promising.

Several years later, on two occasions, the foundation gathered leading Republican legislators in luncheon seminars at the Statehouse to hear our adjunct Lisa Snell explain a related plan to systemically reform Indiana education.

Snell considered Indiana particularly well suited for the plan because of its relatively balanced district funding. The reform was called the Weighted Student Formula back then. Now it is known as the Student Based Budgeting and it is

drawing the praise of teachers, parents and administrators throughout the country.

Again, nobody was willing to put an Indiana Republican name on any measure that would set the necessary reforms in motion. The foundation even distributed sample legislation to get them started. And whenever GOP political aspirants came around to discuss the issues, we always asked them if they would sponsor the reform measures. Nothing.

Yesterday, a crowd of utterly fed-up teachers, 16,000 of them, filled the Statehouse grounds and overflowed into the surrounding streets. A favorite poster read, "It's Time to Use our Outside Voices."

Gov. Eric Holcomb, always politically astute, was in Florida for a Republican Governors Association conference. House Speaker Brian Bosma chose the day to announce he would not seek reelection.

Good enough, the teachers will be back; don't bet on the governor. For it will soon be clear to him and the remaining career politicians that yesterday the options to reforming Indiana public education gravely narrowed. Nobody — teachers, legislators or parents — is going to be happy with the "solutions" to be introduced in coming months in the name of "Red for Ed." They will be politically generated, timid in scope, superficial and compromised into ineffectiveness. Look for a slight percentage increase in the money thrown into the administrative maw.

If all this means that Republicans' hopes of holding on to legislative power are to be buried, so be it. The tombstone can read: "We Couldn't Get It Out of Committee."

Education Reform Reading for Indiana

Lisa Snell. "Decentralizing Education: Student Based Budgeting." *The Indiana Policy Review*, Fall 2016.

Hang La. "An Alternative to Unionism: Teaching as a Profession." *The Indiana Policy Review*, Fall 2012.

Snell. "A Better Way: The Weighted Student Formula." *The Indiana Policy Review*, Winter, 2007.

Charles M. Freeland. "Public Education Without Romance." *The Indiana Policy Review*, Winter 2001.

Einstein's Revenge

(Nov. 6) —Indeed, some think we have entered a post-discernment age. Nobody is allowed a strong, informed opinion outside the bounds of a late-night bull session in a sophomore dormitory. It is impolite to do so, even illegal, and at the least inappropriate.

The historian Paul Johnson pegged this in 1983 with his great work, "Modern Times," dating our non-discernment to May 29, 1919. That was when photographs of a solar eclipse taken on the island of Principe off West Africa and at Sobral in Brazil confirmed Einstein's theory of relativity. This is from Johnson's introduction:

"All at once, nothing seemed certain in the movements of the spheres. The world was 'out of joint,' as Hamlet sadly observed. It was as though the spinning globe had been taken off its axis and cast adrift in a universe which no longer conformed to accustomed standards of measurement. At the beginning of the 1920s the belief began to circulate, for the first time at a popular level, that there were no longer any absolutes: of time and space, of good and evil, of knowledge, above all of value. Mistakenly but perhaps inevitably, relativity became confused with relativism."

In social science, in politics and above all in journalism, man's world became relative, nothing could be discerned. Congress and our legislatures introduced multi-issue bills and an inscrutable voting process. The Supreme Court devolved into nothing more than a small legislature. Perhaps such misapprehension was why Einstein later in life famously said that it would have been better had he been a watchmaker.

In politics we are at the point where a presidential challenger, Bernie Sanders, is unable

to discern whether the incumbent is a racist, a sexist, a homophobe or a just a bigot, so he assigns to President Donald Trump all of those — an epithetic impossibility.

And in public policy, the example of moment is New York City, where the mayor and council have found themselves unable to discern crime from non-crime. The city's proposed criminal-justice reform ensures that people arrested on even serious charges can be issued desk appearance tickets and released to the streets.

"The city is contemplating enticing people with baseball tickets or gift cards to show up for their court dates," writes Seth Barron in the *City Journal*. "New York appears all too eager to write some new, dark chapters in a war on civility and public order."

Barron continues, noting that a bill introduced in the Manhattan Assembly would define jumping subway turnstiles as, to quote the assemblyman-author, an "economic decision":

"He decries the 'long-term, adverse effects' that result from involvement with the criminal-justice system (that is, with breaking the law). Lowering the penalty for theft to restitution of the value stolen eliminates any incentive not to steal. If the only penalty for fare evasion is paying the fare — what law-abiding people do with no prompting — then paying becomes voluntary."

A chant at a recent protest against those subway fares was, "Punch a cop in the face/every nation, every race."

You get the idea, and it's coming our way. It is why the Indiana Policy Review Foundation launched its "Foothold Project" to ensure that at least someone on your city council will sound the alarm.

A particular bugbear of mine is Veteran's Day, designated to mark the end of the horrible trench fighting in World War I. Today it is merely a day set aside to honor anyone who has drawn federal wages in the "armed" forces, the great mass being yeomen, mechanics, analysts and support personnel in the model of Pete Buttigieg.

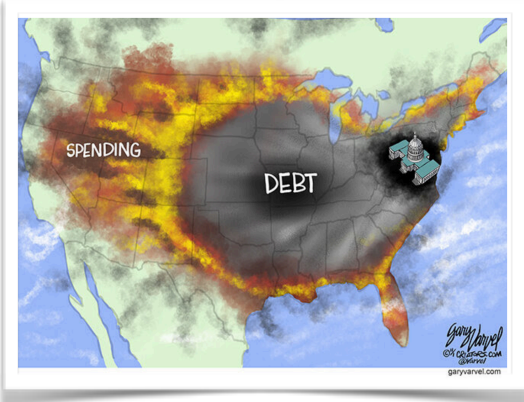
Now, before you send that letter of indignation, know that observing such a day is a fine thing (and thank you, Mayor Pete, for your service). But shouldn't we find a day on the calendar for those who actually fought for us — those, say, who landed on an enemy beach to climb over the dead bodies of their compatriots to charge a fortified machine gun? Or more recently, those drafted into the Marine Corps one day and dropped by helicopter into a Southeast Asian jungle the next?

For something so profound, ought there be a difference, an attempt at discernment?

But no, and the examples just roll on and on . . . which screen writer for the television series, "Jack Ryan," decided that Nicolás Maduro, a left-wing thug in Venezuela, is indiscernible from Augusto Pinochet, a right-wing thug from Chile? Or in advance of the Great Recession of 2007 who thought it would be OK if banks loaning money to scofflaw homeowners were shielded in advance from the predictable losses? And should we be suspicious of applicants for student visas from the Middle East enrolling in takeoff-only flight lessons? Is our southern border different from Mexico's northern border? Need we dive into the breach of gender identification?

Wrong? Absurd? Disastrous? It doesn't matter — not in our post-discerning world. We are told by the globalist George Soros and others in the "Open Society" movement that all of this is perfectly logical, natural.

For the Weimar Republic's "Frankfurt School" explained it all a long time ago: Every



Welcome, Gary Varvel

Please welcome Gary Varvel's work to our membership distribution list. Varvel joins Andrea Neal, Leo Morris and Craig Ladwig in our group of award-winning Indiana journalists. "Gary Varvel's Views," is a one-stop shop of his political cartoons plus links to supportive commentary including selected work from The Indiana Policy

social or political or religious system, and especially those at the base of Western Civilization, is equal to any other.

That of course was before it became widely known that Thomas Jefferson owned slaves.

Help Us Get a 'Foothold'

(Nov. 1) — With municipal elections behind us we were challenged to name one Indiana city council with a majority of members committed to smaller government.

We could not. Indeed, we couldn't remember one —

ever. It was attestation that we're losing the battle and the war. It's time to change the strategy.

Please consider what could be accomplished with a tax-exempt "foothold" donation. Here is the link to a \$1,000 ticket to help sponsor a strategy workshop in your city. Suggestions so far include Indianapolis, Frankfort, Greenfield, Albion, Kendallville, Muncie, Monticello, Fort Wayne, New Albany, Hammond, Gary and South Bend.

For starters, we have to stop . . . doing what we're doing, that is.

A common excuse of the local party chairmen is their difficulty finding candidates with a truly constrained vision of how government should relate to a citizenry.

That shouldn't be a surprise. We're not trying to win and retain office at all cost, selling influence along the way. Rather, we want to further the principles of limited government. Many are willing to sign up for the former, only a few for the latter.

And those who merely like the sound of “councilmen” in front of their name haven’t been much help — in winning office or governing wisely. Nor have our congressmen, legislators, prosecutors, governors or even county chairmen proven to be reliable allies in this struggle, many of them captured early by the lure of a political career.

Most grievous, corporate ownership has displaced the hometown proprietary media that once questioned the untenable, that spoke truth to power for both Republicans and Democrats.

There is a way through this. Historians note that societies, right down to the local community, progress not because a compromise-fed, self-satisfied majority overcomes the inevitable challenges. Rather, it is a small group that finds solutions to those challenges, that inspires (rather than compels) others to make innovative changes.

Arnold Toynbee called them “creative minorities,” using the enterprising, resourceful sense of the word. He argued that communities fail when this minority degenerates into “dominant minorities,” i.e., a ruling elite trying to command success by mimicking a previous generation of leadership.

In Indiana, we begin with a realization that if our cause (limited, accountable, city government) is different, so should be our approach. The Foothold Project first of all identifies stalwart councilman around the state already standing up for property rights, small government and rule of law. Secondly, through on-site workshops we provide them a network of resources to introduce legislation forcing their council majorities to explain (expose) their positions.

When that happens, when even outvoted councilmen ask sharply pointed, well-researched questions, the political trajectory of a city is changed. Grandiose claims are debunked. Romantic dreams are linked to their ruinous results. The media is shamed into doing its job. Self-serving positions, both political and economical, are laid bare. We have seen it work. An economist friend calls it the “voice over vote” method.

Finally, cost should be part of any successful strategy, and Foothold can operate statewide and yearlong for less than one-quarter of what was spent this year on just one of next week’s district council races. The low cost is not even comparable to supporting wave after wave, generation after generation, of political friends-in-name-only who just show up for fundraising dinners.

Other project specifications:

- There must be at least two small-government councilmen working in concert to avoid marginalization.
- We do not obsess with vote counts. Instead, we urge the introduction of legislation, immediately viable or not, whose common sense can be demonstrated to the broadest range of the citizenry.
- This legislation must conform to the state and federal constitutions (much of it, to our shame, does not).
- This legislation must not involve an unethical use of government force.
- This legislation must actually work; that is, the intent is irrelevant if it doesn’t accomplish what it says it will accomplish.

The foundation’s adjunct scholars can help officeholders with all of this — the research, the investigation, the public relations, the alternative media and a hard-won list of do’s and don’ts. Help us apply that knowledge in those cities where it will have the most immediate impact.

‘News’ by Algorithm

(Oct. 3) — An editor friend, forced to watch close-up the death throes of our hometown newspaper, offered a fresh perspective on the threadbare issue of journalism’s demise. She thinks it has to do with confusing compliments with subscriptions.

We ran out of publishers able to provide an adult presence, she might say. That’s when yuppie editors began flooding the front page with soft feature stories and cute takes on vaguely topical

issues, all of which were hits with the in-crowd at the white-wine dinner parties.

What wasn't understood, though, was that compliments come cheap, subscriptions are hard-won.

The friend, who once solved a murder on the phone from her desk, spent her career arguing with superiors about the importance of content. Readers may tell publishers they want "good" news, she found, but when they renew their subscription it's because the newspaper proved itself a trustworthy source of serious information. When boring property taxes go up, subscribers want to know the boring details.

Market research backs her up. Readers are notorious for lying as to why they dropped their subscription. "They give answers that make them sound discerning, even sophisticated," one researcher told me, "something like 'the commentary was off the mark,' or 'the articles were too heavy,' or 'it didn't reflect my lifestyle.'"

But you get a different response when you ask ex-subscribers the question, "Why did you take the newspaper in the first place?" The answers include expectations of hard news reporting, of an accurate and full picture of the day's events — all expectations unmet.

In short, the news business forgot what news was about.

Joe Bob Briggs, the syndicated columnist, recently ran an experiment along these lines. Briggs, in an article entitled "Man Bites Dog but Nobody Cares," listed the stories on his daily Internet newsfeed placed ahead of a Stanford University research project identifying the cure for the common cold. The Briggs list:

- A couple dozen lame analyses of the upcoming "impeachment inquiry," written like boxing-match copy, Pelosi versus Trump.
- Aubrey O'Day complaining that an American Airlines flight attendant made her change her shirt in front of her fellow passengers.
- An analysis of the low fertility rate in Japan.
- An investigation of subpar jalapeños in Subway sandwiches.

- A Metallica tour update after James Hetfield went to rehab.

- Stormy Daniels' settlement for false arrest at a strip club in Ohio.

- The salary of the new CEO at Wells Fargo (\$23 million).

- Robert De Niro calling Trump "a lowlife."

- Justin Bieber posting old pictures of himself.

- Dog the Bounty Hunter's medical condition.

- Speculation about moon travel and the ability of the moon to support a colony.

- Best time to get your flu shot.

- Several articles on a heated Twitter discussion about whether Kristin Cavallari is too skinny, based on images she posted from a Mexico photo shoot.

"The original purpose of a newspaper was to organize all the events of the world in order of importance, using fonts, type sizes, headlines, and other conventions to indicate relative importance," Briggs writes. "That has been turned into its opposite: 'We don't know what the hell is important, so you decide.'"

He notes that Facebook, Google and Microsoft select stories by algorithm (high-tech mumbo jumbo) on the basis of your past reading. They are, therefore, by design, not news to you. Terrific.

Of course, the craft has always had its flaws, many of them of human origin. As callow but self-inflated world-shakers on the overnight desk of a metro newspaper in the '70s, we counted as the sum of our community contacts, the only "real" people we knew outside work, a half-dozen bartenders and 7-11 cashiers on our route home.

The difference from today is that neither we nor the bartenders nor the cashiers were allowed to set the front-page news budget.

The readership, I can now say with certainty, was the better for that.

Public Safety and Racial Posture

"In a free society, government has the responsibility of protecting us from others, but

not from ourselves.” — Walter Williams, George Mason University

(Sept. 28) — As a rule we write about Indiana issues here. Sometimes, though, a national story is so profound it encompasses our most local concerns. So it is with testimony Thursday before the Congressional Oversight Hearing on Policing Practices.

One witness told the truth, so far as it can be empirically defined. A later witness misdirected the committee — that is, lied — and then declined to provide supporting evidence for his slander of the other witness. But these days conflicting “truths” are acceptable in Washington just as in Alice’s Wonderland.

If it were true, for instance, as the one witness testified, that violent crime in our cities is driven by the racial hatred of white policemen against black civilians, then one course of action is not only recommended but obvious as a matter of both law and morality — cultural reeducation of whites, elevation of black police officers, research into root causes.

But if it were true, as the other witness said, that both white and black civilians are disproportionately the victims of attacks by criminal blacks, then another course is as obvious and as moral — timely crime reporting by citizens, prosecutorial accountability and proactive policing.

And, no, as a matter of public policy they cannot both be correct because there are absolutes at stake — life, death, etc. We have to choose.

Again, it could have been hoped that the members of the committee, our duly elected and amply compensated representatives with subpoena power, all having sworn to get at just this sort of truth, would have helped us with that. They did not, so we will muddle on as mere journalists.

The facts, as presented under oath, are these:

“A study published this August in the Proceedings of the National Academy of Sciences is just the latest research undercutting the media narrative about race and police

shootings. It is the rate of violent crime that determines police shootings, the study found. The more frequently officers encounter violent suspects from any given racial group, the greater the chance that members of that group will be shot by a police officer. In fact, black civilians are shot less, compared with whites, than their rates of violent crime would predict, the study found. If there is a bias in police shootings, it is against white civilians.” — Heather Mac Donald of the Manhattan Institute, author of “The War Against Cops” and “The Diversity Delusion”

The politic, also presented under oath, is this:

“None of that is true.” — Phillip Atiba Goff of the Center for Policing Equity

Professor Goff dismissed the cited study as “correlational,” his contention being that it was not an actual experiment but merely a search for causal associations between things that tend to vary in a way unexpected by chance alone.

Nobody in the committee majority or in the media thought to ask how an actual fatal shooting might be ethically designed as a research experiment. If they had, they would have realized that all such studies are necessarily correlational. That would include one by Goff’s own Center for Policing Equity (reaching the same conclusion regarding the rate of black-white shootings as that cited by Mac Donald).

Yes, we have entered the post-truth era. Your uncle at the Thanksgiving dinner table will be as close to an unquestioned authority as you will find.

‘The Test’ that Doesn’t Test

(Sept. 20) — Those who were around during the administration of Republican Gov. Robert Orr know the assumption behind statewide grade-by-grade, district-by-district testing. It was thought that the then-powerful teachers unions were protecting inadequate or at least mediocre teachers.

That was quickly found false. Indiana schools are blessedly free of bad teachers relative to other states, and that is so regardless either of union

machinations or a governor's posed oversight. Teaching here is still a calling, please know, not a job.

In any case, our Dr. Jeff Abbott, an ex-school superintendent, argued early on that given the test's design and scheduling it could not show what it was intended to show, i.e., classroom learning through a school year:

"Our policymakers support educational testing that not only could cost more than a billion dollars over the next decade, but it may be redundant or, worse, have no meaningful impact on student academic achievement."

The testing, though, continued through the 1990s, during which it became a multi-multi-million-dollar enterprise — that and a fraud, to be detailed in a moment.

Two years ago, Andrea Neal, an adjunct scholar of the Indiana Policy Review Foundation and a former member of the Indiana Board of Education, weighed abandoning such "high stakes" testing (by then linked to vouchers and bonuses). If there were to be statewide testing at all, it should be scaled-down. She noted that some experts have suggested giving schools local control and letting them choose from a menu of internationally benchmarked assessments. Her summary:

"I'm skeptical every time the state pledges a new and improved educational product. Just three years ago, the Indiana Legislature voted to withdraw from the Common Core academic standards initiative after Hoosier parents complained loudly about what they were seeing in the classroom. In April 2014, the board adopted 'new' Indiana standards that were nothing more than a rewrite of the Common Core. The same thing is likely to happen with testing."

It wasn't until last week, though, that Abbot and Neal's skepticism bore out. Indeed, the entire testing program was exposed as a fraud — exposed by accident. That was done by the release of results from the new ILEARN testing, an attempt itself to cover up inefficacy in the previous ISTEP testing.

Know that it had little to do with the test itself and even less to do with either teacher or student performance.

As soon as the results of ILEARN were released, teachers throughout Indiana began comparing notes on why the scores were low. Statewide last year, 59 percent of students were rated proficient on math and 65 percent on English. This year those numbers were 48 percent and 48 percent — an average 14 percent drop.

That percentage drop corresponds to what teachers know to be the historic difference between the high scores marked up by the great number of teachers who "teach to the test" and the lower scores of the few who teach the coursework standard. The gap was the predictable result not so much of a lapse in teacher ethics as a government's misaligned incentives.

By that it is meant the ILEARN scores were low because this year, the first year of the new test, teachers who choose to prep their students did not yet know how to do that. Next year, it can be predicted, teaching to the test will resume and scores will go back up. One supposes that Gov. Eric Holcomb, who was forced this year to ask that the results be "held harmless" regarding school rankings and teacher pay, can then proclaim success.

It is a hypothesis based on anecdotal evidence but as a hypothesis it can be tested itself. The Department of Education can commission a cross-tabbed survey of those teachers who scored the same on this year's test as last year (the data are already assembled on line).

If the analysis is correct, it would mean that Indiana has been testing hapless students not to measure their progress but only to find out the number of teachers who would compromise a test.

That is a misapplication of standardized testing, and, as Neal has noted, courts have said that whenever test results are linked to "high stakes" for students, the tests must be aligned to what is actually taught. It is a matter of logic, fairness and accountable government. In that regard, Abbott assembled a checklist of unanswered questions:

- Why have Indiana policymakers not authorized a study of the direct and indirect costs of standardized testing in Indiana?
- What are the annual direct costs and indirect costs of such testing?
- Is the testing valid and reliable, and does it accurately measure the performance quality of teachers, principals and schools?
- Does the testing improve the amount and quality of student learning?
- Are there better and less costly ways to measure student, teacher and principal performance, and hold them accountable for learning?
- Are there better and less costly ways to improve student learning?

Again, the argument for malfeasance is the more compelling because the fraud was uncovered by accident. We are reminded of a judge in Michigan who casually suspended that state's prevailing wage law.

His judgment allowed construction contracts to be let unencumbered for a time by the wage statute. Consequently, the Mackinac Center for Public Policy was able to document more than 11,000 jobs added in a three-year period as a direct result of the prevailing-wage invalidation, a refutation of the law's rationale and a gauge of its true cost.

In Indiana's case, it is difficult to imagine any outcry anywhere outside of the Statehouse if ILEARN were to be summarily canceled. But it is more likely, considering the money involved, that there will be only a more-detailed-than-usual political explanation for why it must be continued.

How much money are we talking about? Well, there are the testing costs themselves, as much as \$30 million a year for the last 32 years. And there is the cost of the lost teaching time, the distorted picture of classroom progress, the incorrect rating of schools and teachers, lower teacher morale and the degradation of public trust.

Let's see if the governor finds time to tally all that up before the next election.

More 'Bad Messaging'

(Sept. 4) — The man at the next desk says nobody wants to read about our city's problems anymore. He is almost surely right, but there remains the possibility that some other Indiana city is experiencing an arrogant administration unchecked by a fawning newspaper. On that slim chance, the following observations are offered.

It began with an editorial this week dismissing the mayor's unwillingness to discuss a \$3.2-million spending plan as an issue of no concern. A mere "spat," a problem of bad "messaging," we are told, the complaining councilmen engaging in political "posturing" during an election year.

But wait, we need to back up a bit.

The newspaper defines the \$3 million (rounding down) as a "windfall." The discerning reader might wonder, since the city cannot print its own money, from whence a fiscal windfall might come. The dictionary applies the analogy of an apple being blown down from a tree.

And that, it turns out, is nowhere close to describing the issue at hand. We are talking about money from an increase in the amount of local income tax paid and collected — our money from our apple tree, to be exact, falling not to us but to the city administration.

That, sigh, sends the mind off in a depressing direction so let's move on to how the mayor would use the money. It is a matter, the newspaper assures us, unfit for argument among reasonable persons, an unnecessary delay considering that all of the money is going to obviously good works.

Being curious by nature, though, we find it difficult to see how a week or two of discussion — it's millions of dollars, after all — would hurt anyone. At the least, let's spend a few minutes here walking through the mayor's spending list.

By bad messaging, the newspaper apparently means the mayor hasn't made clear that his plan isn't plain, old socialism. It divides \$1 million between the city's four arbitrarily defined "partnership" areas, thereby establishing a political and economic plan of social organization

advocating that the means of production, distribution and exchange be owned or regulated by the city. Socialism, our newspaper insists, is an entirely different thing, just ask South Bend Mayor Pete Buttigieg.

Or perhaps the mayor should have conceded the point for harmony's sake, saying that even if it is technically socialism it isn't the kind that doesn't work, that is, the kind underfunded by an uncaring, lazy and perhaps even racist citizenry. Now, wouldn't that make for a lively discussion?

The next \$1 million of the "windfall" would go to the mayor's housing department for free loans to means-selected property owners for household repairs. These lucky folks could monetize the mayor's kindness by selling refurbished homes at improved prices and moving to a less punishing tax district — cynical, yes, but worthy of a fuller explanation.

Another \$500,000 would be spent on what the suspicious might call social window dressing, proposals of such grand altruistic intent that they carry the other items along with them. There would be \$300,000 to "fight" the opioid epidemic so prominent in the news lately. It would be in the

form of a gift to what some had thought was an adequately funded police department for drug testing.

Another \$200,000 would go to a well-endowed church foundation to provide new beds somewhere. There would be \$500,000 to a long-established charity to provide vocational training for the substance abused. Don't you wish your household budget could be organized in such round numbers?

Finally, there would be \$250,000 for a "facade" grant program, an aptly and tellingly named example of how government thinks commerce is generated.

It puts lipstick on the pigs of the local commercial real estate market, handing cash to business owners to whom it has not occurred that the appearance of their storefront is critical to customer traffic. This is an item, the mayor might fear, that won't bear discussion whatsoever.

In the end, it is just another boring case of \$3 million here, \$3 million there. You can be grateful that none of this is happening where you live. Or if it is, that your mayor is spared a soul-crushing spat over the details. — *tcl*



"The Battle of Cowpens," painted by William Ranney in 1845, shows an unnamed patriot (far left) saving the life of Col. William Washington.

INDIANAPOLICY *Review*

A journal of classical liberal inquiry observing its 30th year