

INDIANAPOLIS

Review

Spring 2021

INDIANAPOLIS
HAS FALLEN
Moss, p. 14

ROBERT
PUTNAM'S
'UPSWING'

Keating, p. 28



Property: Let's Try Leaving it Alone

"The system of private property is the most important guarantee of freedom, not only for those who own property, but scarcely less for those who do not." – Friedrich A. Hayek

“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.”



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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.

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Wednesday Whist

Plywood Politics

The boarded-up storefronts on election day in downtown Indianapolis were a picture of what happens when private property is denigrated; for it is not just that the wealthy suffer a loss but that the rest of us are reduced as well.

Some Hoosiers will recognize that statement as a version of Bastiat's "broken window fallacy." Let me offer a contemporary translation of that great 19th century French economist's parable:

An Antifa or BLM enthusiast, whether motivated by revolutionary spirit or misguided juvenile energy, decides to break windows as a political statement.

The mainstream media, looking on, decide that the activist has actually done the community a service by initiating justified "change." In any event, a carpenter or glazier will be paid to repair the damage and that money will be spent on something else, jump-starting the local economy ("property can be replaced").

The onlookers come to believe that breaking windows stimulates society and helps build a new, more just city ("build it back better").

But the fallacy is this: Their activism has done nothing more than reduce (rob) others of the

money that the store owner would have spent on other goods or services — in fact, reduced the real value of the city.

That is why enduring economies include protection of private property in their foundations. It is what the social commentator Tom Bethell called "the noblest triumph." It is at the core of Common Law, the basis of Western Civilization.

The protection of property is not something that can be taken for granted; it is not included in the default setting of humankind. Rather, it requires public understanding and heroic civic will — leadership, in other words.

Rhetoric won't work — be it good or bad, artful or crude. You don't have to go too far into the predominately white suburbs, where roughly two-thirds of middle-class wealth is in home ownership, to find the concern palpable. It doesn't take a supremacist to extrapolate mobs throwing bricks to a reduction in the value of the property near which the bricks fall.

And the black community? Whether it voted Democrat or Republican, it would be wise to heed the advice of Charles Blain and Joel Kotkin writing in *City Journal*:

"One of the great mistakes is to judge policies and programs by their intentions rather than their results," economist Milton Friedman said. Whatever their professed concerns for low-income and ethnic minorities, progressive cities and their mayors fail to deliver progress. Initiatives like defunding the police, affirmative action and implementing guaranteed basic income have largely failed and in some cases have made things worse. In contrast, more conservative areas have produced more opportunity and general well-being for the minority population."

The simple truth, without spending months in agonizing reappraisal and cross-generational navel-gazing, is that the value of Indianapolis, for both whites and blacks, was reduced this last year. (See Richard Moss's essay on page 14.)

And without a change in government philosophy, it will not be recovered. What would that philosophy look like? Here is Bethell again, touching on what followers of all the major religions since Egypt's Middle Kingdom would recognize as the Golden Rule:

"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. The industrious will reap the benefits of their industry; the frugal the consequences of their frugality; the improvident and the profligate likewise. They receive their due, which is to say they experience justice as a matter of routine."

Once more, the election-day photographs of a boarded-up Indianapolis told us how far we have strayed from that. The question is whether we will get back. — *tcl*

The 'Costs' of Being a Landlord

According to Michael Wang, a Chinese immigrant and businessman who organized the recent protests (against eviction moratoriums), foreign-born New Yorkers are more likely to buy property for cultural reasons. 'We think it's relatively less risky to put money into property,' he tells Reason through an interpreter. "Investing in property is a relatively less risky and easier investment for people who just came to the U.S. with limited English." For Gao and many immigrant landlords, owning property turned out not to be an easy investment after all.

(Chao Huai) Gao says his squatter is getting away with 'robbery.' But Cea Weaver, the campaign coordinator for Housing Justice For All, calls that statement 'deeply misleading.; Weaver, who the real estate magazine *The Real Deal* dubbed the 'tenant movement's giant killer' for her behind-the-scenes role in the passage of a 2019 state law strengthening New York's rent regulation laws, says the eviction moratorium is just a 'pause' because it doesn't mean that 'the landlord can never collect the rent.'

In practice, though, collecting rent money will be extraordinarily difficult after the moratorium is lifted. The case backlog in housing court could mean that landlords will wait years for their cases to be heard and recovering large sums of money is difficult under the best of circumstances. Nativ Winiarsky, a New York attorney specializing in landlord-tenant litigation, tells Reason in an email that he sees "little chance that landlords will be able to fully recover the significant arrears that will have accumulated."

"Those are part of the costs of being a landlord," Weaver responds.

Owners say that having almost no legal recourse when their tenants don't pay their rent was not part of the deal when investing in real estate. Landlord groups around the country have sued on the grounds that halting the judicial process that allows them to retake their property violates their due process rights and that the national moratorium is an unconstitutional expansion of federal power. — *"The Victims of the Eviction Moratorium" by Jim Epstein, Reason Magazine, Feb. 23, 2021*

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A Primer on Property Rights

If I have no control over anything, how can I make an ethical decision? In this sense, the right to property is the comprehensive human right. And without some control over resources the questions of economics range from less interesting to moot.

Eric Schansberg, Ph.D., is professor of economics at Indiana University Southeast, adjunct scholar for the Indiana Policy Review Foundation and author of "Poor Policy: How Government Harms the Poor."



The term "property rights" is most frequently used to describe one's ability to own and use valuable, long-lasting material objects — most notably, land, buildings and vehicles. With this popular version of the term, property rights are a concept mostly of interest to wealthy people. We see this manifested in the common but erroneous assumption that capitalism and markets mostly favor and serve the wealthy.

But the term easily applies to any material item. As such, ownership includes many common things — a hammer, a book, a sandwich. There is also a crucial application to the non-material: "intellectual property rights," including trademarks, logos, inventions and copyright. These extensions apply the concept to all people, not just the wealthy.

This also underlines the ability of everyone to earn and build wealth — from the modest inventory of a street-level merchant in a third-world country to the ability of a young woman to use her skills to earn money by braiding hair or doing nails in the inner city. While the wealthy might have the most to lose, the poor have the

most to gain with robust property rights. (Hernando deSoto's "The Other Path" is indispensable on this topic, especially as it relates to less-developed countries.)

Most broadly, we can extend the concept to the economist's definition: anything under my dominion — my body, my vote, my children. Here is the easiest way to think about it: if you're using the word "my," you're assuming some level of property rights — my time, my spouse, my idea, my conscience, my life.

This broad conception of property rights is a starting point for ethics and economics. If I have no control over anything, how can I make an ethical decision? In this sense, the right to property is the comprehensive human right. And without some control over resources — at least my own body — the questions of economics range from less interesting to moot.

As with other rights, my property rights are necessarily attenuated at some point, as my actions impinge on others. Why? Well, there are ethical and practical issues at hand. Why would I have the right to use my property to violate your property rights? And practically, when society allows the violation of property rights, people are less prone to invest aggressively, innovate creatively, work diligently, conserve resources appropriately and so on.

Property rights are a key principle at the center of Judeo-Christian social ethics. Famously, the 8th Commandment prohibits theft. But the 6th Commandment prohibits murder; the 7th prohibits adultery; and the 9th prohibits false testimony and slander — all of which constitute some violation of property rights.

In addition to the prohibitions of those Commandments, the Bible also promotes the positive concept of "stewardship" — that, in the ultimate sense, we don't own anything. God owns everything and we "steward" or manage those resources for Him. It follows that our ownership or stewardship is not for its own sake or for us, but to be used to love God and to love others. "It is for freedom that Christ has set us free. Stand firm, then and do not let yourselves be burdened

again by a yoke of slavery . . . [You] were called to be free. But do not use your freedom to indulge the sinful nature; rather, serve one another humbly in love.” (Galatians 5:1,13)

Of course, property rights can be violated by private actors through theft — or by agents in theft-like arrangements through the public sector. Taxes take my property. Regulations reduce my property rights. Prohibitions prevent me from doing — and mandates require me to do — certain things with my property. In what contexts is it ethical and practical to use public policy to reduce property rights?

In the 17th and 18th century, prominent thinkers from John Locke to James Madison promoted the importance of property rights. As these ideas gained traction, “classical liberalism” and a laissez-faire approach to governance arose to defend property rights on ethical and practical grounds. (Now, we typically use labels such as libertarian — or “conservative” in matters of economics and public policy — to describe this.)

A general respect for property rights and their exchange through trade is essential for commerce and material prosperity. The existence of property rights changes the incentives to engage in various behaviors. If I own something, I’m usually more likely to take better care of it. If I can own more of the fruits of my labor, I’m more likely to invest. If I can maintain control of intellectual property, I’m more likely to innovate.

Of course, there are counter-examples — exceptions that prove the rule. One can imagine borrowing something from a neighbor and treating it better than if one owned it. One can imagine investing even when rates of return are reduced by policy or threatened by predation. And of course, incentives are not deterministic; we still have free will in making decisions based on subjective expectations of costs and benefits. But incentives are powerful and influential.

In some contexts, property rights are difficult to establish and defend with limited costs. Because “free riders” might benefit from a service without paying for it, socially valuable “public goods” can be challenging for producers to

provide profitably. (The classic textbook example is “asteroid defense.”) Since the market can’t easily exert property rights over air and water, people find it beneficial to dump pollution, imposing costs on others. (Thus, there may be a role for government in dealing [effectively] with the environment.) If business managers are ineffective, then credit and blame will not be allocated well, leading to inefficiency and morale problems in the firm.

Pandemic, Public Policy and Property Rights

Concerns about property rights are a constant concern in public policy — at federal, state and local levels of government. Broadly, taxes (e.g., on income, property, international goods) and regulations (e.g., wetlands, zoning, eminent domain) serve to take or restrict property rights. Each of these leads to ethical questions: Why is it ethical for government to take resources from property owners and limit their freedoms? And the policies imply practical questions: As taxes and regulations increase, how large are the costs — to individuals and society — as consumers, workers and investors are less likely to engage in productive behavior?

The past year has brought additional policy concerns, brought on by current events. For months last year, in response to simmering and then boiling discontent about police misconduct, we saw a descent from peaceful protests to looting, violence and riots. The misconduct and the mayhem were ultimately a question of property rights — as people were attacked and businesses were harmed or even destroyed.

With the Biden administration and a Democrat-controlled Congress, the threat of a much-higher minimum wage has come to the fore. Here, we have a reduction of property rights for employers (forced to pay a higher wage), employees (forced to ask for a higher wage) and consumers (forced to pay higher prices because of the tax on less-skilled labor).

But let me focus on the Covid-19 pandemic and the legion of public policy responses to it. In the

face of a severe health threat, voluntary changes in behavior have been responsible for the vast bulk of the public's response. But governments have often gone beyond this, to insist on "lockdowns" and regulations of various sorts.

One can make a case for mask mandates, given the negative externality of pollution involved. One can make a case for mandated vaccines, given the positive externalities involved. But in both cases, the operative practical questions are the ethical integrity and the practical extent to which the mandates move people beyond what they would do voluntarily. And in all of this, whatever health benefits of government intervention should be weighed against the economic and social costs.

The federal government has responded to the economic consequences of "lockdowns" with staggering profligacy in the form of "stimulus" (for the economy) and "relief" (for individuals). Unfortunately, the "stimulus" cannot stimulate much and the relief has been poorly targeted at best (with tons of fraud to boot).

Both have been financed by debt, which requires taking money from future taxpayers to fund current prosperity. (So much for valuing democracy; why aren't we giving future voters a say as we reduce their property rights through this massive redistribution?) And all of this may lead to the government defaulting on the debt, cause immense turmoil in the economy and impose terrible pain on many people. (Nobody knows the limits of debt and liabilities we can sustain. Wouldn't it be ironic if "co-morbidities" in government finance "killed" our economy?)

In this issue of the journal, other writers will detail the particular concerns about property rights for landlords. (The word "landlord" is especially evocative here — as people who are "lords" over their "land.") Because of federal, state and local regulations during the pandemic, tenants have been able to forsake rent payments without threat of eviction. (The federal eviction

moratorium came from the Center for Disease Control and was motivated by trying to prevent the spread of Covid. State-level regulations have usually been motivated by a certain version of justice and equity.) Even when the regulations end, the government will have created an immense backlog of cases for the courts to handle, imposing additional costs on landlords.

Again, there are immense ethical and practical concerns here. The government approach has been a mess. It offered piecemeal solutions: a hodgepodge of subsidies to some tenants and landlords through "relief" and "stimulus" (unemployment insurance, checks mailed to households and PPE grants). It was a blanket and uniform solution to a widely disparate set of problems. (It assumes many tenants will be in trouble and landlords will be unwilling to work with them.)

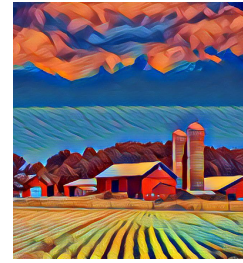
As these things typically go — both the struggles and the policy responses — all of this has been an especial burden on smaller landlords. (In *City Journal*, Howard Husock cites data that 70 percent of New York City landlords own one or two buildings, while 50 percent of rental units in America are owned by "mom and pop landlords.")

Looking to the future, these policy responses will inevitably increase market concentration in this industry, provoke more housing scarcity, harm real estate values, reduce tax revenue, harm communities, foster crime and so on.

Property rights may seem like a concept that mostly protects the financial elite. But the principle of property rights applies to all — directly and indirectly.

Without the protection of property rights, a society will not be prosperous; an economy will not be productive; its most vulnerable people will fall prey to the predations of those with power and resources; and all of its people will be far less able to pursue life, liberty and happiness. ♦

Editor's note: This article was commissioned after members expressed concern over the disruption of the rental market when Gov. Eric Holcomb's used an executive order to limit property rights, specifically a moratorium on evictions. Angie Kidd of Common Grace Ministries, a private group that helps renters, predicted at the time that the only result of the governor's action would be a tsunami of evictions when the moratorium was lifted. Statewide, an investment company estimated that more than 40 percent of Indiana renters were in arrears during the moratorium. That reflected an impossible debt, one that otherwise would not have accumulated and subsequently an unwise reliance on the state for rental assistance. There has been a corresponding loss of income by small landlords, so-called mom-and-pop properties, caught in court backlogs, operating on the tightest of margins and representing nearly half of all rental housing units.



In Defense of Landlords

We shouldn't be surprised when politicians flailing about looking for scapegoats choose to sacrifice the owners of residential rental properties in order to pick up a few votes among the impressionable and disengaged in the electorate.

Jason Arp, for nine years a trader in mortgaged-backed securities for Bank of America, was reelected last year to his second term representing the 4th District on the Fort Wayne City Council. Arp has served on the Redevelopment Commission, the Community Legacy Investment Committee and as co-chair of the Finance Committee of the Common Council.



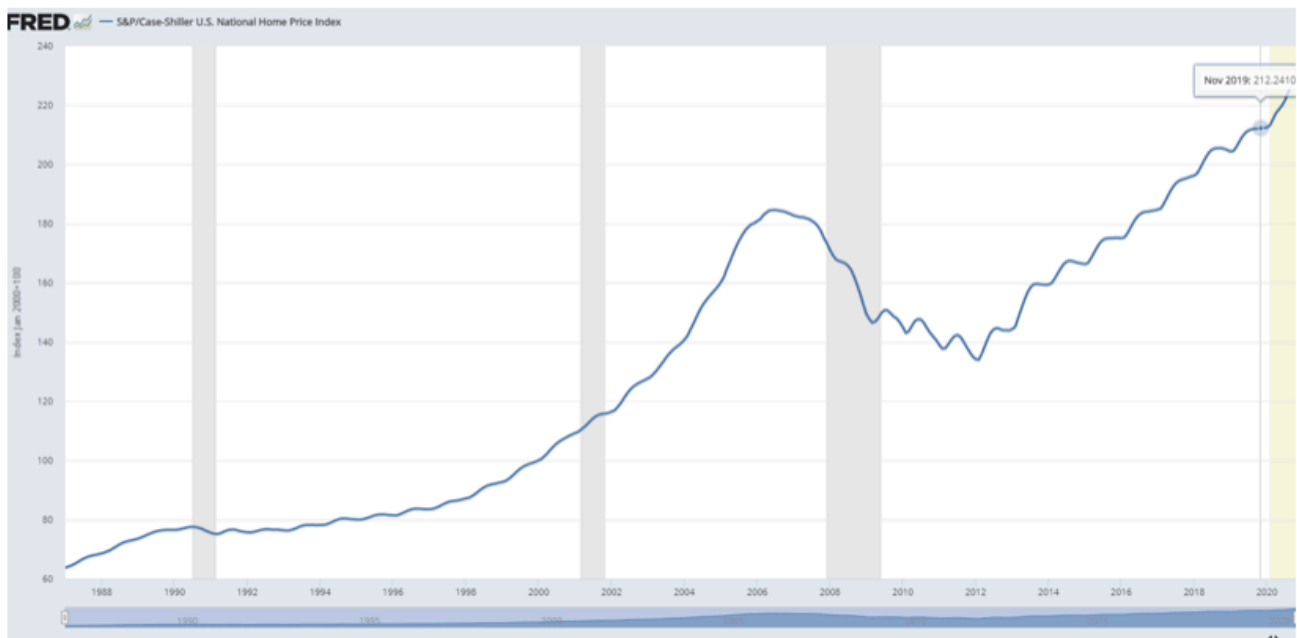
The year 2020 will go down in history for being the year of the virus. Unfortunately, the part of the story that may be missed by many observers is the blatant disregard for the most basic human rights of life, liberty and property.

While the deaths of those who didn't receive care for their cancer or heart disease back in April and May because of shuttered hospitals and doctor's offices will be memorialized by the

families, public commentary on the subject is considered gauche. The owners of restaurants, playhouses and bowling allies may never recover from 12 months of operating at anywhere between zero and 50 percent capacity. Graduations, weddings, anniversaries cancelled will indelibly stick in the craw of families. And the audacity of the ruling elite extended so far as to impose uneconomical eviction moratoriums on landlords that diminish the very idea of property rights. The unifying theme has been it is OK for government officials to trample on the rights of the property owner.

During the pandemic of the last year, we have seen Indiana Gov. Eric Holcomb imply that landlords can just wait to be paid. His edict of April 1, included a moratorium on evictions from residential properties. Tenants could simply say that because of pandemic-related financial hardships the rent would not be paid. The Trump administration followed suit and banned evictions in a Sept. 4 executive order. Not to be outdone, on Feb. 16 the newly enthroned Joe Biden extended the Trump eviction moratorium to June 30.

Western culture has made the denigration of the landlord commonplace at least going back to Dickens. The attempt to lure the renter into resentment of those who provide housing at prices that are affordable has been a long-honored tradition among critics of capitalism. Therefore, we shouldn't be surprised when politicians flailing about looking for scapegoats choose to sacrifice

Chart 1: Census Bureau National Home Price Index.

Source: Federal Reserve Bank of St. Louis

the owners of residential rental properties in order to pick up a few votes among the impressionable and disengaged in the electorate. After all, there are many more renters than landlords. These are the sorts of dangers of democracy that James Madison warned us about.

Who is this contemptible lot, the landlords? According to 2015 Census Bureau data (Residential Housing Finance Survey) and the most recent evaluation by the Housing and Urban Affairs Department (HUD) and the Harvard University Joint Center for Housing Studies, there are approximately 47.5 million rental housing units in the U.S. situated in 22.5 million properties, 19.2 million of them single family dwellings. Individual investors own 22.7 million of these units residing at 16.7 million of the properties.

In other words, nearly half of all housing units (on three quarters of the properties) are owned by individuals, people HUD officials call “mom and pop” landlords. HUD’s analysis of IRS filings suggests the vast majority of the owners list rental income on their 1040 as personal income. HUD

estimates that there are nearly 11 million individual owners of residential rental property. This number has grown substantially since the financial market decline of 2008 that resulted in record numbers of foreclosures.

At an address to the Small Property Owners Association in December 2004, Howard Husock, Director of Case Studies at the Kennedy School of Government, put it this way:

“The largest group of both resident and small owners, annual income fell into the lowest category in the center’s survey — less than \$30,000 per year. Indeed, almost as many small owners — 2.5 million of them — reported losing money as the 2.9 million who reported a profit. And a majority of resident owners reported that they either broke even or operated at a loss. So much for the easy money that comes with being a landlord.”

The data shows that the individual owner of a single-family structure is much less likely to have debt on their rental properties than the owners of large apartment buildings. About 40 percent of single-family rental homes are debt-free.

The median value of a rental housing unit is about \$62 thousand, with the median value of a property being about \$230 thousand. So it appears that rental housing is as much a store of savings as it is an investment, a place to park cash and expect it to hold its value.

While many landlords don't turn a profit, many do see the market value of their property advance in line with their community, assuming regular maintenance and the general fortunes of the neighborhood. For those in places like Detroit, this has been disastrous, while in the severe housing shortages in places like San Francisco, appreciation has been astronomical. Nationwide, housing units, tend to track home prices, which as all scarce assets tend to appreciate versus fiat currency.

Who are these mom-and-pop owners? They are people who would simply rather invest their money in something that is tangible. Again, with the rolls of landlords growing nearly 20 percent since the financial market collapse, we can see that these investors would prefer having more control over their savings than handing their money over to a financial advisor. Decisions are made about improvements and maintenance by the individual, suiting the needs of their tenants or suffering vacancy. What these studies show is that most landlords are just regular people who own a second house or a duplex

Balance Sheet			
Assets		Liabilities	
Cash	10,000	Mortgage	50,000
Equipment	15,000	Credit Card	10,000
Depreciation	-65,000		
Building	200,000	Owners Equity	100,000
Total Assets	160,000	Liabilites & OE	160,000

Figure 1: Typical Balance Sheet of Mom-and-Pop Landlord

that they have as an investment. A typical landlord may be a person closing in on retirement, after years of putting 10 percent away for a rainy day. After socking away five or 10 thousand a year for many years they buy a rental house, or buy a new house for themselves and rent out the old house as opposed to selling it. Maybe they buy a small apartment complex.

Now that we know who the victims of the moratorium policies are, we should ask what will be the financial impact on them. With any analysis of this type, it is best to start by taking a quick look at the balance sheet (Figure 1). As we mentioned earlier, the typical landlord doesn't carry a lot of debt.

In our example of an annual income statement (Figure 2) we use a small amount of debt to reflect an average situation, though as mentioned above, many small property owners carry no debt at all. The example shows the property owner keeps a small reserve of cash to address the inevitable non-budgeted repairs or to keep the lights on during a period of vacancy. Besides the property itself, the largest item on the balance sheet is the accumulated

Annual Income Statement	
Rental Revenue	40,000
Insurance	2,500
Prop Tax	5,500
Maintenance	5,000
Utilities	15,000
Total Expenses	28,000
Profit before Debt Service	12,000
Debt Service	7,000
Earnings w/o Depreciation	5,000
Depreciation	-6000
Net Income	-1,000

Figure 2: Typical Annual Income Statement

depreciation. The Internal Revenue Service stipulates how much depreciation one can take based on the property type. Commercial property is depreciated over 31.5 years and residential is 27.5 years. Some properties are used for both. (Talk to your CPA for tax advice, but for our mixed-use building, to be conservative, we use the commercial Modified Accelerated Cost Recovery System schedule.) The expense taken is offset by a contra-asset that reduces the book value of the asset. The property is not marked to market, thus there could be a substantial increase in tax liability if sold. However, in the meantime the depreciation reduces the taxable income.

What our basic analysis reveals is that there is no margin for rent moratoriums, especially for those property owners who have debt they are servicing. A few months of lost rents, therefore, could result in a shortfall that prevents an owner from making mortgage payments, potentially falling into foreclosure himself.

Fortunately, most landlords are blessed to have tenants that continue to pay their rent even during hard times. That has been the case for my little enterprise, on the residential side at least. On the commercial side, unfortunately, tenants whose businesses required a certain density of in-person customers were devastated by Covid closures and regulations.

If large numbers of tenants decide to take advantage of an eviction moratorium, however, we could see in the United States what happened in England in the 1970s as a result of rent controls and affordable-housing regulations (security of tenure, i.e. eviction prohibition). By 1991, over two-thirds of residential rental property became owned and operated by Her Majesty's government, according to Tom Entwistle, a long time property investor-manager and founder of landlordzone.co.uk.

In a recent Claremont Book Review, Gary Wood writes "the right to property is the key to preserving limited republican government." He expands on this concept, one propounded by Aristotle, John Locke and of course the American founders. It's quite fitting really, American

residential landlords are unique when compared to the lot of history in that they are not bequeathed property by some royal or noble such as those in Europe, but rather diligent savers investing their capital in housing for those who are not quite ready to purchase it for themselves. The point that Wood makes is that freedom depends on private property.

The late Tom Bethel's "Noblest Triumph," reviewed recently by this foundation's Maryann Keating, is probably the most approachable and thus most effective, book for the purpose of showing the blessing of private property rights.

More important than mere political systems, private property enables human flourishing, Bethell shows. That means food on the table and leisure time.

In summary, the demands of governmental Covid responses on private property owners, such as arbitrary capacity restrictions, closures and eviction moratoriums, all posed serious threats to the ongoing health of property rights in Indiana and set dangerous precedent for regimes to follow. ♦

Resources

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Indianapolis Has Fallen: A Red State Surrenders its Capital

What had been one of the cleanest, most scenic and safe downtown centers in the country had deteriorated into a third world, garbage-strewn and threatening urban nightmare.

Richard Moss, M.D., a surgeon practicing in Jasper, was a candidate for Congress in 2016 and 2018. He has written “A Surgeon’s Odyssey” and “Matilda’s Triumph,” available on [amazon.com](https://www.amazon.com). This article was originally published in *The American Thinker*.



I had known this mid-size metropolis since the seventies when I lived here as a medical student attending the Indiana University School of Medicine. Then, Indianapolis was referred to as India-no-place or Naptown. But Indianapolis has come a long way since then, attracting professional sports teams, stadiums, arenas and major corporations.

There are cultural and art districts, comedy clubs and trendy, upscale neighborhoods. It has an array of tech-schools and universities, gondola rides along its canal, distilleries, symphony halls, theaters, ethnic restaurants, an excellent zoo and several museums including the largest children’s museum in the world.

My children and I have enjoyed much of what this city has to offer, in particular its downtown area, known as Monument Circle. Here, the Soldiers and Sailors Monument inspires and dazzles with its glorious fountains, pools and statues honoring valiant soldiers and sailors from Indiana who fought and died in each of our nation’s wars. The Christmas lights are iconic and splendid and each year we visited the great memorial at night, lit up brilliantly, our

Rockefeller Center. It had always been a clean and safe downtown, a place I had felt comfortable visiting with my young family — until now.

This year, Monument Circle swarmed not with tourists and patrons but with a succession of homeless encampments, bedecked with tents, sleeping bags, blankets, cardboard shelters, cigarette butts, newspapers, plastic bags, bottles, cans and, of course, hundreds of vagrants sleeping or milling about.

What had been one of the cleanest, most scenic and safe downtown centers in the country had deteriorated into a third world, garbage strewn and threatening urban nightmare.

The entrances to the Hilbert Circle Theater and the nearby Indiana Repertory Theater were boarded up, closed and crammed with itinerants, trash and debris. It was demoralizing and disgusting, an urban cesspool of dystopia and vagrancy.

The next morning, we walked around a trendy and historic neighborhood, adjacent to downtown, known as Lockerbie Square. Here are individual homes, tree lined streets, coffee shops, yoga studios and delightful, antique cobblestone roads. The former home of James Whitcomb Riley, Indiana’s great poet laureate, is located there.

I did not see vagrants or garbage, but there was a plethora of BLM (Black Lives Matter) signs, with the clenched fist emblem and other expressions of solidarity for the racist, Marxist, anti-Semitic organization. Had the neighborhood gone “woke,” upscale, lefty-ish and chic as it was? Or were the signs a form of insurance, some of the homeowners hoping to avoid the wrath and destruction of marauding peaceful protesters from nearby downtown?

Post-George Floyd, the burning, looting, riots and violence that occurred in cities throughout the country, also beset Indianapolis. Then, of course, there was the pandemic, with its crushing raft of lockdowns, closures, mask and social distance mandates, devastating to small businesses everywhere.

Democrat Mayor Joe Hogsett, voiced standard liberal bromides about “inequities” and

“underlying” causes. In a recent article, he and two associates wrote:

“ . . . Many cities still use punitive measures to respond to homelessness. Using police to sweep homeless encampments or issue citations and arrests doesn’t reduce homelessness or help people find stability. Instead, it traps people in a homelessness-jail cycle . . . (*Yes, Mayor, of course.*) This pandemic has exposed failures and inequities across our society, including in how we respond to homelessness. But we know what works. Now is the time for policymakers at all levels of government to invest in housing with services that address the underlying problem, rather than using punitive responses that fail to help anyone.”

And so on.

Mayor Giuliani, where are you?

But, no, Mayor Hogsett, the answer is to hold the “homeless” (vagrants, drug addicts, bums) to the same middle-class bourgeois standards that we hold everyone else to. These include taking a shower, dressing up, not drinking or using drugs, learning a skill, finding a job, obtaining a dwelling and getting off the street.

There is also a cornucopia of welfare programs that provide assistance for those in need. Some of these include food stamps, direct financial aid, Medicaid, housing and heating subsidies and more. There are church or faith-based charities. Such public generosity should require a minimum of 20 hours community service, beginning with cleaning up the messes they have made.

Our Declaration of Independence proclaims an inalienable right to “life, liberty and the pursuit of happiness.” Nowhere does it mention a “right” to a home. That, dear liberals, is up the individual.

We stayed on Pennsylvania Avenue, a block away from Monument Circle. Next to my building was the office of Sen. Mike Braun, also from Jasper, one of our two Republican, allegedly conservative, senators. On the other side of the Circle, a mere block away, was the state capital, a majestic, classical structure. All of our representatives must have seen what I saw.

In the state of Indiana, a very red, pro-Trump state, both houses of our bicameral state assembly are overwhelmingly Republican. The governor, who recently won a second term, is also a Republican. Our two U.S. Senators are Republican and seven out of nine Congressmen are Republican. Vice President Mike Pence was an Indiana Congressman and then governor before ascending to the vice presidency.

While recognizing that state and federal representatives do not operate on the local level and that the current mayor of Indianapolis is a Democrat, is there no influence they could exert on local officials to clean up this nauseating mess in our capital city?

The filth and squalor of America’s Democrat run cities, well before the George Floyd incident and far worse after, exacerbated by the plague and our absurd and destructive overreaction to it, is well known. We have seen and heard the horror stories of New York City, LA, San Francisco, Seattle, Portland, Chicago, D.C. and elsewhere. There is rampant homelessness, public defecation, open drug abuse, skyrocketing crime, shuttering of businesses and closing of parks, schools, churches and temples. We have witnessed and experienced the destruction of the economy and the forfeiture of our civil and religious liberties and the humiliating forced wearing of Chinese facial diapers, by tyrannical left-wing mayors and governors.

But we don’t expect this to occur in deep red states.

Yet it does.

Other than Florida and South Dakota, which have both given a good account of themselves through the pandemic, Republican-run states have been as slovenly, craven and ruthless as any blue state. They have given over to the mindless anarchy and violence of BLM-Antifa mobs running our streets and the homeless bivouacs. Likewise, they have been as tyrannical as the Democrats, enforcing demeaning masks of submission mandates, lockdowns and closures, including, unfortunately, here in Indiana.

Indianapolis is the crown jewel of Indiana, particularly Monument Circle. And so it should remain.

When will our elected Republican leaders at all levels of government stand up to the degradation of our cities, the anarchy and tyranny in open display? When will they challenge a level of oppression that King George III never dreamed of imposing upon the colonies in his day?

If Republicans other than Donald Trump are unwilling to fight as Democrats do, then a new model of organization and defiance for patriots is needed, a Liberty Alliance, or some such formulation. Modeled after the Tea Party movement, it should avoid the mistakes of that

crusade. It should remain independent and prevent the Republican Party from co-opting it.

We will require a more local, county-level system of defense, aid and resistance, apart from either party, but in particular the ineffective and worthless Republicans, who have been happy to take our money and votes and do nothing.

Who will stand up for regular, scorned, tax paying, working, patriotic Americans? Who will defend the deplorables that love their country?

Hoosiers, their elected representatives and a new grassroots coalition of patriots must restore our beloved capital city, Indianapolis, even as we push back against the jackals in what must remain the freest and greatest nation in the world. ♦

The Long March Ahead for the Real Right

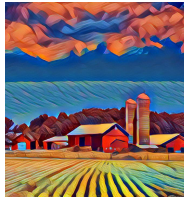
A political tract written in 1941 by James Burnham, entitled *The Managerial Revolution*, offers a better guidebook to understanding present-day America. Burnham predicted a gradual, subtle shift in power would occur just under the surface, in which, over the course of many decades, control would move from the capitalists to a new dominant class, which Burnham characterized as the managers. Rather than owning productive forces outright, these overseers of increasingly complex systems of governance and production would gain control of society through their direct management of its functions.

If you were going to make a modern-day list of occupations that comprise Burnham's managerial elite, you could hardly do better than Bloomberg News's list of professions that donated chiefly to Biden's campaign.

The real power struggle in America is between an elite class of professionals and their dependents, who mainly occupy the urban cores in Democratic "blue states," and working-class people, especially in the American heartland, who *Chronicles* columnist Sam Francis described as "Middle Americans." All other struggles are at best a distraction. The election of Donald Trump tore away once and for all the illusion that there is a legitimate "right" or "conservative" wing among our current managerial elite that cares about the interests of Middle Americans. The members of the managerial elite among the Republican Party, Fox News, the Federalist Society, and all other ostensibly conservative groups recoiled in horror at Trump's election in 2016, which upended, however briefly, the power they held jointly with their counterparts on the political left.

Hence, when Trump challenged the results of the 2020 election, alleging fraud, few of the "conservative" members of the managerial elite rose to his defense in either the political or the legal sphere. It was only after Trump's base threatened to boycott the Georgia runoff election that this faux right was spurred to action, mounting a half-hearted attempt to support the president's challenge of the 2020 election results. At press time, their support appears to be too little, too late.

— Edward Welsch in the January 2020 *Chronicles* magazine



The Fading Right of Private Property

Is the Constitutional Prohibition Against Government Takings of Property Without Just Compensation Effectively Enforced?

Harry Zanville has worn more than a few professional hats: trial and appellate lawyer, mediator and arbitrator, law professor, lecturer, expert witness, entrepreneur and journalist. And a few more as an amateur: championship long-distance sailor, luthier and community volunteer. He wrote this at the request of the Indiana Policy Review Foundation.



Forty-three men gathered under a large Indiana elm tree in June 1816 to draft a constitution for the new state.¹ With the Bill of Rights in their hands, the elected delegates debated whether to protect private property from governmental abuse by simply adopting the Takings Clause of the Fifth Amendment which provided “nor shall private property be taken for public use, without just compensation.”²

Instead, by a 33-8 vote, they approved an improved version: “no man's particular services shall be demanded, or property taken, or applied to public use, without the consent of his representatives or without a just compensation being made therefor.”³

The Founding Fathers knew these constitutional guarantees would be only as effective as the ability to vindicate them.⁴ Alexander Hamilton wrote:

“[These rights] can be preserved in practice no other way than through the medium of courts of justice, whose duty it must be to declare all acts contrary to the manifest tenor of the Constitution void. Without this, all the reservations of particular rights or privileges would amount to nothing.”⁵

James Madison, principal author of the Bill of Rights, anticipated effective judicial enforcement of these rights:

“Independent tribunals of justice will consider themselves . . . the guardians of those rights; they will be an impenetrable bulwark against every assumption of power in the legislative or executive; they will be naturally led to resist every encroachment upon rights expressly stipulated for in the constitution by the declaration of rights.”⁶

Now, after two centuries of experience, can we say with confidence the courts are still willing to protect private property rights from an expansion of governmental action that was unimaginable in 1779? In other words, did the Founding Fathers overestimate the willingness of the judiciary to actually protect these fundamental freedoms?

This article is a modest inquiry into answering these core questions.

Defining the Two Basic Categories of ‘Takings’ Cases

Direct Takings

Government has the power of eminent domain to directly take private property for public purposes. Indiana’s statutes define the formal process by which property owners are compensated for the taking of their property.⁷ An example would be taking someone’s land to build a government customs warehouse near a wharf or to build a bridge.⁸

There are also informal means by which government takes private property. The prototypical example in the 18th century might be the seizure of someone’s mule for the military or hay to feed that mule.⁹ But the scope of government intrusion into the private property rights of American citizens has radically expanded since 1776.

There are clear limits to governmental authority to take private property, the most powerful and historic example being the prohibition of it “to take the property of A and give it to B.”¹⁰

Regulatory Takings

Government plays an increasingly central role in preserving lives and property from disasters and in remedying the damages flowing from those disasters by programs distributing publicly subsidized benefits. That makes the formerly simple task of judges far more complex. No longer is the question being decided simply the value of a mule, hay, or land taken by the government. Now the questions involved include whether government actions have the effect of depriving the property owner of its value or use, even though the government did not directly take 'title' to the property.

The Supreme Court's rationale requiring compensation for private property impacted by governmental actions is based on fairness:

- The Fifth Amendment's Taking Clause is designed to protect private property from the exertion of Government power that goes 'too far.'¹¹
- The "Fifth Amendment's guarantee that private property shall not be taken for a public use without just compensation was designed to bar Government from forcing some people alone to bear public burdens which, in all fairness and justice, should be borne by the public as a whole."¹²

However, government is not required to pay compensation where the regulatory impact does not prevent a property owner from making "economically viable use of his land."¹³

Bookend Cases Illustrate Indiana's Takings Law History

1855: Roderick Beebe, an Indianapolis saloon keeper, defeats Indiana's effort to bottle him up.

The Indiana Legislature prohibited the manufacture and sale of liquor as a beverage, effective on June 12, 1855. Roderick Beebe, an Indianapolis saloon keeper, was arrested on July 2nd for brewing and selling beer. Fined \$100 by the Mayor, Beebe refused to pay and was tossed in jail. The county court upheld the validity of the liquor law and Beebe petitioned the Indiana Supreme Court for a writ of habeas corpus. His lawyers

argued the prohibition law unconstitutionally "took" his property without just compensation.

The Indiana Supreme Court agreed Indiana unlawfully prevented Beebe from enjoying his property rights to brew and sell beer (and, going further, protected the rights of Indiana citizens to enjoy drinking their beer).¹⁴ Justice Samuel Perkins' opinion for the court used the prohibition of the government taking "the property of A and giving to B" as a core illustration of John Locke's principle that "it is against natural right for the government to "dispose of the estates of subjects arbitrarily or divest vested rights at pleasure."¹⁵

2019: An Indiana court refuses to overturn the legislative immunity for damages to neighboring property owners caused by a huge new hog farm.

4/9 Livestock LLC, west of Danville was sued by its neighbors, including Richard and Janet Himsel and Robert and Susan Lannon, because noxious odors from 4/9's confined animal feeding operation of 8,000 hogs severely devalued their property and eviscerated their quality of life. The corporate hog confinement operator asserted Indiana's Right to Farm Act grants immunity from liability for the damages being caused by massive hog confinement operations.¹⁶ In response, the Himsels and Lannons argued the effect of the state immunity law effectuated a regulatory taking of their property without compensation. The state of Indiana intervened to defend the constitutionality of the law.

The Indiana Court of Appeals refused relief to the Himsels, holding that destruction of 50 percent and 60 percent of the value of their respective properties was insufficient damage, emphasizing that the noxious hog operation "is reasonably related to the promotion of the common good."¹⁷ The court found that proof of the continuing value of property was that Himsels could continue to reside in their homes, despite the ceaseless offensive odors making it impossible to live there. The Indiana Supreme Court, by a vote of 3-2, refused to hear the appeal.¹⁸ Himsels' unsuccessfully petitioned the U.S. Supreme Court for a writ of certiorari to answer if

“a state statute violate[s] the . . . Constitution when it provides complete immunity . . . for an industrial-scale hog facility newly sited next to long-standing family homes, even though the facility causes noxious waste substances to continuously invade those homes, making it impossible for the families to use and enjoy their properties where they have lived for decades?”¹⁹

Evaluating Indiana’s Judicial Protection for Property Owners

After the Supreme Court’s controversial *Kelo* decision,²⁰ the Indiana legislature reformed its laws to prevent local government from using eminent domain to take the private property of one person and give it to another private entity for the ‘public’ purpose of increasing the tax base.²¹ The foundational rock of that reform was precisely that which Justice Perkins in *Beebe* used as a prototypical example of what government cannot do: “the legislature could not take the property of A and give it to B.”²² Given the position of some leading Indiana government officials immediately after *Kelo*, it is self-evident why Indiana’s legislature felt the reform was necessary.²³

The few decisions of Indiana’s state courts demonstrate that they rarely enforce this constitutional guarantee. Property owners are not guaranteed relief and, even if they seek it, their efforts will be protracted and expensive.²⁴

Are Federal Courts More Effective Than Indiana’s in Enforcing Constitutional Protection of Private Property?

2009: Government edicts forced nearly 1,900 GM and Chrysler auto dealers to give their franchises to their competitors for free.

The liquidity crisis of 2008-09 brought General Motors and Chrysler to their knees. From those knees they begged the government for a bailout, like the bailout of Chrysler in 1979.²⁵ The Obama Administration refused. Instead, it required both to restructure in bankruptcy.

The Obama Administration required both companies to terminate about 25 percent of their dealerships throughout the nation. Many, like

Hendrickson’s in Boonville, were Indiana auto dealers whose family-owned dealerships were built by the sweat and capital of three generations. They were required by the government to give their exclusive territories to their competitors --- for free. No longer was it unthinkable that the government might require the giving of the property of A to B. Throughout America, the government took business owner’s exclusive franchises and gave them for free to their competitors. In Indiana, Hendrickson’s Chrysler/Dodge/Jeep was forcibly given to a dealer in Evansville --- for free. In Iowa, Mike Finnin’s Chrysler multi-million dollar Dubuque dealership was given to Turpin Dodge for free.

The dealers sued the government in 2009 in the Court of Federal Claims (CFC),²⁶ the court having exclusive jurisdiction over Takings cases. After nearly eleven years of expensive litigation, delays and government refusal to disclose documents,²⁷ the CFC rendered a trial verdict in favor of the government related to the Chrysler dealers.²⁸ The dealers await an appeal decision from the United States Court of Appeals for the Federal Circuit.²⁹

The Experience of Indiana’s Auto Dealers Was Not an Aberration

The most comprehensive study of judicial effectiveness in safeguarding the liberties of property owners analyzed more than 2000 federal decisions from 1979 through 2012. It concluded “takings claims based on government regulation almost invariably fail.”³⁰

That study provided empirical support for conclusions of legal scholars criticizing a lack of judicial impartiality favoring the Government:

- Courts have “ . . . lost touch with the core norm of fairness” in Takings cases.³¹
- The Federal Circuit has “slowly drifted away” from the view that “nothing could be more important than ensuring that the citizens of this country believe that their federal government treats them fairly.”³²
- In some cases, “the court chose to cast itself as a gatekeeper and protector of the public fisc rather than the last station at which some

minimal amount of fairness for those who do business with the government will be maintained.”³³

- “[T]he Federal Circuit has made protection of the public fisc its priority. Plainly, . . . it is no longer considered a priority or ‘special responsibility’ of the court to make government officials accountable to the citizens whose servants they are or for the Government to render prompt justice against itself.” “As a general rule, the government, as defendant and litigant, enjoys . . . deference [in the Federal Circuit]”³⁴

- “Another week, another Federal Circuit panel opinion on takings authored by Judge Timothy Dyk. And you know what that means: property owners lose”³⁵

It is not just legal scholars who are complaining. Dissenting judicial opinions object that the legal “tool of unfairness” is being used to deny owner property and contract rights that “exacerbates the unfairness of the [Government] practice and permits a “travesty of fair dealing.”³⁶ Lawyers representing property owners are beginning to show great courage to openly complain about this court’s apparent lack of impartiality in their filings, despite the running the risk of subsequent displeasure of those judges.³⁷

A fresh study was conducted of Federal Circuit cases from 2001 to 2020 to update earlier studies.³⁸ Its core findings include:

- The CFC granted government motions to dismiss and summary judgment resulting in dismissal of 89 percent of Takings claims during the past five years.
- Although the CFC rendered seventeen verdicts in favor of property owners from 2001-2020, the Federal Circuit affirmed only one of them (not a regulatory Takings claim).
- The Federal Circuit found only one case of the 82 Takings appeals claims it heard between 2001-2020 sufficient to justify monetary relief.
- Federal Circuit judges are not randomly assigned to Takings cases.³⁹ “Strictly random assignment is a myth.”⁴⁰ One particular Federal Circuit judge was assigned to decide a

disproportionate number of Takings cases decided from 2001-2020, authored a disproportionate number of opinions for the court and voted to reverse every CFC decision for property owners in cases to which he was assigned.⁴¹

Those facts support the conclusions that:

- The Federal Circuit rarely enforces the Fifth Amendment’s Takings Clause requirement of just compensation.
- The Federal Circuit favors the government in Takings cases by reversing nearly every CFC trial verdict rendered in favor of property owners.
- The Federal Circuit appears to consider protection of the public fisc more important than protection of the Fifth Amendment rights of property owners.
- Despite the rarity of deciding Takings cases, the Supreme Court acted more often to protect property owners than did the Federal Circuit.⁴²

Possible factors explaining why private property owners rarely succeed in federal court are difficult to identify precisely but may include:

- The nontransparent practice of assigning judges to Takings cases⁴³ contrary to Congressional intent when establishing the Federal Circuit.⁴⁴
- The assignment of one particular judge to a disproportionate share of Federal Circuit Takings cases.
- The necessary consequence of the practice of distributing draft opinions among all Federal Circuit judges is that an ‘expert’ judge could shape the law of a specialty field, even when not appointed to the panel and in a manner completely opaque to the litigants and the public.⁴⁵ Congress wanted to avoid this undesirable result when creating the Federal Circuit. This is jurisprudentially dangerous given the increasing improbability of Supreme Court review.⁴⁶
- 19 of the 21 of the Article I CFC’s judges have a pedigree of having worked for the DOJ or the government.⁴⁷ Their background is similar to judges of the Federal Circuit.⁴⁸ Whether these

judges are less willing to render verdicts contrary to the DOJ's arguments has not been studied.⁴⁹

- The substantive law governing when a compensable regulatory taking has occurred is a muddled mess. It is self-evident that determining whether these courts are treating property owners fairly becomes very difficult because there is no clear substantive standard for identifying regulatory takings. As one study framed it: "if owners never prevail under the Penn Central test,⁵⁰ there is a serious possibility that the process is so unfair that it is, in effect, a sham. In other words, no matter how carefully we construct a model of procedural fairness, "we cannot simply assume that the model works as intended; we must critique its performance in terms of its results."⁵¹

The just compensation rights of private property owners are rarely enforced in Indiana's state and

federal courts. But is there light at the end of the federal judicial tunnel? Chief Justice Rehnquist, beginning the Supreme Court's refocus on the importance of the Fifth Amendment's Taking Clause, wrote "We see no reason why the Takings Clause of the Fifth Amendment, as much a part of the Bill of Rights as the First Amendment or Fourth Amendment, should be relegated to the status of a poor relation."⁵² That conservative constitutional approach recently was continued by Chief Justice Roberts whose 5-4 majority opinion stated "Fidelity to the Takings Clause . . . requires . . . restoring takings claims to the full-fledged constitutional status the Framers envisioned when they included the Clause among the other protections in the Bill of Rights."

Whether Indiana's Supreme Court follows this trend remains doubtful, given its refusal to consider the appeal in *Himsel*. ♦

Endnotes

1 That historic tree, still standing in Corydon, is known as the Constitution Elm.

2 U.S. Constitution, Fifth Amendment (1779).

3 Article 1, Sec. 7, 1816 Constitution. Indiana's constitution now provides "No man's particular services shall be demanded, without just compensation: No man's property shall be taken by law, without just compensation; nor, except in case of the State, without such compensation first assessed and tendered." Article 1, Section 21. 1851 Constitution.

4 Versed in Scripture, the Founding Father's would have recalled Samuel's prophetic warning of the abuse of powers by a king who "will take your fields and your vineyards and your olive groves, even the best of them." 1 Samuel 8:14. Schooled in English law, they knew crown officials were required to pay money immediately when seizing property. Magna Carta, § 19 (1215). Steeped in political philosophy, they accepted as true the classical arguments of Hugo Grotius' *De jure belli ac pacis* (1625) and John Locke's *An Essay Concerning Civil Government* (1689) concluding property owners needed protection from government actions. See, Shelley Saxer, *Paying for Disasters*, 68 U. Kan. L. Rev. 413, 418 (2020)

5 Alexander Hamilton, Federalist No. 78 (May 17, 1788).

6 12 James Madison, *The Papers of James Madison* 206-07 (R. Rutland et al. eds., University Press of Virginia 1979).

7 Ind. Code Title 32 Property, 32-24-1-3

8 See: *Monongahela Navigation Co. v. United States*, 148 U.S. 312 (1893).

9 The property protected by the Fifth Amendment includes tangible and intangible property, whose wide variety includes contract rights, trade secrets, patents, easements and financial instruments. It includes permanent and temporary taking of property rights. *Ruckelshaus v. Monsanto Co.*, 467 U.S. 986 (1984)

10 From nationhood to statehood, American courts universally condemned the concept that government can use its power take the property of one person and give it to another. *Calder v Bull*, 3 U.S. 386 (1798).

11 *Pennsylvania Coal Co. v. Mahon*, 260 U.S. 393, 415 (1922).

12 *Armstrong v. United States*, 346 U.S. 40 (1960).

13 *Agin v. City of Tiburon*, 447 U.S. 255 (1980).

14 The news of Beebe was notoriously infective: "It was two o'clock when the decision was made, yet before four the news had reached every town on any telegraph line in the state. Then followed the jubilee. The night after would be better not described. It has been said that there were more drunks in Indiana five hours after the decision than there had been during the entire five months of the existence of the prohibition law; murders were committed; outrages perpetrated; and depredations of all kinds abounded." Charles Camp, *Temperance Movements and Legislation in Indiana*, 16 *Ind. Magazine of History* 3, 26 (March 1920).

15 *Beebe v. State*, 6 Ind. 501 (1855).

16 Ind. Code Title 32. Property § 32-30-6-9.

17 *Himsel v. Himsel*, 122 N.E.3d 935, 946, 947-48 (Ind. Ct. App. 2019). That court reached the same conclusion in *Lindsey v DeGroot*, 898 N.E.2d 1251 (Ind. Ct. App. 2009) as did appellate courts in Idaho, Texas, Oregon and California. Only Iowa's Supreme Court held in favor of the damaged property owner. *Bormann v. Bd. Of Supervisors for Kossuth County*, 584 N.W.2d 308 (Iowa 1998).

18 *Himsel v. 4/9 Livestock, LLC*, 2020 Ind. LEXIS 111 (Ind. S. Ct. 2020).

19 <http://animal.law.harvard.edu/wp-content/uploads/CAFOPETITION.pdf>

20 *Kelo v. City of New London*, 545 U.S. 469 (2005).

21 "Procedures for Transferring Ownership or Control of Real Property between Private Persons," Ind. Code 32-24-4.5-1(a)(1) and 32-24-4.5-7(1)(A)-(H) (2006).

22 Beebe, *supra*; Calder, *supra*; "If the legislature should take the property of A and give it to B, or if they should vacate a grant of property, or of a franchise, under the pretext of some public use or service, such cases would be gross abuses of their discretion and fraudulent attacks upon private right and the law would clearly be unconstitutional and void." *United States ex rel. Riley v. Baltimore & O. R. Co.*, 27 App. D.C. 105, 113 (D.C. Cir. 1906)

23 The Mayor of Indianapolis testified before a U.S. Senate Committee hearing addressing the Kelo decision controversy. Mayor Peterson favored permitting local government to exercise these pilloried powers. Hearing Before the Subcommittee on the Constitution of the Committee on the Judiciary, House of Representatives, 109th Congress, 1st Session, September 22, 2005, No. 109-60, U.S. Government Printing Office 23-573.

24 “For over a decade, these reforms have worked as intended by protecting the citizens of Indiana from Kelo-style eminent domain abuse. But, like all laws, they were not airtight. The city of Charlestown and its chosen developer believe they have found a way around what the legislature did and they have already acquired over 150 homes in Pleasant Ridge in their effort to demolish the existing neighborhood.” Matt Miller, *Worse than Kelo: An Indiana Neighborhood is Fighting for its Life*, Goldwater Institute (2018). See, *City of Charlestown v. Charlestown Pleasant Ridge Neighborhood Ass'n Corp.*, 111 N.E.3d 199 (Ind.Ct.App. 2018).

25 James Bickley, *Chrysler Corporation Loan Guarantee Act of 1979: Background, Provisions and Cost*, Congressional Research Service (2008).

26 The U.S. Court of Claims was created in 1855 to hear these claims but only had power to make recommendations. Congress adopted President Abraham Lincoln’s pleas to empower that court to make enforceable decisions in 1866. In 1887, Congress enacted The Tucker Act enabling the claims court to hear most money claims against the government (excluded tort, equity, or admiralty). The Federal Courts Improvement Act of 1982 created the modern Court of Federal Claims.

27 Whether the scales of justice are tilted by the fact that the government has a printing press for money and is represented by the world’s largest law firm, the 10,000 lawyers of the DOJ, is beyond the scope of this article.

28 *Colonial Chevrolet Co. v. United States*, 145 Fed. Cl. 243 (2019)

29 The author of this article represents many of the former auto dealers in that case.

30 James Krier and Stewart Sterk, *An Empirical Study of Implicit Takings*, 58 Wm. & Mary L. Rev. 35 (2016).

31 A. Dan Tarlock, *Litigating Takings Challenges to Land Use and Environmental Regulations*, 36 Vt. L. Rev. 731 (2011).

32 Ralph Nash, Jr., *The Federal Circuit: The National Appellate Court Celebration and Introspective Symposium: The Government Contract Decisions of the Federal Circuit*, 78 Geo. Wash. L. Rev. 586, 587 (April 2010).

33 Steven Schooner, *A Random Walk: The Federal Circuit's 2010 Government Contract Decisions*, American University L. Rev. 1067, 1112 (2011).

34 W. Stanfield Johnson, *The Federal Circuit's Great Dissenter and Her “National Policy of Fairness to Contractors”*, 40 Pub. Cont. L.J. 275, 346 (2011).

35 Robert Thomas, *Judge Dyk Strikes Again: No Love for Taking of Leasehold Of Love Field*, *Inversecondemnation.com* (May 8, 2018).

36 *England v. Contel Advanced Sys.*, 384 F.3d 1372, 1383 (Fed. Cir. 2004) (Newman dissent); *Pacrim Pizza Co. v. Pirie*, 304 F.3d 1291, 1299 (Fed. Cir. 2002) (Newman dissent).

37 *Health Republic Insurance Company v. United States*, CFC Case 1:16-cv-00259-MMS Doc. 84 (07/30/20).

38 The new study excluded categories of Takings cases such as pro se, criminal and forfeitures, tribal related, employment and F.R.App.P. 35 decisions.

39 Using the Supreme Court's approved method of binomial distribution analysis, *Castaneda v. Partida*, 430 U.S. 482, 496, fn. 17 (1977), the data demonstrates that the hypothesis that a particular Federal Circuit judge was randomly assigned to panels involving Takings cases was false. Statistical significance is demonstrated at confidence level of 95%. Reference Manual on Scientific Evidence, 3d Ed., Federal Judicial Center, p. 320 (2011). The lack of randomness does not appear to result from chance: "it is possible to calculate the probability that the evidence of non-randomness . . . can be attributed to chance - and that probability is incredibly low." Marin Levy and Adam Chilton, Challenging the Randomness of Panel Assignment in the Federal Courts of Appeals, 101 Cornell L. Rev. 1, 46 (2015); Thomas Froats, Unrepresentative Randomization: An Empirical Study of Judging Panels of USPTO Appeals to the CAFC, 19 Tex. Intell. Prop. L.J. 79, 110 (Summer 2010). These doubts are strikingly similar to conclusions of research studies in other Federal Circuit categories. Jonathan Nash, Expertise and Opinion Assignment on the Courts of Appeals: A Preliminary Investigation, 66 Fla. L. Rev. 1599, 1627 (2014); Todd Peppers, Katherine Vigilante and Christopher Zorn, Random Chance or Loaded Dice: The Politics of Judicial Designation, 10 U.N.H. L. Rev. 69 (2012); Paul Collins and Wendy Martinek, The Small Group Context: Designated District Court Judges in the U.S. Courts of Appeals, 8 J. Empirical Legal Stud. 177 (February 2011); Matthew Hall, Experimental Justice: Random Judicial Assignment and the Partisan Process of Supreme Court Review, 37 Am. Pol. Res. 195, 202-03 (2009); and Margaret Sachs, Judge Friendly and the Law of Securities Regulation: The Creation of a Judicial Reputation, 50 SMU L. Rev. 777, 809-10 (1997).

40 Marin Levy, Panel Assignment in the Federal Courts of Appeals, 103 Cornell L. Rev. 65, (2017).

41 The hypothesis that a particular judge was randomly assigned to decide Takings cases is false at a confidence level of 99.99%. The odds of these assignments occurring by chance is about 1 in 7,000,000. The statistical risk being hit by lightning twice in a lifetime is far smaller. That judge authored 10 of the 14 opinions in Takings cases from 2010-2020, confirming with 99.99% confidence the inferential hypothesis that his peers ceded dominance over this subject matter. He also voted to reverse 100% of the trial verdicts rendered for citizens against the government.

42 *Ark. Game & Fish Comm'n v. United States*, 568 U.S. 23 (2012); *Horne v. Dep't of Agric.*, 576 U.S. 351 (2015).

43 The Federal Circuit declined to answer written questions concerning the details of these assignment practices.

44 Congress appointed the Hruska Commission to make recommendations concerning creation of a new court of appeals to hear specialized cases. They informed the core of The Federal Courts Improvement Act of 1982 which included the requirement, unique among federal appellate courts, that judges be appointed “to ensure that all of the judges sit on a representative cross section of the cases heard.” 28 U.S.C. § 46(b); Elizabeth Winston, *Differentiating the Federal Circuit*, 76 Mo. L. Rev. 813, 824–27 (2011). This requirement of random assignments was important: Congress was acutely aware that the power to allocate judicial assignments “ . . . may well evolve into the power to direct not only the ultimate result on the merits of a given case but also the law of the circuit. With judicial philosophies known and with the law of the circuit determined by a majority of the judges, the power to assign can be the power to decide.” Commission on Revision of the Federal Court Appellate System, *Structure and Internal Procedures: Recommendations for Change*, p. 60 (1975). Congress worried that “judges in a specialized court, given their continued exposure to and great expertise in a single field of law, might impose their own views of policy even where the scope of review under the applicable law is supposed to be more limited.” *Id.* at 28. The Federal Circuit now assures the public its computers randomly generate judicial assignments in representative cross-section of fields of law. Fed. Cir. R. 47.2(b); Internal Operating Procedure #3. The combination of statutory, rule and policy declarations leaves a public impression that judges are selected to decide cases based on the fair principle of random assignment. Levy, *supra* at 67–68.

45 “All precedential opinions of the Federal Circuit receive the scrutiny of all judges of the court before issuance.” Winston, *supra*, at 826, fn. 76. Prepublication review of opinions seems routine in the Federal Circuit, *Structural and Other Alternatives for the Federal Courts of Appeals*, Federal Judicial Center 1993, p. 97, fn. 187. “Every judge is exposed to every precedential case before an opinion is issued”, *Id.* at 78 and “reads every opinion and often comments on everything from the holding to the wording of the decision”. *Id.* at 79.

46 The Supreme Court declines hearing more than 90% of requested appeals, a percentage increasing annually. Ryan Owens and David Simon, *Explaining the Supreme Court's Shrinking Docket*, 53 Wm. & Mary L. Rev. 1219 (2012); Michael Heise, Martin Wells & Dawn Chutkow, *The Supreme Court's Shrinking Docket*, 1227 (2012); Symposium: *Does Docket Size Matter? Revisiting Empirical Accounts of The Supreme Court's Incredibly Shrinking Docket*, 95 Notre Dame L. Rev. 1565 (March 2020). “It granted review in only two of 34 Takings cases in the past 20 years, refusing certiorari of the last 18 in a row.” One of the Supreme Court’s two principal reasons for hearing appeal is to resolve a split among the circuit courts of appeal, a situation that cannot exist since only the Federal Circuit hears Takings cases.

47 It is composed of ten regular judges, seven of whom worked for the U.S. Department of Justice (DOJ) or other sections of the government prior to being named as judges. All 11 of the judges in senior status worked for DOJ or the government prior to their appointments. CFC judges are Article I appointments under of the Constitution, unlike the lifetime Article III federal judicial confirmed upon advice and consent of the U.S. Senate. Lacking protection of lifetime appointments, CFC judges can be removed by the Federal Circuit.

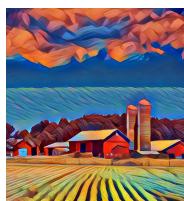
48 It is composed of 16 judges, 14 of whom worked for the U.S. Department of Justice, the federal government, or represented large corporate interests prior to being named as judges.

49 The Federal Circuit understands it is important for “. . . the public to have confidence in the administration of justice.” *Uniloc 2017 LLC v. Apple, Inc.*, 2020 U.S. App. LEXIS 21260, *11 (Fed. Cir. 2020). “The rule of law depends on public confidence in the integrity and independence of those administering the law.” *Griffin v. Dep't of the Navy*, 795 Fed. Appx. 834, 839-40 (Fed. Cir. 2019). “[Courts] . . . must continuously bear in mind that to perform its high function in the best way justice must satisfy the appearance of justice.” *Liljeberg v. Health Servs. Acquisition Corp.*, 486 U.S. 847, 864 (1988). The process of assigning appellate judges to hear cases is an integral part of the appearance of judicial impartiality. Federal appellate courts “take great pains to avoid any inference that assignments are being made for an improper purpose.” *Cruz v. Abbate*, 812 F.2d 571 (9th Cir. 1987); *Neder v. United States*, 527 U.S. 1, 8 (1999). *Vasquez v. Hillery*, 474 U.S. 254, 263 (1986); *Waller v. Georgia*, 467 U.S. 39, 49, n. 9 (1984); *Yovino v. Rizo*, 139 S. Ct. 706 (2019); *United States v. American Foreign S. S. Corp.*, 363 U. S. 685 (1960) (counting vote of dead judge grounds for automatic reversal)..

50 *Penn Cent. Transp. Co. v. New York City*, 438 U.S. 104 (1978).

51 F. Patrick Hubbard, Shawn Deery, Sally Peace and John Fougerousse, *Do Owners Have a Fair Chance of Prevailing Under the Ad Hoc Regulatory Takings Test of Penn Central Transportation Company?*, 14 *Duke Envtl. L. & Pol'y F.* 121 (2003-04).

52 *Dolan v. City of Tigard*, 512 U.S. 374, 392 (1994).



A Victory for Pleasant Ridge

*After a years-long battle,
Charlestown agrees to never use its
property maintenance code as a tool
to force people out of their homes*

J. Justin Wilson writes for the
Institute of Justice. This is
reprinted with permission from a
Dec. 20, 2020, essay.



“**F**our years ago, when things seemed darkest for the homeowners, Ellen Keith vowed that when the fight was over, she and her husband David would still be in their home and she was right,” said Institute for Justice Senior Attorney Anthony Sanders. “With this settlement and order, the city has agreed to never again use its power to levy fines to force residents out of their homes.”

The saga in Charlestown, Indiana, started in 2014 when then-Mayor Bob Hall decided that the working-class neighborhood of Pleasant Ridge had to go. That initial plan was thwarted when the city council refused to go along. After a November 2015 election, which Bob Hall won along with a slate of pro-redevelopment council members, the plan to eradicate Pleasant Ridge commenced.

Under his direction, the Charlestown Redevelopment Commission came up with a scheme to replace the affordable houses of Pleasant Ridge with a planned “village-style” neighborhood, consisting of upscale housing and retail.

The plans intended to replace all of the WWII-era Pleasant Ridge homes — whether owner-occupied or rentals — with new homes that the current residents couldn’t hope to afford. Working behind the scenes with a private developer, the city weaponized its property code and targeted owners for immediate, daily fines for rental properties.

The city initially focused on landlords and their rental units, including fines for minor or trivial property code violations — like a torn screen, chipped paint or a downed tree limb. The citations stated that the owner owed \$50 per violation, per day and multiple citations were issued per property, which meant that a single home accumulated hundreds of dollars in fines per day.

Within weeks, Pleasant Ridge property owners had racked up millions of dollars in fines. Then the city made an offer that many property owners, faced with crippling fines, could not afford to refuse. If the owners agreed to sell their homes to the private developer for \$10,000, the city would waive the fines.

The plan was as diabolical as it was unconstitutional. And it wasn’t limited to landlords. Various city planning documents, internal correspondence, text messages and a city council resolution made clear that homeowners were targeted as well.

There were also internal discussions about using eminent domain to force homeowners out. The city and its developer envisioned an entirely new neighborhood with new and wealthier residents.

Pleasant Ridge residents partnered with the Institute for Justice and sued in January 2017. In December 2018, after a hearing in which former Mayor Hall testified that he would not promise to let homeowners keep their homes, Judge Mount issued a preliminary injunction against the city.

The city appealed and lost. Those victories for the homeowners prevented the city from issuing any new fines, but didn’t completely derail the mayor’s plan. By then, hundreds of homes had been sold to the developer and, after months of sitting vacant, they were eventually razed.

Finally, in 2019 the mayor lost reelection to Treva Hodges, who had campaigned on saving Pleasant Ridge and settlement discussions began.

“No one should have to go through what we’ve gone through,” said Pleasant Ridge resident Tina Barnes, who was a plaintiff in the case. “What the city did to our neighborhood wasn’t just immoral, it was unconstitutional. Thankfully, with the help of IJ, we were able to stop the city’s illegal land grab.” ♦

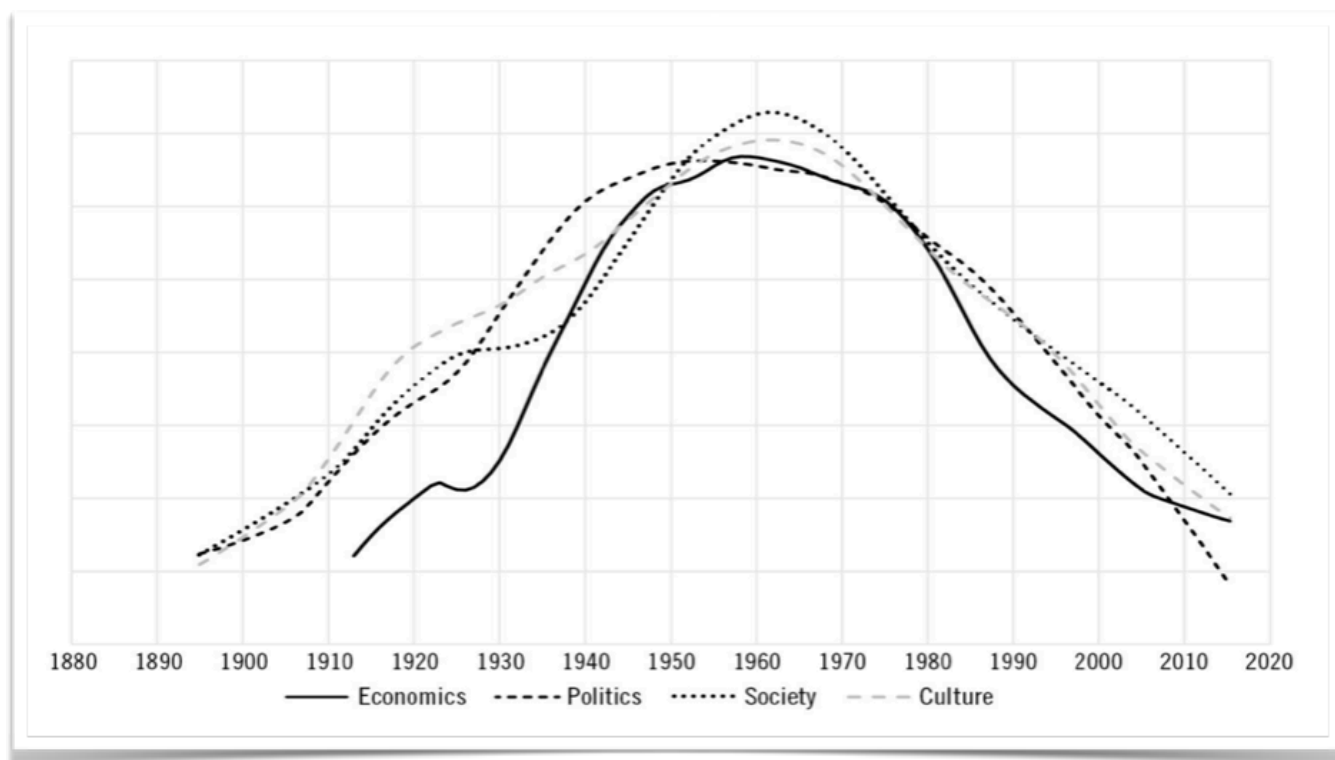


Figure 1. Economic, Political, Social and Cultural Trends, 1895-2015 (Source: Figure 8.1 on page 284 in “*The Upswing*.”)

Maryann O. Keating

*There Are Missing Explanations
in Robert Putnam’s Latest*

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.



The Upswing

The significant contributions of American Political Scientist Robert Putnam, author of “Bowling Alone” and “Our Kids” are widely recognized. His new book, “The Upswing” co-authored with Shaylyn Romney Garrett, similarly consists of careful analysis of societal trends but is somewhat troubling given the authors’ conclusions and prescriptions. Many share the authors’ concerns

with the decline in American income equality and overall social wellbeing along with increased political polarization. The difficulty lies in how the findings presented are emphasized and interpreted by the authors.

The central theme of “The Upswing” is that American solidarity experienced a steady ascent from the late 19th to the mid-20th century. Since then, however, America has become more unequal, more contentious, less connected and less committed to shared values. Figure 1 represents four inverted U-shaped graphs, referred to throughout the book, to indicate first an increase and then a decrease in positive measures of solidarity from 1890 through the mid-20th century and into the first decades of the 21st century.

Each of the four inverted u-curves in Figure 1 are composites of indicators used by the authors to demonstrate what they have chosen to represent increases and declines in solidarity over the period studied. The solid curve, representing

economics, measures gains and losses in income and wealth equality, income-tax progressivity, union membership, etc. The dashed curve represents political bipartisanship/ polarization by measures including cross-ticket voting and trust in government. The dotted society curve reflects a combination of club and church membership, attendance at meetings, family formation and generational differences in social trust.

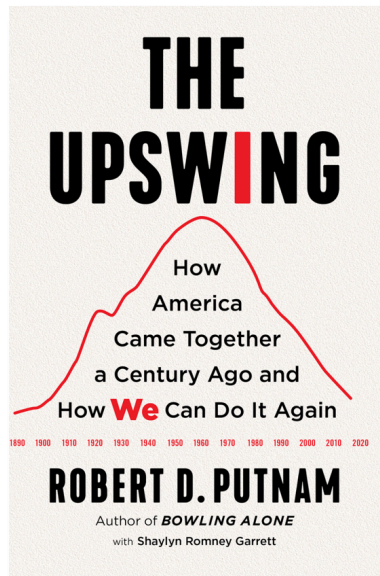
The authors define culture as fundamental beliefs, values and norms characterizing society. The light dashed curve representing cultural change is based on Ngrams, the relative frequency of words or groups of words located in all books published in America from roughly 1880 to 2008. It is based on the frequency of words such as agreement, unity and compromise (169).

The book's central thesis is that economic, political, societal and cultural changes in America, as represented in Figure 1, may be combined into a single inverted u-shaped pattern that they referred to as an "I-we-I curve" (286).

The authors are very careful to note that this book is primarily about trends and narratives, not causality. However, they do entertain the question, "Which of these are "leading" or "lagging" indicators?" They conclude that there are virtually no leading indicators, but they detect a modest tendency for economic inequality to lag. Cultural change might have led the way, contrary to the common belief that culture is mere "froth on the waves of socioeconomic change" (286-287).

Private Initiatives as Primary Mover of the Upswing

A review of "The Upswing" cannot capture its comprehensive wide-angled socio-cultural-literary-political history of 20th century America. The book's major contribution is to document



gains in education, income, racial and gender equality that happened well before 1970; therefore, the rights revolutions of the late 1960s and early 1970s was not a bolt from the blue, but rather as the culmination of more than four decades of progress. The authors stress that these gains were primarily a result of private initiatives.

Reformers included immigrants and elites, women and men, blacks and whites, housewives and career politicians, unionists and capitalists, college graduates and

factory workers, top-down bureaucrats and bottom-up activists, Republicans and Democrats and nearly everyone in between (317). The book should inspire numerous studies describing effective institutions created and managed by women and minorities in the first half of the 20th century...and why they cease to flourish or even exist in the second half of the century.

As in Putnam's previous work, "The Upswing" identifies important trends or, if you prefer, hypotheses concerning American life in general. The first is the observation that recent policy impetus is driven more by elites and tends to be top-down. Top-down causality is consistent with the fact that mass polarization of opinion has tended to lag elite polarization by a decade or two (100). Another contribution is to indicate that income inequality is if anything, the lagging variable (meaning that rising inequality has shown up later than rising polarization); therefore income inequality is unlikely to be the primary driver of the downswing (99).

The secret ballot; the direct primary system; the popular election of senators; the initiative, referendum and recall; women's suffrage; new forms of municipal administration; the federal income tax; the Federal Reserve System; protective labor laws; the minimum wage; antitrust statutes; protected public lands and resources; food and drug regulation; sanitation

infrastructure; public utilities; a vast proliferation of civic and voluntary societies; new advocacy organizations such as labor unions, the ACLU and the NAACP; the widespread provision of free public high schools; and even the spread of public parks, libraries and playgrounds owe their origins to the efforts of a diverse array of Progressive reformers and were present or came into existence the first half of the 20th century (318).

Increases in economic equality, political comity, civic engagement, family formation, philanthropy and cultural solidarity began decades before World War II and continued for decades afterward. Therefore, mobilization for war cannot be the primary cause of the inverted U-curve (294). Similarly, the authors suggest that postwar affluence did not advance generosity but undermined collective institutions, eroded moral norms and ushered in an age that worshipped the self over and against society (295).

Putnam and Garrett state that victories by the Left (the Great Society and the Civil Rights revolution) triggered a conservative backlash, that has dominated American politics ever since. They indicate that it is impossible to talk about the primary reason for the decline of the Progressive era, but like “anything else in American history”, race and gender must be considered (296). A consistent theme in “The Upswing” is that post 1970 declines in overall wellbeing, as defined by the authors, resulted from America “taking the foot off the accelerator” on measures that would have further advanced the Progressive agenda.

Rise and Decline of the Progressive Movement

The Progressive legacy is central to Putnam and Garrett; they see it as raising and addressing critical issues even to the point of bending reality to conform to its aspirations. In hard measures of economic equality, political comity, social cohesion and cultural altruism, they suggest that progressive reformers set in motion genuine upward measures compounded during the first sixty-five years of the twentieth century (338). The nonpartisan mantle of “Progressives” ultimately put in place a stunningly diverse and

sweeping set of reforms and innovations — many of which form the basis of American society still experienced today (317).

The Gilded Age (i.e., ending around the 1890s), in contrast to the Progressive Era, was a period of intense political polarization. The opening of the new century and the rise of the Progressive movement mark a turning point. Collaboration across party lines became steadily more common, slowing only briefly in the Roaring Twenties before reaching a new higher plateau of cooperativeness in the New Deal and World War II. Progressive Era reformers were responsible for innovations such as public high schools, labor unions, the federal tax structure, antitrust legislation, financial regulation and more.

Two negatives instituted or tolerated during the Progressive Era are pointed out for criticism, Prohibition and Jim Crow respectively (337).

Major reforms in the Progressive Era, enacted during both Republican and Democratic administrations, were supported (and opposed) from both sides of the aisle. These initiatives included the Interstate Commerce Commission, the Pure Food and Drug Act, the federal income tax, the direct election of senators, the tariff cuts of 1913, the Federal Reserve, the Clayton Antitrust Act, child labor regulation, Prohibition and women’s suffrage. During this era, the administration in power received, on average, the support of 78 percent of the House and Senate members of its own party, as well as 40 percent of the votes of the opposing party (74).

The proximate cause of the Great Divergence was, according to the authors, a reversal of such social and policy innovations. Economists Paul Krugman, Thomas Piketty and others agree with them that it is impossible to explain the dramatic swing in economic equality without taking norms about fairness and decency into account (65). As such, the growth of education “paused” around 1965; unions had begun their long decline by 1958; in the mid-1960s tax cuts began to make the tax structure more regressive; after 1970, deregulation, especially of financial institutions, overturned reforms begun in the Progressive Era.

President Johnson's move to the left on issues of race and inequality opened an ideological divide that would widen steadily for the next half-century. The authors note that all major bills of Johnson's Great Society initiatives (the War on Poverty, Civil Rights, Voting Rights, Medicare/Medicaid, federal aid to education and immigration reform) are at the core of intense party polarization in our times, a half-century later. Yet, these major bills were supported by majorities or substantial minorities within both parties (82). However, by the 1970s, partisanship became more intense and bipartisan collaboration rare. Steadily accelerating partisanship has produced the deeply polarized world in which we live today.

The authors indicate that renewed party polarization of the last half-century began with race but polarization soon came to be about much more than race (86). After Reagan, Republican leaders became steadily more skeptical about environmentalism and capped this with an uncompromising denial of climate science in the early 21st century (85). Political party affiliation, they suggest, drives American religious convictions, including those on abortion (85).

Most interpretations of the 1960s are framed in terms of political struggle but the more durable and pervasive change, according to the authors, was from communitarianism to individualism, empirically distinct from the left-right spectrum. The Old Right the authors' suggest gave way to the New Right and the Old Left gave way to the New Left. Both the New Right and the New Left were perceived as fresh and attractive, whereas communitarian ideals seemed to be repressive and stale (190). "The Upswing" reviews 1950s literature in describing the cultural rebellion against insistence on convention, consumerism and conformity (181).

Owning the Downswing

The Sixties is one of the most debated epochs in American history, but virtually all scholars agree that America changed dramatically in a short time (298).

There is no reason to question the data used to construct the inverted U-curves presented in "The Upswing." However, it is necessary to own up to the consequences of policies pursued during the downswing. What went wrong? The authors do not express any particular anthropological view of the human person or define the common good. Therefore, their analysis should be evaluated in terms of their fierce commitment to democratic practices and egalitarian socioeconomic outcomes (167).

Putnam and Garrett agree that a primary cause of the early 20th-century upswing was the interplay between technological advances and educational innovations (especially public high schools). However, they express no regret in "The Upswing" for how American K-12 education failed to maintain this effort in terms of the social wellbeing of the less affluent and global academic standards. Surprisingly, this failure is poignantly demonstrated in Putnam's previous book, "Our Kids." Could it be that scale and prohibitive costs preclude quality in providing universal education from pre-school through graduate school?

Putnam's "Bowling Alone" was one of the first books to call attention to declining participation in clubs, local civic organizations, religion and political activities in the second half of the 20th century. Through careful analysis, Putnam determined that cohorts after those born earlier were less likely to participate in a voluntary organization.

This particular book deviates somewhat from Putnam's previous work on the importance of social capital, understood as the capacity individuals develop through participation in churches, civic groups, fraternal associations and other organizations. Clubs, as compared to advocacy organizations, create social capital and are the schools of democratic practices. In "The Upswing," the authors do not so much lament declining participation but rather the fact that rates of participation are relatively higher for those on "the extremes" of the ideological spectrum (95).

In writing “Bowling Alone” twenty years ago, Putnam hypothesized about the effect of television on club participation. Surprisingly, “The Upstart” notes that the impact of TV on the decline of social capital now seems less significant than changing attitudes (292). Nevertheless, developments such as social media, contraceptives and assisted fertility technology undoubtedly are significant events impacting the Great Disruption.

Admittedly, this book is about trends and narratives, not certifiable causes. However, the authors do offer certain explanations. They emphasize that the long arc of increasing solidarity in early 20th century America was followed by increased individualism (291). They note that family formation, over the 125 years studied in “The Upswing,” followed exactly the same rhythms as civic and religious engagement. This lends support to their basic hypothesis concerning a change from individualism (I) to community (We) and back again to individualism (I) (149). However, the authors make a point of saying that they do not dismiss newer types of family as illegitimate and justify devoting less attention to same-sex, cohabiting and “fragile” families due to scarcity of reliable evidence (147).

The book notes that throughout American history there have been periodic waves of intense religiosity, called “Great Awakenings,” and involvement in a faith community is a strong predictor of social connection (127). The authors suggest that the rise of the so-called “Nones” after 1990 is related to young Americans viewing religion as judgmental, homophobic, hypocritical and partisan (139). It is not made clear if the authors share this position or whether or not a future upswing in religious participation is simply not required to restore generalized reciprocity.

“The Upswing” focuses on social trust, rather than social capital and religion, as the mechanism of action needed for renewal (158). As older, more trusting cohorts have gradually been replaced by newer, less trusting cohorts, the average level of trust in the country has declined (160). It cites studies that employ a global standard for

measuring trust and reports that in the early 1960s nearly two-thirds of Americans trusted other people, but two decades into the twenty-first-century two-thirds of Americans did not (159).

This critique of hyper-individualism follows Francis Fukuyama who in “The Great Disruption” (1999) emphasized that both Left and Right have taken the position of freeing people from constraints as their central goal. For the Left, constraints are on lifestyles; for the Right, constraints, financial (188). The intention of the authors in writing the book appears to be to expand the range of acceptable political policies and make government intervention more plausible; they do this without clarifying their position of social liberalism.

Trust in the effectiveness of government by the average citizen is reported in the book to have plummeted from about 70 percent to about 30 percent (103). This lack of trust may be legitimate. However, there is a virtual absence in “The Upswing” of a realistic assessment of government programs that have failed in alleviating intergenerational poverty. For those willing to consider the authors’ criticism of global trade agreement gone awry as well as the duplicitousness of the affluent between rhetoric and personal decisions, this omission is surprising.

The full title of the book is “The Upstart: How America Came Together a Century Ago and How We Can Do It Again.” It offers much needed hope for a vision, held across the partisan divide, one that recognizes and values networks of sustainable social interaction. ♦

Recent Columns

Coming Together on Government Debt

(Feb. 26) — Personal advice like, “Don’t buy a house costing more than three times your annual salary” or “Mortgage payments should be no larger than a quarter of your take home monthly income,” are useful. In these contentious times, wouldn’t it be great if Americans, regardless of

political persuasion, could adopt a rule of thumb regarding Federal budget deficits?

The federal government in 2020 spent about \$26.3 out of every \$100 produced. Approximately half of all Americans would prefer the government to spend more and the other half, less. That's politics, but government debt hygiene is a separate issue.

In 2020, U.S. Federal government spending resulted a record budget deficit equal to 14.9 percent of GDP, the dollar value of everything produced. The 2020 deficit as a share of GDP hasn't been this high since WWII. Total federal debt outstanding, the accumulation of previous deficits, now exceeds 100 percent of GDP.

About 23 percent of total U.S. government debt is held by agencies like the Social Security Trust Fund. Foreign governments hold about a third of the remaining public debt.

Can a nation run deficits and increase its national debt indefinitely? In a worst-case scenario, high interest payments on national debt captures such a large percentage of tax revenue that a government is forced to default. Then, residents and foreign lenders will refuse to hold or purchase additional government bonds. Finally, revenue from the sale of government securities will be swapped for ownership of public and domestically owned assets. At this point, international organizations, in return for providing needed financial relief, will dictate domestic economic policy. No wonder economics is called the dismal science.

Some economists express little concern over government spending and minimize the warnings of others from both political parties. They argue that government debt is essentially different from private debt.

Governments are theoretically able to borrow from the future indefinitely by rolling over bonds as they come due. However, this implies that people continue to buy and hold government treasuries. Fortunately, for the United States, the public at home and abroad have been willing to hold dollar denominated bonds issued by the Treasury to finance its annual deficits. Holders

trust that the U.S. government remains in a position to increase taxes to meet future interest payments and, furthermore, is committed to maintaining the purchasing power of the U.S. dollar.

Can a government inflate its way out of debt, essentially paying back dollars worth less than when the bonds were originally issued? Perhaps, but this assumes some naiveté on the part of bondholders who will eventually catch on to the scheme and require bonds with higher interest rates and shorter terms to maturity. Attempts to inflate away the debt burden would also require some monetary policy gymnastics on the part of the Federal Reserve to repress interest rates as well as guarding against moderate inflation morphing into hyperinflation.

Ultimately, tax revenue relative to government spending is the key. The U.S. has experienced a Federal budget deficit each year since 2001.

Deficits and increasing debt occur whenever government spending exceeds taxes collected. Surprisingly, given the 2020 decline in GDP, Federal tax revenues have not fallen as precipitously. How can this be? Tax reform and deregulation put the pre-2020 national economy on a sturdy foundation. Similarly, Indiana tax revenue appears to have declined less than 1 percent between 2019 and 2020. This is good news, indeed. However, going forward, it is essential that new taxes, regulations and other programs not suppress the economy and inadvertently result in reduced tax revenue.

Congress, the national and state administrations and we the people have used the pandemic to justify an unprecedented spending binge. But ultimately debt has to be paid with a transfer of real resources to debtors. Presently, the U.S. debt burden is not critical, but to avoid future austerity it is essential to get a handle on annual deficits.

To maintain Social Security, Medicare, defense and public works in the long run, Americans could target surpluses-deficits as a percentage of GDP to the average percentage growth in GDP. Congress inevitably will try to circumvent such a ceiling, but

the people would have the sense to realize that, barring major events, deficits exceeding the potential GDP annual growth rate of 3 percent are out of line.

Reality will mug us sooner or later and we will realize that spending that continually exceeds normal ranges cannot be ignored.

Parenting Is Under Challenge

(Feb. 23) — The South Bend Tribune reported on a horror in Indianapolis that began with an argument that plays out in nearly every American family with a teenager: a battle over staying out too late (“Police: ‘I love you’ were father’s last words.”) It appears that an angry teen, in trouble for leaving the house without permission, fatally shot his mom, dad, two siblings, a pregnant teen and her unborn child. An extreme case, but it highlights a serious parental dilemma.

Dr. Koplewicz, medical director of the Child Mind Institute and author of “The Scaffold Effect,” writes that parents should see their role like a scaffold, supporting the structure of a building as it rises. The author maintains that the most important thing parents can do is to provide routines and schedules. Household routines, such as waking up at the same time every day, eases a child’s anxiety, particularly in times of uncertainty.

How can parents maintain order in a household when every fiber of a teen’s being argues for independence? It is only possible if parents’ preferences are given priority in scheduling activities for teens.

Surveyed parents indicate that they want their children to be good and to be happy. Happiness

includes allowing a child to discover meaning and purpose through social activities. Parents and, if truth be told, organizers aspire to retain some influence over teens.

Parents generally are grateful to organizations offering worthwhile age-appropriate activities. In some cases, parents like to be included . . . sitting apart, of course, at Friday night football.

The South Bend Alive grant program recently awarded nearly \$350,000 in total to community organizations. The Office of Community Initiatives manages these grants ranging from \$5,000 to \$25,000 to provide alternatives to violence for the city’s youth.

In March 2014, the South Bend Youth Task Force (SBYTF) was founded as a group led by area high school student partnering with adults to act as an advocacy program. The SBYTF works directly with the mayor’s office to design and carry out advocacy issues affecting youths.

Unfortunately, traditionally sponsored community activities have been crowded out due to budgetary, regulatory and liability constraints in addition to the pandemic. Thus, social capital acquired through years of sponsoring such activities has declined.

The times may be right for new types of activities and the intentions of organizers are admirable. However, their personal attachment to each adolescent is generally less than that of a parent who cannot rest until all family members are in for the night.

Each family has its own rules, which should be respected both for the sake of the teens and ultimately the community.

Parents, hang tight. ♦

Eric Schansberg

The most critical factor affecting the prospects that a male youth won't encounter the criminal justice system is the presence of a father in the home.

Eric Schansberg, Ph.D., is professor of economics at Indiana University Southeast, adjunct scholar for the Indiana Policy Review Foundation and author of "Poor Policy: How Government Harms the Poor."



Please Stop Helping Us

(Feb. 16) — Jason

Riley's *Please Stop Helping Us* is a good introduction to the ways in which government has harmed the poor in general and African-Americans in particular. He describes his broad concerns, but also devotes chapters to many of the most relevant public policies: welfare, crime, minimum wage, K-12 education and Affirmative Action.

Riley puts a lot of blame on Democrats and the Left — whether they're motivated out of good intentions, paternalism and condescension or cynical political gain. He drops bombs along the way. "The civil rights movement of [MLK Jr.] has become an industry to monetize white guilt." (172) The Left "remains much more interested in making excuses for blacks than in reevaluating efforts to help them." (174) And quoting Fred Siegel on the 1960s: "They wanted to help blacks in the worst way and that's just what they did." (172)

But Riley is not happy with the GOP either, arguing that they've missed opportunities — out of apathy or a sense that efforts would not be politically fruitful (15-16). He also uses LBJ to chide them for too much emphasis on "lift yourself up by your bootstraps," since it's not all that helpful for the bootless: "Freedom is not enough. You do not wipe away the scars of centuries by saying: 'Now you are free . . . You do

not take a person who, for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say, 'you are free to compete' . . . [We are interested in] not just equality as a right and a theory but equality as a fact and equality as a result." (2)

Still, personal responsibility matters. Riley cites CNN's Don Lemon and his "five simple suggestions for black self-improvement: pull up your pants, finish high school, stop using the n-word, take better care of your communities and stop having children out of wedlock." (82)

Riley is most concerned about the absence of fathers in the black community. He was fortunate to have a good dad. But "none of this [was] especially remarkable behavior, of course, unless the father happens to be black." (37) He cites research: "The most critical factor affecting the prospects that a male youth will encounter the criminal justice system is the presence of a father in the home." (83) And he calls men to personal responsibility, but fingers the welfare state for blame as well, noting that the black marriage rate was above the white rate from 1890-1940 (54).

Riley discusses the problems with race, crime and the police, sharing his own undeserved and unjust encounters with law enforcement. But he chalks it up mostly to "statistical discrimination": our need to make decisions with limited information and thus, our universal reliance on stereotypes. Given the statistical realities of crime in the black community (63-66), this is unfortunate (and unjust) but to be expected to some extent.

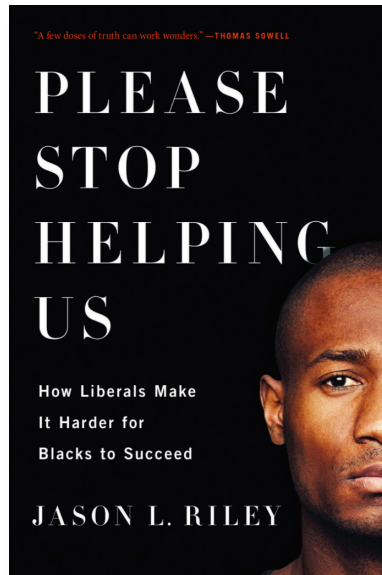
Although it's a popular hypothesis these days, Riley notes that contemporary "racism" can't be a primary explanation — if it's defined coherently and applied consistently. Racism can't explain the strong performance of students in other minority groups or immigrant blacks (48, 125). And the term is narrowly or vaguely applied, rather than connected to the wide array of public policies that have clearly harmed African-Americans.

Readers of Thomas Sowell, Shelby Steele, John McWhorter and Coleman Hughes will get a refresher in Riley's discussion of Affirmative

Action. (Riley just finished narrating a documentary on Sowell called “Common Sense in a Senseless World”.) Aside from ethical concerns, it’s impractical in many ways: it’s never enough (144); it imposes unwieldy burdens on employers in practice (147-148); and it must lead to mixed perceptions about the reasons for “success” in the benefited group. He spends considerable energy critiquing its application to higher education — most notably, mismatches with student skill levels, as schools compete to hit targets and quotas (156-168).

Riley throws hammers at the K-12 teachers’ unions, saying their agenda makes “perfect sense if the job security of adults is your main objective.” (117) “Race to the Top” monies were tied to receiving “buy-in from teachers’ unions before applying for the grant.” (119) Obama squelched “school choice” in Louisiana, valuing racial targets over educational quality and freedom for parents (132). And unfortunately, pet projects such as Head Start and job training programs offer little help (171).

Finally, Riley is critical of African-American emphasis on politics. From theory and history



(echoing Sowell), we know that political activity is neither a necessary nor a sufficient for prosperity (17-33). He calls out “black fealty” toward Obama despite a poor economy (7-9).

He describes “voter ID” concerns as “intellectually dishonest political pandering” (12-14) — even as black voter participation was setting records. (It’s a useful dog whistle but lacks evidence of significant impact — what reduces to just another conspiracy theory.)

While his critique here has merit, it’s really just par for the course in politics, as “rationally ignorant” voters — of all races — are unlikely to have an effective understanding of politics and public policy. Why should any of us know much about politics and public policy, given its complexity and our infinitesimal influence on the process?

Riley’s book is a good addition to an ongoing literature, tracing the nasty impact of government activism on African-Americans. One can only hope that his book finds an audience of people with ears to hear and eyes to see. ♦

Singapore's Success Is Built on English Law

While Singapore is often held up as an example of an autocratic state with no democratic controls, this misunderstands the fact that it operates more like a corporation with a strong CEO than a country. Those who claim it is not democratic should ask where is economic agency strongest, in Singapore or in a western democracy where people have less and less economic control of their lives. When we talk about democracy it is important to tease out how countries do on economic democracy. Are individual people economically empowered? Much of that turns on whether rights and obligations are held in a consumer welfare enhancing equilibrium. What Lee Kuan Yew saw as a student at Cambridge is what we in the U.K. and U.S. take for granted — that the Common Law is uniquely able to deliver that balance. This was perhaps his greatest single insight, and on that the whole edifice of Singaporean success is built.

— Shanker Singham, CAPX, Oct. 22, 2020

Leo Morris

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The Citizenship Question Expanded

(Feb. 15) — Is U.S. citizenship still worth something?

That is such a grimly disheartening question because of where it came from.

I did not hear it from the usual “America is awful” crowd, the people who either think the republic always was and always will be an oppressive blight on the face of the Earth or believe the only way it can atone for its sins is for those who have been unfairly treated to unfairly treat everybody else.

It came to me from an enthusiastic follower of the Indiana Policy Review, for which I write these columns.

That is an organization dedicated to freedom and the constitutional principles that undergird it. If those who follow that vision are losing faith in the value of their franchise, is there any future left for the country?

There had better be. This country is still the best hope for the world and to give up on its promise is to give up on all humankind.

America was founded on the single greatest political idea in history: Rights inhere in the individual.

Somewhere between anarchy and tyranny, people have forever tried to find the perfect government, the one that will provide the proper balance of autonomy and dependence. How can we best obtain security and still preserve our liberty?

Until America, the group was always paramount. There were no rights as such, merely

privileges that could be granted or withheld to favored or shunned groups at the whim of an absolute ruler.

Then came our Declaration of Independence and Constitution to lay the foundation for a better way. Each individual person has rights – call them natural or God-given – just by virtue of being human that are beyond the purview of government. In fact, the chief justification for government is to protect those rights.

That is the basis of American Exceptionalism, a point President Obama missed – deliberately, I suspect – when he blithely said something to the effect that, well, all people think their country is exceptional.

America is exceptional because it found the exception to submission to tyranny.

And, yes, its behavior is often not exceptional. It does not always live up to its promise. You can find plenty of complaints from all across the political spectrum. The oligarchy is taking over. Cancel culture is rampant. There is anarchy in the streets. Equality of results has replaced equality of opportunity. Income inequality is out of control. And on and on.

I have my own concerns, especially about the leviathan state. I worry that the federal debt will crush us. It bothers me that the Supreme Court declared my property available for an economic developer with deep pockets and that the state of Indiana declares the right to take people's possessions by accusing them of crimes they have not even been tried for. It is astonishing that two presidents – Obama and George W. Bush – gave themselves the authority to have any American anywhere killed on their order alone and that there was no national outrage.

But consider: Those are holes in the only ship of state we have. If we abandon it, to which shore do we swim?

I am proud of some of the things I have done, ashamed of others. I try to take responsibility for my own actions, as all moral people should.

I try to avoid grand pronouncements about things outside my control. I cringe when people say they are ashamed to be an American and I

would never say I am proud to be an American. That is but an accident of birth.

But I am glad to be one. It is gratifying to be a citizen of a country that not only stands for the right thing but acknowledges its failures to live up to its own standards and always tries to do better.

If this nation, founded on the concept of natural rights, gets so many things wrong about freedom, imagine what the world would be like without America's striving as an example. The more mistakes we make, the more we demonstrate how much we are needed.

"For if they do these things in a green tree," it says in Luke 23:31, "what shall be done in the dry?"

I will leave it to the biblical scholars to offer the religious interpretation of that passage. But we can divine a secular meaning.

The world with America is a green tree, still capable of giving and nurturing life. The world without America would be so very, very dry.

Cabin Fever Redoubled

(Feb. 8) — May I just say that I hate my friend Sofia today. She's in Phoenix, where the expected high is 74.

I'm not too crazy about my brother Larry, either. He's in Hill Country, Texas, sunny and 71.

Remember the pre-Covid days, when "cabin fever" meant being stuck in the house by weather for a week or two, not trapped in a floating-virus, keep-your-distance nightmare without end?

It was called "winter," and the nice thing about it was that it came and went on a somewhat predictable basis. The snow would melt. The temperature would slowly rise. The flowers would bloom and the birds would sing.

Now the temperature has dropped into single digits, with several days of sub-zero weather in the offing and it feels like double secret probation. Really? We finally have a vaccine that might let us get out and mingle again and they tell us to stay in because it's too dangerously cold? Go ahead, kick us while we're down.

I knew it was dangerously cold without being told. When the temperature dips to a certain point, the draft in my downstairs bathroom, which is on an outside wall, is too much to bear, so I have to, um, go upstairs. It might not be as scientific as the Fahrenheit scale, but it is remarkably accurate.

At least I am finally following the advice of some in the medical community and double masking when I leave the house, one mask to keep anything I might have caught from escaping and the other to keep my nose from falling off.

Otherwise, I'm just hunkering down and coming to the realization that being called a "couch potato" wouldn't make me feel nearly as guilty as those who hurl that insult might hope. I will try, Zen-like, to accept my misery.

I went online to look up "ways to beat cabin fever" and was amazed at the superficial advice so casually offered for what was assumed to be a temporary affliction.

- Focus on self-improvement. Been doing that for a year. If I become any more perfect, no one will be able to stand me.
- Take on a home project, like remodeling, deep cleaning or rearranging the furniture. That was for when my home was my castle, not my prison.
- Entertain yourself. Read a good book, try a new recipe, binge on Netflix, start scrapbooking, do a jigsaw puzzle. Of limited benefit for brief periods. Pastimes are meant as a means of temporary escape from reality. They cannot replace reality.
- Write a letter to an old friend: Dear Sofia, I hate you.
- Reach out to others. Something just social, such as starting a club, or altruistic, like volunteering for a non-profit agency. Yeah, but social distancing would take the fun of the social and add risk to the altruistic.
- Plan your summer vacation. This one actually appeals to me. As we can look ahead from the dead of winter to the warmth of vacation time, we can imagine how life might be

post-pandemic. As in: When the masks come off, the distancing is over and everything is fully opened back to public participation, what's the first thing I want to do?

No walks on the beach or sojourns in the forest, no reading a good book in a quiet corner of the library. Somewhere loud and noisy and smelly and elbow-scraping-elbow crowded. In the middle of the beer tent at the county fair while the suds flow freely and a bad band blares out worse music. Come get me, disease-carrying barbarians, give it your best shot.

I notice that the experts, who have been so obstinately assertive in everything they got wrong about the coronavirus, are now being asked what the world will be like after it has left us.

Many of them foresee a version of a worry that I have written about: We will become a fearful society, distrustful of each other and giving up even more control to the government. Some envision a Roaring 20s-like eruption of wild excess and libertine debauchery. Others expect calamity, some sort of economic collapse or populist uprising.

I predict we will ease back into normality, as we always have, with one exception. We will start treating experts with the skepticism they have always deserved. Before we fully trust them again, it will be, well, a cold day in hell.

Sniffing Out Stupidity

(Feb. 1) — Man's best friends are becoming more and more helpful. They have been trained to sniff out bombs and drugs and lost hikers and long-buried bodies.

Now, there are dogs that can smell Covid-19. When they detect the virus, they simply sit down by the carrier and that person can then be whisked off to quarantine hell.

Wouldn't it be nice, I have wondered, if a dog could be trained to smell out stupidity?

The only problem is that I would turn my canine detective loose in the halls of government — let slip the dogs of war! I can imagine him sniffing around a legislative chamber in

Washington or Indianapolis, circling madly, then dropping to the floor with a nervous breakdown.

If I let him roam City Hall in Fort Wayne, I think I know where he would go — straight to the mayor's office.

That gentleman just announced he wants the General Assembly to give Fort Wayne permission to add 1 percent to the city's food-and-beverage tax, which would go with the 1 percent already paid by bar and restaurant patrons.

Really. He wants to hit the food service industry, which has been crippled by the pandemic and is hanging on for dear life, with one more burden. If that isn't stupid, it will do until the real thing comes along.

The mayor is quick to offer answers to objections he anticipates from whiny curmudgeons like me:

The hike wouldn't go into effect until at least 2022, when it is determined that the restaurant industry has fully recovered from the pandemic.

Oh, sure, that will gladden the hearts of beleaguered small-business operators. Just when they're finally recovered and can breathe a sigh of relief, here will come the city to pile on.

It's not that big a deal — it would cost the average patron about \$14 a year.

Well, yeah, but that's on top of the 1 percent patrons already pay, not to mention the 7 percent sales tax, the second-highest state-level sales tax in the nation. For every dollar spent on a meal, another 9 cents would be tacked on. To paraphrase Everett Dirksen, a penny here and a penny there and pretty soon you're talking real money.

Patrons flinching at that pinch, if they've dined out in the first place, are likely to start skimping on the tips, which would hurt some of the hardest working, lowest paid workers in the service industry.

I recall the time I dined in a downtown restaurant and left my usual 20 percent tip. When the waitress thanked me profusely, I asked why.

"This is such a 10 percent town," she sighed and, I swear, put an extra roll in my doggy bag.

We really, really need the \$6 million a year that would be generated for “Fort Wayne development.”

But at the same time he cites that need, he boasts of the \$1 billion in public-private funds already spent on development and says another \$1 billion is in the pipeline. Forgive me for saying so, but if you’re bragging about \$2 billion and still need \$6 million, that’s like me saying, “Thanks so much for that \$2,000, but I just can’t make it without another \$6.”

And my very, very, all-time favorite:

This isn’t just really a tax. It’s a user fee. People only pay it if they eat out and they don’t have to eat out.

You can call anything a user fee. People don’t have to work and suffer the income tax. They don’t have to buy furniture and cars and encounter the sales tax. If they don’t want to pay property tax, they can just rent. I don’t care what euphemism is used, if my money is taken from me and thrown into the black hole of government spending, that’s a tax.

And just in case you think I am a partisan hack who only sics his dogs on spendthrift Democrats, I will point out that Republicans, too, love to tax but hate calling it that.

It was Richard Nixon, after all, who invented revenue sharing, the most insidious scheme since income-tax withholding. Hallelujah, Washington just gave local communities money and they could spend it however they wanted. Never mind that the money was taken from them in the first place and the bulk of it squandered with waste, fraud and abuse.

And it was the administration of Ronald Reagan, bless his heart, that came up with “revenue enhancing” and “receipts strengthening.” And they didn’t even share.

I’ll stop now, but with a warning. Every dog has his day.

The Bald Eagle

(Jan. 25) — I noticed in a couple of recent news reports that Indiana has been made safe

again for the bald eagle, which is a simple piece of good news worth celebrating in this era riven by an angry partisan divide and political revenge disguised as a plea for unity.

The eagle, a bird that nests exclusively in North America, was once plentiful but nearly extinct nationwide by the mid-20th century and nowhere to be seen in Indiana. But a vast public-private effort brought the bird back from the brink. It was reintroduced to Indiana in the mid-1980s and can now be found in 88 of our 92 counties.

And in December, this fierce bird of prey, symbol of America’s freedom and independence, was removed from Indiana’s list of endangered species.

It is not true, by the way, that the eagle, thanks to the efforts of Benjamin Franklin, nearly lost out to the turkey as America’s emblem on The Great Seal. That is what nowadays we would call Fake News.

The myth started with a letter Franklin wrote to his daughter Sarah in 1784, in which he lamented the fact that the bald eagle had been chosen as the country’s symbol, because it was “a bird of bad moral character” that “does not get his living honestly” because it steals food from the fishing hawk and is “too lazy to fish for himself.”

The turkey, on the other hand, was “a bird of courage” that “would not hesitate to attack a grenadier of the British Guards who should presume to invade his farm yard with a red coat on.”

In the letter, Franklin was actually complaining about a new medal issued by the Society of the Cincinnati, an association of Continental Army veterans, which included an eagle that looked more like a turkey to Franklin.

In other words, he was just being a wisecracking jerk in typical Franklin fashion. Today, he would have tweeted out the observation and found himself banned from Facebook and hauled before Congress on sedition charges.

The true story of the eagle’s selection is both more interesting and more depressing, because, frankly, it puts some of our Founders in a bad light.

At the Second Continental Congress, a committee of three – Thomas Jefferson, John Adams and Franklin, our wisest statesmen, allegedly three of the smartest men ever to sit together in one room – was named to design a national seal. Pathetically, what they came up with was what we might expect today from high school sophomores charged with designing the sets for the senior play.

Franklin proposed a biblical scene featuring Moses and Pharaoh. Jefferson wanted to show the children of Israel and two Anglo-Saxon mythical figures. Adams wanted the seal to depict Hercules.

Two more committees and six years later, an exasperated Congress finally gave the job to a single man, Charles Thomson, the Secretary of the Continental Congress and approved his eagle idea without even seeing a design of it. There's an important lesson in there somewhere.

Franklin, in case you are wondering, did have one idea of an animal for the National Seal – the rattlesnake, an “emblem of vigilance” that “never begins an attack, nor, when once engaged, ever surrenders.” It “appears to be a most defenseless animal,” but its wounds, “however small, are decisive and fatal,” and it never wounds until having “generously given notice.”

He wasn't really that fond of turkeys, though, except as an entrée. He electrocuted scores of them during his celebrated electricity experiments, before he got around to that whole key-and-a-kite thing, including the time when he learned the hard way about grounding when he zapped himself as well as the bird. Think about that next Thanksgiving.

And just in case you are puzzled about how we allowed the national symbol to become nearly extinct, it was because of hunting, the loss of habitat and, many history sites assure us, the indiscriminate use of DDT. But the eagle was brought back after Rachel Carlson bravely wrote “Silent Spring,” detailing how the pesticide would destroy the planet and William Ruckelshaus, the Hoosier who was the first head of the EPA, led the crusade to ban it. Through the marriage of science

and politics, the Earth was saved and the eagle soared again.

But, uh-oh, might be a little more Fake News there. Turns out the evils of DDT were greatly exaggerated; yes, it was a toxin that could be misused, but it did not pose a grave threat to humans or other living things, including eagles and other birds. The use of DDT had largely eliminated malaria, which was lethal for millions of people and its ban has made malaria again a killer to be feared.

In other news:

The party of science is back in charge of Washington. President Biden has issued executive orders returning U.S. participation in the Paris climate accord, a treaty that has never been approved by the Senate and allowing people who are one gender but identify as the other to use whichever school bathroom they choose. The senior plays are surely being prepared, with the sophomores diligently working on the set decorations.

Gov. Holcomb has grown a beard, presumably to make himself look smarter and wiser; I can say this because it is why I grew mine, 40 years ago. He has appointed the state's first ever equity, inclusion and opportunity officer, who will be tasked with assuring that all Hoosiers, regardless of race, religion, sexual orientation or bathroom preference, have an equal shot at the public trough.

And the Indiana General Assembly is considering a proposal to make popcorn the official state snack.

A Day of Reckoning

(Jan. 18) — There will come a day of reckoning.

No matter how often that is said about the reckless abandon with which Washington keeps adding to the national debt, officials keep printing and borrowing so they can keep spending money they do not have. And they will keep doing it until Stein's Law kicks in: “If something cannot go on forever, it will stop.”

And it's likely to be an abrupt stop, a horrendous crash with uncountable casualties.

The national debt, which grew obscenely under both President Obama and President Trump, is fast approaching \$28 trillion. The \$1.9 trillion "recovery act" proposed by President-elect Biden would help push it beyond \$30 trillion. Throw in the increasing entitlement payments to now-aged Baby Boomers and . . . well, there goes the whole thing.

What's left to say except that we are racing toward bankruptcy and no one seems to care?

All we modest Midwesterners in Indiana can do is make one small deposit to our "We told you so" bank by recalling a page from the state's history. Pay attention, Washington:

Hoosier pioneers were for the most part just as we would expect our ancestors to have been: passionate believers in individual responsibility with a resulting desire for small government and low taxes, accompanied by a profound distaste for dictates from far away, including the state capital.

But they also yearned to move beyond the meagerness of subsistence farming and that required above all else a reliable transportation network. To reach the next level of civilization, they needed a way to get their agricultural products to larger markets and goods and services to local merchants.

So was born the Mammoth Internal Improvements Act of 1836, the most ambitious legislation in Indiana history and, some say, the state's biggest debacle ever. The act called for borrowing \$10 million on top of the \$2 million in debt already accrued, at a time when annual revenue from taxes was about \$65,000, to fund three major canals, a railroad line, a macadam road and several lesser projects.

Even in good times, it would have been a reckless plan and times did not stay good. The next year, the Panic of 1837 triggered a major depression that lasted into the mid-1840s. Work stopped on all the Improvement Act projects and none were ever completed. Indiana could not even pay the interest on the debt and it wasn't until

1847 that a compromise was reached in which the state agreed to pay half of its debt.

Indiana University historian James H. Madison quotes a London newspaper at the time denouncing Indiana as "the land of promises for all the knavery and thievery of the known world."

As a result of that embarrassing day of reckoning, when Indiana updated its 1816 Constitution in 1851, a provision was added forbidding the state to go into debt. That is why Indiana has always had a balanced budget and why Hoosiers remain a cautious people who much prefer incremental evolution over bold revolution.

Madison thinks it is "a curious irony of history" that a pioneer generation's one failed risk "contributed to the reluctance of succeeding generations to use active state government, as they had, in service of the general welfare."

But it could also be said that our conservative approach to change is a natural, rational result of trying to learn from our mistakes.

Few at the national level have ever shown a hint of prudence, perhaps because there has not been a day of reckoning. But with the concept of "the general welfare" so expanded it defies definition and the national debt on the verge of surpassing the Gross National Product, that day is coming.

The bigger the debt gets, the worse the reckoning will be and it is worth wondering how much of the nation will be left to gain from the lessons learned. This is a great country, but that greatness is not set in stone.

News Filters Aren't New

(Jan. 11) — I participated in a PBS TV show last week — three General Assembly watchers and a host doing our annual legislative preview session — and it was a little unsettling.

Because of the pandemic, only two participants were in-studio — properly distanced, of course — and two of us chimed in remotely via teleconferencing. The video I saw of the others in their little Zoom computer windows was live, but

the sound was delayed five seconds because of the FCC's edict to keep profanity off the air.

So, I would see people's lips move, then, seconds later, hear them start talking. It took some effort to avoid visual cues and just listen to the words. Our communication seemed exasperatingly out of sync, discordant and misaligned.

It was a fitting start for 2021, which so many of us had foolishly believed couldn't help but be better than 2020, the year of masking and sheltering in place and economic collapse and cities under siege and petty tyrants quoting experts who couldn't keep their stories straight. That whole year was out of phase, as if an alternate universe had seeped into this one and reshaped our perception of reality, the whole disaggregated and reassembled clownishly.

And the new reality has been hard to grasp, try as we might to bring it into focus. We need reliable information on which to form our opinions and the sad fact is that 2020 was also the year when our unraveling trust in the media frayed even further. Only about 40 percent of us, the polls say, even believe the news we get.

And this bulletin just in: January isn't over yet and already we have a contender for most preposterous statement of the year.

From an article in Politico:

"For a half-century, the trend in political culture has been inexorably in one direction: toward the steady loosening and eventually the near-obliteration of media filters. The erosion of traditional establishment filters — first by such mediums as direct mail, talk radio and cable, later and most powerfully by social media — has been a primary factor in the rise of potent ideological movements on right and left alike.... [T]he decision Friday night by Twitter to permanently ban Trump from its platform . . . represents an effort to reassert the notion that filters have a place in political communication."

Filters have not disappeared. They have proliferated. The talk-radio host and cable news director decide who and what get on the air no less than the editor decides what goes in the

newspaper. Social media managers have always carefully curated their content. Twitter's ban of the president of the United States — as breathtakingly audacious as it might be — is merely a continuation of that practice.

My PBS cohorts and I covered perhaps a dozen potential bills in our half-hour on the coming legislative session out of the roughly 1,500 bills that will be considered. That makes us a filter, one very small filter in a news world full of them.

Here's a little secret: Unless we see it with our own two eyes or hear it with our own two ears, the information we get has been filtered; it's the very definition of news. And everyone with a filter has an agenda that might or might not have something to do with the knowledge we need in our daily lives.

But once there were just a few filters — the local paper and a couple of national ones, the three network TV stations — and we could pretend their agendas represented a national consensus of the way we were supposed to perceive reality. Today, there is no consensus and those who dispense the material and dish the scoops seem determined to keep it that way.

Perhaps there will come a medium that pulls it all together and gives us an honest search for the truth, just the facts on which we can base informed opinions. Until then, there's nothing to do but to choose the filters we get our information through.

Choose just one or two and reality will remain fractured, our perception of it forever out of sync. The more filters we use, the better informed we will be. From many voices, truth. It has always been so.

Slimming Hoosier Government

(Jan. 4) — I apologize, but this is the time of year when I must do my annual beating-a-dead-horse ritual of imploring the Indiana General Assembly to go to every-other-year sessions.

The so-called "short" session was originally supposed to just involve a brief review of potential problems in the two-year budget. But it has become as active as the long session, so Hoosiers

get twice the new government initiatives, which means twice the bureaucracy, twice the cost, twice the burden.

Unfortunately, this is the year for the budget-writing long session, which gives legislators 61 working days instead of 30 to create mischief. If 2021 is a typical long session, we can expect 1,500 to 1,800 new proposals. Honestly, does Indiana need that much fine-tuning?

The only saving grace this year is that the legislature will be so consumed by Covid-related crises that it might have little energy left over for creative mismanagement. Of course, many of the looming problems – for example, lower tax revenues from a collapsed economy and an education system in remote-learning shambles – were caused by the state itself, but let's not dwell on that.

If Indiana were to get serious about slimming government, it could do worse than follow the example of LaGrange County, which recently made national news by “finally welcoming hippies.” What county officials actually did was repeal a 1971 law, apparently inspired by Woodstock, to regulate gatherings lasting more than 12 hours and involving more than 500 people.

It was typical snotty reporting – hick county in backward state finally enters the Age of Aquarius, har, har – that obscured a truly heroic three-year research effort by LaGrange County to identify and eliminate outmoded ordinances that had been on the books as long as 100 years.

If Indiana were to go that route, I could nominate many laws for the chopping block, including one that forbids catching fish “by hand only” and one that forbids the sale of cold soft drinks in liquor stores. We could also reconcile contradictory laws, including the ones that require seat belts but not motorcycle helmets even though the same arguments for and against apply in both cases.

The trend, however, seems to be going the other way, with the state emulating the federal government's habit of passing so much legislation

that ordinary citizens don't even know what is legal or illegal on any given day.

If there was any doubt that Washington is completely beyond our control, the so-called “Covid relief bill” should have erased it. It has been called a \$900 billion measure, but in reality was wrapped up in a \$1.4 trillion omnibus bill including 12 appropriations bills, so we're talking nearly \$2.5 trillion in spending described in more than 5,000 pages introduced hours before the vote.

It is doubtful and a single legislator will ever know everything in the bill and it is hoped that Americans who get a \$600 check as part of the deal won't care too much. Alas, that is probably true.

For now, the state seems not completely out of our control. For what it's worth, I'm including a 9-point checklist I have used for years to weigh the merits of new state proposals:

1. Is this really needed?
2. Is government the best way to handle it?
3. Is this level of government action the most appropriate?
4. How much will it cost?
5. Who will pay?
6. What are the opportunity costs?
7. What might be the unintended consequences?
8. Who will benefit?
9. Who will be hurt?

At least 90 percent of government proposals can be eliminated just by considering the first three questions. At this late date in our history, there just isn't that much more new that needs done. When there is and it's a government responsibility, the lower level the better.

Using the other six criteria to dispassionately consider the costs and benefits, we can eliminate enough proposals to get us down to about a 1 percent pass rate. And to be honest, sometimes I think that's 1 percent too many.

AD 2020 — the Long View

(Dec. 28) — Time magazine, demonstrating the legacy media's continued decline into irrelevance, has deemed 2020 "the worst year ever."

No, not hardly and that claim is easily dismissed with an expansion of Descartes' "I think, therefore I am." If you are reading this, you are not dead yet. Ergo, not the worst year ever.

There are plenty of candidates for the worst year ever.

In 536, for example, volcanic eruptions blanketed much of the world in fog, plunging temperatures, breeding crop failures and widespread starvation — it was the beginning of an era so bleak it just had to be called the Dark Ages.

In 1349, the Black Death plague killed half the population of Europe and wrought changes so profound they affected the rest of human history.

In 1520, smallpox raced through the Americas, killing between 60 and 90 percent of the original inhabitants.

And of course, there was 1919. Still trying to cope with tens of millions of deaths from World War I and the Spanish flu pandemic, Americans had to endure riots, bombs mailed to government officials by anarchists, a peace treaty that would set the stage for World War II and the prospect of a sober 1920 as Prohibition kicked in.

So, no matter how bad you think 2020 was, just imagine how much worse it would have been for you in one of those earlier years. In addition to which, you'd be, you know, dead now.

All we need to put this admittedly bad but not completely awful year behind us are a few words of inspiration looking to the future.

Unfortunately, there is no one in the public sphere today eloquent enough to give us such a vision.

Gov. Holcomb says there is "unprecedented opportunity" today for "those who keep their wits about them" to "keep calm and carry on." And our future is ahead of us.

President-elect Biden says that we "must make the promise of the country real for everybody —

no matter their race, their ethnicity, their faith, their identity, or their disability." And we're all in this together.

We must reach back to look forward.

To John Kennedy in 1962, when he said we chose to go to the moon not because it was easy but because it was hard, "because that goal will serve to organize and measure the best of our energies and skills, because that challenge is one that we are willing to accept, one we are unwilling to postpone and one which we intend to win and the others, too."

To Ronald Reagan, on the occasion of the Challenger explosion in 1986, who told us that the pain of losing those astronauts was part of part of the process of exploration and discovery and that the future "doesn't belong to the fainthearted; it belongs to the brave. The Challenger crew was pulling us into the future and we'll continue to follow them."

And to William Faulkner, whose 1950 Nobel Prize acceptance speech deserves the most extensive citation because it seemed to look ahead to all our aspirations like the moon landing and all our setbacks like the Challenger explosion and put it all into perspective:

"I decline to accept the end of man. It is easy enough to say that man is immortal because he will endure: that when the last ding-dong of doom has clanged and faded from the last worthless rock hanging tideless in the last red and dying evening, that even then there will still be one more sound: that of his puny inexhaustible voice, still talking. I refuse to accept this.

"I believe that man will not merely endure; he will prevail. He is immortal, not because he alone among creatures has an inexhaustible voice, but because he has a soul, a spirit capable of compassion and sacrifice and endurance."

We move through history, history moves through us and through good years and bad, we will endure

Mother Teresa and Doubt

(Dec. 21) — On a wall of the weight room in my gym at St. Joseph Medical Center downtown is a quote attributed to Mother Teresa that's been sneaking up on me for the last few months. Many of you probably already know it:

People are often unreasonable, illogical and self-centered; forgive them anyway. / If you are kind, people may accuse you of selfish, ulterior motives; be kind anyway. / If you are successful, you will win some false friends and some true friends; succeed anyway. / If you are honest and frank, people may cheat you; be honest and frank anyway. / What you spend years building, someone could destroy overnight; build anyway. / If you find serenity and happiness, they may be jealous; be happy anyway. / The good you do today, people will often forget tomorrow; do good anyway. / Give the world your best anyway. / You see, in the final analysis, it is between you and God; / It was never between you and them anyway.

That sentiment will be quite unremarkable to the faith community in general and Catholics in particular. Putting your God above all else is pretty much the cornerstone of most religions.

But I think there is meaning in there for the secular world as well, wisdom so profound it has found expression in any number of mundane ways: Don't sweat the small stuff. Keep your eye on the prize. Stop and smell the roses. I was not put on this earth to live up to your expectations.

Too often we let others' opinions divert our attention from where it should be, on why we do what we do and for whom we are doing it. Pleasing them becomes, at least in the moment, more important than understanding our purpose in life. It's the equivalent of straightening up the house before the cleaners get there so they won't think poorly of us.

And we tend to let the clutter of daily life overwhelm us. How many millions of people have been so caught up in the meetings, schedules and daily frustrations of their jobs that they forgot what they loved about them in the first place?

There's nothing especially metaphysical in that.

In fact, the original version of the "Do it anyway" mediation doesn't even mention God. Called "The Paradoxical Commandments," it was written by Kent M. Keith, who later became president of Pacific Rim Christian University, in 1968 when he was a Harvard University sophomore.

The ending of the piece, as he wrote it, went:

If you give the world the best you have, you may get kicked in the teeth, but give the world the best you have anyway.

The commandments went through many versions, attributed to various people and one of them ended up on the wall of a children's home Mother Teresa ran in Calcutta. A 1995 book about her included that version and it has been attributed to her ever since.

Keith was once asked about the Mother Teresa version (at least the iteration that's been widely circulated on the Internet) and he said he was troubled by how the ending had been changed:

"... they can be read in a way that is inconsistent with the teachings of Jesus, the life of Mother Teresa and the message of the Paradoxical Commandments themselves. The statement that 'it was never between you and them anyway' seems to justify giving up on, or ignoring, or discounting other people.

"That is what Jesus told us we should not do. Jesus said that there are two great commandments – to love God and to love our neighbor as ourselves. So in the final analysis, it is between you and God, but it is also between you and 'them.' And when it comes to them, Jesus made it clear that we have to love people and help people anyway. We can't give up on them or ignore them or write them off."

The two versions of the endings provide quite a challenge, I think. We can't let the opinions of others divert us from what we know should be most important to us. But unless we live on a desert island, we have to accommodate those

people, make allowances for the way they perceive us.

I've negotiated that anxiety, on the edge of uncertainty, for most of my career. I became an opinion writer to pursue the truth as I saw it, despite the admonitions of so many that the truth was unknowable, including an editor who kept insisting there was no such thing as "reality," only our individual perceptions of it. Yet, if I do not believe I can convince others that, even if we'll never know the ultimate truth, it's worth seeking small glimpses of it, why I am I writing in the first place?

Mother Teresa had something to say about that, too.

A posthumously published book exploring some of her letters revealed a terrible darkness in her, a profound doubt about the self-sacrifice of her mission for the poor, even about the existence of God. "The silence and the emptiness is so great," she wrote, "that I look and do not see, listen and do not hear."

A philosopher and professor named John Kavanaugh tells of traveling thousands of miles to Calcutta to ask Mother Teresa to pray for him so that he might achieve clarity.

"That I will not do," she told him. "I don't understand. Why not?" he asked. She smiled and said, "Clarity is the last thing you are clinging to and must let go of."

Many people were shocked to learn of Mother Teresa's doubt. It just made me like her more.

Faith does not exist without doubt. The purpose of faith is not to deny doubt but to overcome it. Mother Teresa ignored the opinion of others and worked through the great emptiness inside her to alleviate profound suffering for the world's most desperate.

Doubt can crush us or inspire us. That's what I would write on the wall.

Our Last Redoubt

(Dec. 7) — In Huntington, the powers that be are getting a little high-handed, so some residents

are getting a little testy. It's politics at its best and worst.

Late last month, the City Council passed an ordinance that, among other things, put some teeth in Gov. Holcomb's mask mandate. Police can issue a written warning to first-time violators and follow it up with a \$25 fine. Then, the fine will increase by \$50 for each repeated offense, which could get pretty expensive for the obstinately recalcitrant.

That edict brought about 50 people out to protest in front of the Huntington County Courthouse what one attendee said was officials slowly but surely "taking our rights and our freedoms." Failed Libertarian gubernatorial candidate Donald Rainwater stopped by and urged the crowd to vote out council members "at the earliest opportunity."

It was the worst of politics because the council overreacted, potentially putting already overworked police into the middle of something it really shouldn't have to fool with. Doesn't Huntington already have enough criminals without trying to create a new class of them?

It was the best of politics because so many upset by the ordinance went into the "I'm mad as hell and I'm not going to take this anymore" mode. Fifty people is a lot for a city the size of Huntington.

In our federal system, where power is diffused not only through the three branches of the federal government but also through various levels of government, we should want the most power exercised at the most local level, where officials have the most knowledge of our specific opportunities and challenges and, in theory, the ability to come up with the best solutions.

And voters have the most control over local officials who go off the deep end. It is far easier to vote a councilman or mayor out of office than it is to boot out a governor, president or member of Congress.

So, we should demand more home rule from state officials, less naked power from federal officials and fewer unfunded mandates from all of them. Local autonomy should be our anthem,

with the less authority over money and our lives the further up the government ladder we go.

Instead, we are upside down, with the people having the least understanding of our day-to-day needs making the most decisions over how we live our lives. And our state and federal governments have abused our trust at every turn. (This complaint is limited to government responses to Covid-19, as tempting as it is to do otherwise.)

Federal officials, reacting to ever-changing pronouncements from “experts,” issue edict after edict supposedly the only sane course to take no matter how much each one contradicts the last one. Our economy ends up wrecked for no good reason and our school systems shut down with lasting damage to our children. The president-in-waiting promises, on the day of his inauguration, 100 days of masking we know from experience will just go on and on.

State officials insult us almost daily with “do as I say, not as I do” violations of their own quarantine orders. They put stricter rules on churches than on department stores. They sentence senior citizens to nursing home death traps. They grant social-distancing exceptions to “protesters” who stop traffic and set fire to buildings.

Here in Indiana, legislators should be honestly examining their own actions, such as unconstitutionally giving the governor such sweeping emergency powers. Instead, they are using Covid-19 as an excuse to raise taxes (on cigarettes, this time), something they are normally deathly afraid to do.

Local governments are the only ones that still have a shred of the faith citizens must invest for our experiment in self-rule to keep working. If that faith goes, if the last shred of trust is squandered, what do we do when an even worse pandemic hits, as it surely will?

Fair warning.

The Hypocrisy Line

(Nov. 30) — I’ve mentioned this in passing in a couple of columns, but I think it bears some elaboration: Hypocrisy is a very boring subject.

It’s the cheapest sort of complaint to make against somebody, reflexive and shallow.

Very high-schoolish. When we first understand the power of logic and the beauty of destroying somebody with a superior argument – along about the 10th grade – we also discover that people often say one thing and do another. It offends our sense of justice, especially when the hypocrites are our teachers and other adults who set the limits of our existence.

Holden Caulfield, if you remember your “Catcher in the Rye” railed against all the phonies in the world. That’s about as deep as his thinking goes, so he never reaches the level of self-awareness that tells him he, too, is often a phony, as indeed we all are.

Hypocrisy is a tribute that vice pays to virtue, said Francois De La Rochefoucauld. If we say the right thing, it’s at least an acknowledgment that we know what it is, even if we can’t bring ourselves to do it.

It is especially pointless to rail against the phoniness of politicians, whose job descriptions require them to say whatever an audience wants to hear before doing whatever they please, however contradictory, secure in the knowledge that they can get away with it.

Since we tend to see faults in our enemies that we overlook in our friends, calling out a public official for hypocrisy solves exactly nothing except to reveal our own political leanings. Liberals are good at spotting conservative phonies and conservatives always call out the liberal phonies.

So, I try to avoid the subject. I follow the Taoist principle of accepting the essential nature of things, so I don’t berate politicians for behaving like politicians.

However.

Some of them abuse the privilege.

Hypocrisy can be so rank – despicable to the point of depravity – that it must be called out. And nothing is so rank as COVI-19 hypocrisy.

There is the governor who bans indoor dining, then attends a fancy meal at an exclusive restaurant at which no one is wearing a mask.

There is the mayor who tells people to stay home for Thanksgiving then boards a plane to visit relatives in another city.

There is the powerful Washington politician who, maskless, gets her hair done in her home city in contradiction of the local rules for small businesses.

And there is the Indiana General Assembly.

All Hoosiers are under a mask mandate extended again and again by the governor. Go to your favorite restaurant, if it is open, if its limited seating capacity can accommodate you and you will not get in if you are not wearing a mask.

And if you have reason to visit the Statehouse, if you are a lobbyist or a legislative assistant or a representative of the media or just an ordinary citizen, you must wear a mask. Everyone at the Statehouse must wear a mask,

Except, of course, the lawmakers.

At their organizational meeting in mid-November, members of the General Assembly's Republican supermajority voted down a measure to require legislators to wear masks while conducting official business at the Statehouse. That's because the separation-of-powers doctrine forbids the governor from setting requirements for the legislative branch. The legislators, in the words of the governor, "rule their roost."

I don't care. They're still hypocrites. They're the ones, after all, who gave the governor the power to mandate masks for the rest of us, a constitutionally suspect act, by the way. And they have the power to subject themselves to the same rule they have allowed for the rest of us.

But, ah, legislators might say, we know the wisdom of wearing masks. In fact, all but two of us at the organizational meeting wore masks and we socially distanced ourselves as well,

That's the point, though. They know masks should be worn and will wear them. They just don't want to be told they must wear them. They rule their roost.

Well, I rule my roost, too. Or at least I like to pretend I do. And I think most Hoosiers would like the same ability to know and do the right thing without the morally suspect nanny state – the one that says we must wear seatbelts but don't

have to wear motorcycle helmets – making it a mandate.

Guess I have mixed feelings here.

On the one hand, I want the lawmakers to live by the same rules they put us under. But on the other, I like them unmasked, so I can put faces to the names of all the pettifogging tyrants who keep invading my roost.

Holden Caulfield may be shallow and lacking in self-awareness. That doesn't make him wrong.

Giving Thanks for our Choices

(Nov. 23) — Her name was Judy — no point in making up a protect-her-privacy name for her at this point.

She was a year behind me in high school — a junior when I was a senior — so our paths did not cross that often. But a few subjects were taught without regard to class distinction, so we had the same speech class.

It's not enough to say she was pretty. To a 17-year-old boy, a lot of girls are pretty. There was also a strong attraction and not just physical, that sent me even further into babbling incoherence than usual, which is saying something.

I made up excuses to say something to her. May I borrow your pencil? Have an extra stick of gum? Can I see your algebra book for a second?

Then one Saturday afternoon walking home from my shift at McDonald's, I ran into her near downtown. We exchanged a few pleasantries the specifics of which are now buried deep in my subconscious and then she said, as sort of a parting shot, "You know, you never talk to me unless you want something."

And. I. Said. Nothing.

It occurred to me years later — and periodically it haunts me to this day — that I had been a dimwitted knucklehead, the moronic king of missed opportunities. She was reaching out to me, giving me an opening and I was oblivious to the potential of the moment.

What if I had seized the moment? What if I hadn't let what could be dissolve into what might have been?

I looked her up recently, something that can be done easily in the Google age without all the bother of going to class reunions or hunting down and calling the friend of a friend of a friend.

She got married, I discovered and moved to Michigan. She had one daughter and one granddaughter. They survived her, as did her husband and a slew of other relatives. That's what the obit said – she died back in 2013.

My first reaction was not sadness that someone I once knew was gone, or even the dread of creeping mortality brought on by the death of someone seven years ago a year younger than me. Those came later.

No, my first thought was a sort of peevish irritation that Judy had gone on to have a full life with a husband and offspring to carry on. She wasn't supposed to do that. She was supposed to pine for me and mourn the dull ache of my absence, turn into something like a spinster librarian the way Donna Reed did in "It's a Wonderful Life."

People have a disappointing way of doing that, just going on about their business as if it's all about them. They refuse to stay put in the little compartments inside our heads where our perfect pasts are safe from the gracelessness of the plodding present.

Funny thing about freedom. It means something only if we use it, but to exercise it is to lose a little bit of it, because every time we make a choice, we eliminate all the other choices we could have made.

Economists call it the "opportunity cost," the hidden price we pay in every transaction. Money we spend on one thing is money that can't be spent on other things. Politicians who brief us on the balance sheet of taxes due and projects funded always leave that part out.

Those opportunity costs are everywhere in our lives. Every choice we make – or fail to make – takes us down a path that excludes all other paths.

Sometimes, we are inclined to ponder the opportunities we might have missed. What if I had joined the Air Force as originally planned instead

of the Army? What if I had taken that city editor job in Kentucky instead of turning it down? What if I had said to Judy, OK, what I want from you is a date?

But we can't dwell on them to the point where we fail to appreciate what we have and instead brood over what we might have lost. Otherwise we risk becoming like the fool in Robert Frost's "The Road Not Taken" who is so paralyzed by the pitfalls of choice that he makes not choosing a prolonged exercise of exquisite agony.

We are on the brink of what is tritely called "the holiday season" of offering gratitude for what we have and the people we share it with. That has always been an easy platitude to express but a hard commitment to live up to. It won't be any easier in a year in which we are told to fear not just family gatherings but even leaving the house. Celebrate if you must, but make visiting Uncle Fred and Aunt Evelyn stay on the porch.

But we need the celebration more than ever. If everything else in the world seems on shaky ground and we don't cling to each other and cherish what we have, what's the point?

So, I will be thankful not just for my loved ones and how they bless my existence but also for the choices we all made that put us together in the same space and time. The roads we didn't take no longer matter.

And I wish for Judy's loved ones that they embrace the choices they all made to put them in the same orbit and that they dwell not on their loss of her but on what she gave them while she was there.

Happy Thanksgiving.

It's 2020 — What's Next?

(Nov. 16) — It's such a perfect little story to illustrate this awful, awful year of the pandemic, cities overtaken by anarchy and an election from hell.

A deer jumped through a window into an empty classroom at Blackhawk Middle School in Fort Wayne. After trashing the room for 45 minutes, the deer jumped back through the

window and ran away. Spokeswoman Krista Stockman said that while the situation was surprising, “it’s 2020.”

It’s 2020.

That should be added to the catalog of verbal shrugs we use to stoically accept our fate in an indifferent universe where anything can happen.

“That’s the way the cookie crumbles.”

“C’est la vie.”

“Que será, será.”

“Forget it, Jake, it’s Chinatown.”

“Well, it’s 2020.”

Oh, no, the virus is back, bigger than ever!

Well, it is 2020.

Harry and Meagan left the royal family but won’t shut up!

What do you expect in 2020?

Dear God, now we have murder hornets!

Hey, it’s 2020.

Can you believe this, Indiana actually stomped Michigan in football!”

Oh, sure, it’s 2020.

I’m thinking of the scene in the great American movie “Groundhog Day” in which Phil the self-centered weatherman is bitterly complaining about the day that won’t ever end.

“I was in the Virgin Islands once. I met a girl. We ate lobster, drank piña coladas. At sunset we made love like sea otters. That was a pretty good day. Why couldn’t I get that day over and over and over?”

For us, this is the year that won’t ever end

I remember a year fondly – it was 1974.

I was a newly minted journalism graduate, fresh out of Ball State University and winning two first-place awards from the Hoosier State Press Association. My wife and I had a small house with a big garden on the south side of Wabash. My parents came to visit us from Fort Wayne and my father was still vigorous in middle age.

That was a pretty good year. Why couldn’t I get that year over and over and over?

But, no, it has to be 2020, in which every day is the same as the last day, only a little worse and the next day will be the same as this day, only a little worse.

I imagine all of us waking up on Jan. 1, eager to get a reset and start with a blank slate on a brand-new year. But we will hear the same song on the radio we heard yesterday morning and realize 2021 has not arrived as scheduled. This year will just go on and on until, like Phil the weatherman, we learn whatever lesson the universe is trying to teach us.

We will be better people, kinder and more tolerant. We will respect each other’s differences and search for common ground. We will strive to build up, not tear down.

Yeah, sure, if we were born yesterday, which was really today.

Personally, I’m waiting for the other shoe to drop. I think there is one more unbelievable, unprecedented, stupendous event to come. When it happens, the logjam will break and we can leave this awful year behind.

A surprising number of people agree with me, but we differ on what that event might be.

Some think it will be a natural disaster so big it will devour a whole country or cause California to break off and fall into the ocean. Some think a terrorist group might finally use a nuclear weapon, touching off World War 3. Some religiously motivated think it might even be the Second Coming.

Me, I think aliens will land.

Sure, be skeptical. But the Pentagon this year officially released three videos showing compelling footage of UFOs and it was announced that the UFO task force will start doing more in public instead of in the shadows. This, after decades of strident denials. I think they’re trying to soften us up for the big day when we discover We Are Not Alone.

But the aliens – or Undocumented Extraterrestrials, if you will – will land, some will say to enlighten and guide us and some will say to conquer and enslave us, take a quick look around, decide it isn’t worth the trouble and take off in less than an hour, like . . .

. . . well, like a deer crashing back through a classroom window and escaping into the woods.

Forty-five minutes is about as much of 2020 as an advanced civilization might be able to tolerate.

Big Government, Type 1

(Nov. 9) — After Joe Biden was projected the winner of the presidential election, I read many variations of this sentiment, written by Frank Rich in *New York Magazine*:

“The good news that comes with the potential Biden presidency is that there will be an honest and decent man in the White House, buttressed by a professional and at least nominally bipartisan triage team, who will try to undo the damage.

“... Most of all, the nation will have dodged a bullet. What would have happened during an unchecked second Trump term is too horrific to contemplate.”

I had to laugh, because it was pretty much the antithesis of what I was thinking:

I wish Donald Trump had another term to undo the damage done by authoritarian statist. But I’m glad we had at least a four-year break in the inexorable march of progressivism. Leviathan’s arrival will be paused momentarily while its soldiers regroup.

I have to confess here that I have almost given up on my lifelong fight for small-government conservatism. I know I can’t speak for others in my camp, but I suspect that attitude (and, fine, it is defeatist) is not uncommon.

The growth and centralization of power, the path to bigger and bigger government, cannot be stopped if that is what citizens demand. It is often said that freedom is a universal yearning. But once people have it, they then want security.

And the more security they have, the more they want, never mind that it comes at the cost of their freedom. On and on it goes, until, as Margaret Thatcher warned, the government “runs out of other people’s money” to give away and the whole thing collapses.

And, frankly, though the jury is still out on this, the world may have become too complex to be negotiated with Thomas Paine’s attitude that,

even at its best, government is a necessary evil that must be limited.

So, what we’re left with, we hardy band of cheerful fools, is a choice between Big Government that tyrannizes us and Big Government that retains at least some respect for the Constitution’s foundation of natural rights and the primacy of the individual.

With Trump, we could at least console ourselves with the thought of a Big Government working in our interest. And despite Trump’s flaws, including especially the bombastic personality his critics could not see beyond, he managed to create a rational foreign policy that put America first and a domestic policy that expanded opportunities for everyone.

But now we’re back to the other Big Government, the one that seeks to advance equality to the point where liberty no longer exists. I’ve called it statism and progressivism and authoritarian, but let’s just call it what it is: socialism, which inexplicably enthalls increasing numbers of Americans despite its repeated failures throughout history.

Dinesh D’Souza, in his recent book “The United States of Socialism,” calls it “identity socialism,” which, in the words of Auguste Meyrat in *The Federalist*, “champions the cause of majoritarian democracy” by “uniting together the many strands of identity politics, environmentalism and class warfare” and pits marginalized groups against traditional American norms.” Identity socialists have two goals, “to confiscate property, but also to make traditional Americans feel like foreigners in their own country.”

Democracy, it has been said, is two wolves and a sheep voting on what to have for dinner. So, when we hear the new administration and its supporters call for greater democracy, we should understand that “these elites are not thinking of how to empower all people, but really of empowering one group of people to dominate over others.”

People like Frank Rich, of course, do not see this the way I do – as a coming horror show – but

as the return to the way things ought to be, with (oh, brother) a “decent and honest man” to wrest the country from the grimy paws of Trumpists who want to greedily have everything and destroy anybody who wants a tiny piece of it.

To him, opponents are not merely those with opposing views and different values. They are evil, to be both loathed and feared and therefore to be vanquished by any means necessary.

“There is no reason,” he warns in conclusion, “to think that a setback in a single election will cause America’s conservative movement to either dwindle in size or compromise its views no matter what transpires in a Biden presidency.”

Honestly, I wish he were right about that. I fear he is not.

Is Indiana Most Hated?

(Nov. 2) — As I write this, it is mere days from the presidential election, so my anxiety level is near an all-time high. I know you must be feeling it, too, but by the time many of you read this, the choice will have been made, so your dread will have started to fade a little or begun ratcheting up even more, depending on who will have become the president elect.

So, we’re in great need of a little mood lightener and I have found one.

Indiana, we are being told, ranks in the top 10 among the most hated states in the U.S.

Isn’t that wonderful?

For too long, we have suffered the ignominy of living in an insignificant speck among indistinguishable specks dotting flyover country. How much better to be hated than ignored, because to be hated is to be feared. Come visit Indiana, if you dare, coastal elite poltroons. We’ll show you what Hoosier hospitality means, heh-heh.

Pretty silly, of course.

But then numbers often are, especially when they show up in news stories. Journalists are an innumerate lot and too often more gullible than they need to be. They will just report the figures they are given, painting the exact picture they are

asked to paint, however distorted it might be, because they don’t know any better.

Figures don’t lie, but liars figure, the saying goes. Economist Ronald Coase put it more precisely when he said that if you torture the data long enough, it will confess to anything.

A few examples:

- Indiana has among the lowest teacher salaries in the nation. This might be true when considering just the raw numbers, but it doesn’t take into account the cost of living. If you adjust teacher salaries for cost of living in all 50 states, as the group EdBuild did for 2016, you get a fairly narrow range. The adjustment ranks Indiana 18th, just behind 17th New York and just ahead of 19th California.
- Crime is out of control in Indianapolis (or pick your favorite city), so it needs more police officers. Maybe, maybe not. The average number of police officers per 1,000 residents is about 2.2 or 2.3 nationwide, but there is no recommended number out there, because there are too many factors to consider, such as the city’s geography, economy, history and crime patterns.
- Covid-19 cases are spiking again, so we should be very afraid. The number of reported cases is meaningless as a public health figure unless it is accompanied by the number of deaths. If the cases are going up but the death rate is going down, that is good news, not bad. A new report from Imperial College London puts the Covid infection fatality ratio at about 1 percent in high-income countries but substantially lower in low-income countries with younger populations.

A never-ending parade of numbers with no context or the wrong interpretation means most people studying the federal budget have no concept of how much more than 1 million 1 trillion actually is. They have no idea of risk – the odds, say, of dying in a car wreck, by gunshot or from a tornado. They can’t give a rough estimate of U.S. or world population. They don’t understand a thing about percentages. They couldn’t tell a mean from a median if their lives depended on it.

It's even worse when the numbers themselves are just made up. All those silly state-ranking, click-bait stories: Indiana is among the most hated states, the fattest, the unhealthiest, the dumbest, or it is among the best to retire in or raise a family and on and on. They are based on criteria in the writer's head; nothing about them is real. Indiana is "hated," among other reasons, because of how many people move from it – never mind why the people move.

The silliest numbers of all are in the opinion polls that have come to dominate our headlines and newscasts. Supposedly they give us a snapshot in time of the public mood, but as it became clear how much stock people put in them, they have been used to shape that public mood. Polls today are not just too much a part of the news; they too often create the news. If we are in danger of drifting from the sanity of a republic to the mob rule of a democracy, polling should get a large part of the blame.

So, let me know what you think. Do you believe my rant against numbers is a) exactly right, b) more right than wrong, c) more wrong than right, or d) exactly wrong?

Just kidding.

Nov. 3 Scenarios

(Oct. 26) — I know what you're up to, all you early voters. But I have to say I don't think it's going to work out the way you hope.

You just want this all to be over – the drama, the anxiety, the bitterness, the anger, the shouting of slogans and accusations of taking the country in the wrong direction. You thought you could go ahead and vote and put it all out of your mind, go back to feeding the dog and watching reruns on the Hallmark Channel while the rest of us continued to twist ourselves into knots over how it's all going to turn out.

But in truth, you're helping create the very situation you seek to avoid. This is going to go on and on. It might never end.

Because of a massive shift to mail-in ballots, we aren't likely to know the outcome of the presidential balloting on Nov. 3. In six swing

states totaling 74 Electoral College votes — Georgia, Iowa, Michigan, Nevada, Pennsylvania and Wisconsin — no mail-in ballots may be counted before Election Day.

That could give us three ways our agony could be stretched out, according to a simulation by the Claremont Institute in partnership with the Texas Public Policy Foundation and reported by The Federalist:

1. A clear victory for President Trump, winning 32 states and 322 Electoral College votes (270 needed to win), but, due to the massive use of mail-in ballots, victory likely won't be formally declared until days or weeks after Election Day, as Trump would only have 248 electoral votes known for certainty.
2. A clear victory for Vice President Biden, winning 26 states and D.C. for a total of 342 Electoral College votes. Again, because of the mail-in ballots, victory won't be known for certain, as Biden may only have 268 electoral votes late into election night.
3. An ambiguous result, with the final election results of several states delayed and subject to intense court fights resulting in a struggle right up to the Jan. 6 joint session of Congress where the ballots of the electors are unsealed. Uncertainty could extend even beyond this as decisions for both the presidency and vice presidency are battled out in Congress and before the U.S. Supreme Court.

If you think 2020 has been chaotic so far, imagine if the election of the next leader of the free world is chosen by nine unelected justices who serve for life.

Even better, what if the election is thrown into Congress?

After the 1800 election, it took the House 31 votes to choose Thomas Jefferson over Aaron Burr, his vice presidential running mate, as president (things were a little more complicated back then).

In the 1824 election, Andrew Jackson won both the popular vote and the most electoral votes among the four candidates. The House was allowed to select from among the top three, but

the fourth-place finisher, wily Kentuckian Henry Clay, threw his support to second-place finisher John Quincy Adams, so Jackson got royally screwed.

And I hesitate to mention this, suspecting some regular readers might set their hair on fire and start running into walls, but there is even a chance the Speaker of the House could be given temporary custody of the presidency while the mess is straightened out.

Wouldn't that be fun?

Of course, writing in isn't the only form of premature suffrage. With the growing popularity of Early Voting, many citizens are physically going to their polling places days or even weeks early.

A lot of them are in Indiana. According to one of the TV stations I've been watching at my sister's house in Indianapolis, there is an average wait of two or three hours for the folks in line at various Marion County polling places and in one of them it is – wait for it – eight hours.

Guess all that all those dire warnings about the need to turn our election process upside down because of voter fears of catching Covid while voting were just a bunch of hooey, huh? Fancy that.

Apparently, more than 50 million people nationwide have already exercised their franchise in one way or another – that's nearly 40 percent of the total number who voted for president in 2016. And considering the small percentage of undecided voters among the sluggards still waiting for Election Day, maybe this thing really is all over. I don't have a dog to feed, but I can feel a Hallmark rerun calling to me.

On the other hand, I have this fantasy . . .

There is this quirk in Indiana election law that irritates me no end – in fact, learning about it is what caused me to write about early voting in the first place.

If you vote by absentee ballot in this state, then have the misfortune to die before Election Day, your ballot is thrown out. According to the Indiana Constitution, to vote here, you must be a citizen and a resident for 30 days of the precinct you are voting in. Since dead people aren't citizens

and don't have residency, they aren't considered eligible voters.

But, come on. At the time of their voting, those pre-deceased unfortunates were citizens and did have residency. I mean, I can understand not letting the long dead vote, unless we're talking about Illinois, but disavowing voters' franchise because they died is some sort of weird ex-post-facto voodoo.

But I imagine this scenario. The Electoral College is in utter chaos and the election will come down to a handful of absentee ballots in Indiana. All the people who voted absentee for the other guy leave town without a forwarding address and are presumed dead. My guy wins.

Then it can be over.

Local Politics

(Oct. 19) — I keep pretty good track of changes in the Indiana Code, but I came across one recently that I had missed. As of last year, city police and firefighters no longer have to live inside their county or a bordering county. Now, they can live in a non-bordering county up to 50 miles from city limits.

That information came up in news stories about Kokomo. The city, having trouble increasing its police force from 80 to the budgeted level of 92, launched a website and created a TV commercial to recruit from a wider circle.

I wouldn't exactly say the city is begging for applicants, but there is more than a hint of desperation in the effort.

The commercial criticizes cities that have adopted or considered policies to "defund the police," as The Associated Press blandly reports it and says to potential applicants that the city is "prepared to show you the respect you deserve as you protect the community we love. You're welcome in Kokomo."

I don't know which is sadder, that the city has to seek officers from as far away as South Bend and Indianapolis, or that it has to pledge not to give them up to the mob if they actually take their duties seriously.

It's a reminder, with an election looming, that there is more on the ballot than president and members of Congress.

It is natural that we think most about the votes we cast at the federal level. When we select a president, senators and members of the House, we are doing more than putting specific people into office. We are also taking a philosophical stand and staking our claim on a worldview.

We are giving ourselves to something bigger, a vision of what America is or should be. It has always been so, but today, with a 24-hour news cycle and relentless social media magnifying everything, that sound of destiny knocking is ever louder.

But we should never forget that local officials, those toiling in city, county and state offices, are the ones who can do the most to make our day-to-day lives easier or more miserable.

They're the ones in charge of how well our streets are paved and the garbage removed, how well-lit our neighborhoods and how many boarded-up homes they have. They can make starting a new business a pleasure or a nightmare. They can take the role of public servant seriously or delight in snarling us in bureaucratic pettiness.

The governor is the one who can declare an emergency and make us stay home. The mayor and council members are the ones who can handcuff the police or put the fire station too far away from our burning homes. The school board has the very future of our children in its hands.

When our basic rights are in question – whether they are about to be upheld or violated – those local officials are the ones on the front lines. How well we are treated will depend on how well we have chosen.

So, let's be informed. Use a search engine to find what your local news organizations have said about the county and state candidates on the ballot. Check out organizations like Ballotpedia.org and vote.org. County and state political parties have websites and most candidates these days do.

I'm not crazy about police living up to 50 miles away; I want the people keeping us safe to live in the place they protect and know local issues and

challenges. But I understand how we got to the point where that might seem necessary.

Maybe this election sneaked up on everybody. But the next municipal elections in Indiana are still three years away. So, no excuses then.

Indiana, Still the Mother of Vice Presidents?

(Oct. 12) — Putting a vice president into the Oval Office is like putting a new Supreme Court justice on the bench. You might think you know what you're getting, but people who are given such power have an alarming tendency to do whatever they want to.

Lyndon Johnson was another John Kennedy and then some, but Richard Nixon was no Dwight Eisenhower and George H.W. Bush was no Ronald Reagan.

Come to think of it, it's sort of like letting the 16-year-old with a brand-new license drive the family car. You hand over the keys and say a little prayer.

I doubt if too many people actually were, but that's what we should have been thinking as we watched (if we watched) the debate between Mike Pence and Kamala Harris. Which one would we feel safest turning the keys over to? Would this country be better off if we woke up one morning in the hands of President Pence or President Harris?

Many conservatives are happy with the current president's policies, but Donald Trump is at heart a populist. Pence is much the purer conservative, so he would likely take an administration further right. Joe Biden poses as a centrist but is really a liberal at heart and Harris seems even more so, so her administration would probably go further left.

If that weren't enough to think about – further right or further left – we also have to wonder about what devilment individual quirks might lead to. There are always plenty of issues to go off the rails over and all of our presidents have managed to find at least one.

The vice presidency has never been exactly a revered office.

John Adams, the first man to hold the position, said his country had “in its wisdom contrived for me the most insignificant office that ever the invention of man contrived or his imagination conceived.”

Thomas R. Marshall, Woodrow Wilson’s V.P., said of the office: “There were once two brothers. One ran away to sea, the other was elected vice president and neither was ever heard of again.”

And John Nance Garner, FDR’s first vice president, famously said that the office wasn’t “worth a bucket of warm spit” (though the actual word, sanitized by many historians, was much earthier).

Over the years, presidents started trusting their seconds-in-command with more than staying quiet except when being a cheerleader for the chief executive’s policies. Starting with Walter Mondale under Jimmy Carter, modern vice presidents have had much greater power; some people even said Dick Cheney was more the president than George W. Bush. President Obama put Biden in charge of our Iraq policy and Pence has led the Covid-19 task force.

But the chief job of the vice president – and other than presiding over the Senate, the only constitutional role – is to simply be there to take over if needed.

That’s something Marshall failed utterly at.

Like Pence, Marshall assumed the vice presidency after serving as Hoosier governor. In Indiana, he was well liked for his wit and sense of humor, which were not the qualities he needed when Wilson suffered an incapacitating stroke in early October of 1919. Several Cabinet officials and congressional leaders from both parties urged Marshall to take power, which Wilson could not exercise but would not give up.

But the Constitution did not specify exactly how a vice president should take over the duties of the president and the cautious Marshall refused to act without a written request from the president or a joint resolution of Congress, neither of which was forthcoming. So, for three months, the United States was essentially leaderless, though some historians say Wilson’s wife Edith was our de facto president.

Today, we have the 25th Amendment, providing more specifics for presidential succession and a mechanism for filling a vacant vice presidency. It was authored, in the wake of concerns spurred by President Kennedy’s assassination, by Hoosier Birch Bayh, who was elected to the Senate before his son Evan was elected governor and then went on to the Senate. Bayh served three terms in the Senate before being defeated by Dan Quayle, who went on to be, well, vice president.

Whew. Marshall, Bayh, Quayle, Pence. Lot of Hoosiers there.

For what it’s worth, Indiana has had six V.P.’s, second only to New York. Due to its importance as an important swing state from about 1860 to 1916, the state was once known as the Mother of Vice Presidents. Not bad for a small state in the middle of flyover country.

The odds of the 25th Amendment coming into play during the next president’s term are pretty high. Donald Trump is 74 and already has the distinction of being the oldest ever elected to the presidency, a record Biden, who will be 78 years old on Inauguration Day in 2021, would surpass; Ronald Reagan was 77 when he left office. Both candidates have faced questions about their physical and mental well-being.

President Pence. President Harris.

Just saying. ♦

Mark Franke

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A Non-Explosive Encounter with the Bomb Squad

(Feb. 10) — “A policeman is here and more are coming . . . from the bomb squad. Will you be home soon?”

Needless to say, that is the kind of text message one would rather not get from his wife.

Now this is not a disaster story and it actually turns out quite well. I should tell you that before going on with the explanation.

My wife’s retirement hobby is reorganizing everything in our home that can’t run away under its own power. Furniture is constantly moved, pictures rearranged and extensive cleaning perpetually underway. Fine, until she casts a covetous glance at my study, my workshop or my garage. The threat requires my continuous 24X7 vigilance.

Her latest project and perhaps the most ambitious, is to clean out the storage area of the basement. I actually encouraged her on this, at least until she got into my stuff. Still, we worked through it without professional counseling and our 48-year marriage remains intact.

I should clarify that it was nothing of mine which required a visit from the city police bomb squad. I can truthfully blame that on my deceased father, whose stuff is crammed onto several heavy-duty shelves in a corner. Most of it, in unopened boxes moved from his home during his last years, contains family memorabilia, old documents and photographs of people I can remember only vaguely.

Several boxes housed things he saved from his Navy days. He served on an LST (Landing Ship, Tank) during D-Day, something he never talked

about with his kids. He saved his sea bag with his uniforms and such but also a few items that my wife found disconcerting. OK, so we have a box of hand grenades and artillery shells in our basement? Who knows when they might come in handy?

Our city has a general information number one can call to ask how to deal with issues that may involve governmental assistance or intervention. She called that number and they immediately transferred her to the police department, fortunately not on the 911 line. The desk sergeant put the bomb squad on alert, sending the closest specialist to the house and then dispatched two more who were at headquarters. The lieutenant in command, who happens to live close by, also was called in.

This was the situation as I drove home with a rather casual regard for posted speed limits.

The four officers were quite friendly and helpful in advising us what to do with the stuff. One of the officers had served on an LST himself so he could explain why my father, who never left his ship, could have a German potato-masher hand grenade and helmet. When I told him Dad’s ship delivered its armored unit to Omaha Beach in the second wave then transported casualties back to England the rest of the day, he suggested that some of those casualties were probably German.

As an aside I do have an avocational interest in military history but I am not a memorabilia collector. Someone out there probably can tell you who was the first peasant to shoot a cow with a crossbow, but I am not he. I can tell you how the crossbow helped change military tactics to the detriment of the mounted knights of King Arthur lore. My interest is in the role military conflict plays in beginning or ending political, economic or social systems, not what I consider arcana.

Now for the happy ending. They scanned the ordinance and determined it was inert. They also told us they maintain a curated collection of these things back at headquarters. I offered to “donate” it all to them and they couldn’t box it up fast enough. They also recommended we call our local historical society, which operates a museum in the

city's nineteenth century former city hall building, about the non-lethal items. We are members of the society but I never thought that we might have something of potential display interest.

One last amusing anecdote to this story is that our son-in-law drove by to drop off our grandson for babysitting after his morning preschool and saw four large SUVs with police license plates blocking our driveway. His heart rate eventually returned to normal but the four-year-old wasn't sure about it all, perhaps because the vehicles weren't marked police cruisers. He would have gotten excited if they were.

They can defund the police in the coastal progressive cities where, by the way, murder rates are rising at a frightening pace, but here in the heartland we appreciate getting rapid and courteous response to a simple phone call requesting information.

And I can brag about the bomb squad's being called to my house . . . by my wife. She will just have to live this down as best she can.

Loyally Opposing Biden

(Feb. 3) — This is an excellent opportunity for the Republicans in Congress to assume the role of the loyal opposition, as that term is understood in Britain and elsewhere in the Anglosphere.

The term was first invoked by a minority Member of Parliament in 1826 to establish that opposition to government legislation did not imply disloyalty to the Crown.

Instead, it reaffirmed the minority's allegiance to the monarch and the nation even as it worked to defeat the majority party's program.

"The opposition performs an adversarial function critical to democracy itself. Governments have no right to question the loyalty of those who oppose them. Adversaries remain citizens of the same state, common subjects of the same sovereign, servants of the same law."

These words were spoken by a Canadian parliamentarian during a Stanford University

speech in 2012 to explain the concept of loyal opposition as used throughout the Commonwealth of Nations.

We don't have a sovereign in the United States, at least not in the British sense, but we have a written Constitution with a Bill of Rights to which we pledge allegiance symbolically through the flag. That document and the principles it enshrines stand in the place of a crowned head for us.

So how should Congressional Republicans serve in this role the next two years? Perhaps triage is a good metaphor for their approach.

First and foremost, some initiatives of the Biden administration and Democrat majority will be so egregiously anti-liberty that they must be vigorously opposed on principle. I am speaking here of blatant attempts to restrict First Amendment rights of assembly, speech and worship. The category also includes poorly disguised attacks on the Constitution and its standards for government action and restrictions on those actions. Court-packing schemes and other attempts to fundamentally change the independence of the judiciary fall here.

Then there will be dangerous assaults on the nation's prospects for economic well-being. Confiscatory tax increases, interference in freely functioning markets, unfair advantages given to favored industries and worker groups are examples of this kind of legislation. Here is where parliamentary tools can be used to delay and defeat these bills.

A third category holds everything else. A lot of bad legislation can come out of Congress which does not violate the Constitution or completely hamstring the economy. These laws begin as appeals to emotionalism and Americans' heartfelt desire to help others, but almost never allow for dispassionate discussion of their negative ramifications in the rush to get them passed. After all, the one law Congress consistently passes is the Law of Unintended Consequences.

I would also include in this third category "Christmas tree" bills that seem to get introduced to address every real and imagined crisis.

Congress just can't help itself from adding everything every majority member wants in these 1,000-page-plus monstrosities, too often written only the night before the vote. "We have to pass the bill so you can read what is in it" is the way Nancy Pelosi described this technique when forcing through the Affordable Care Act. Statements like that sure build confidence in our government, don't they?

Even a minority party can take advantage of parliamentary procedure and special rules to hold the majority in check. The 60-vote requirement to advance legislation in the Senate is one such. Hard-nosed negotiation with the moderates on the majority side of the aisle can minimize the damage even when unable to defeat a bill outright.

This is an opportunity for the Republican Party to demonstrate to the electorate that it has a coherent agenda for governance, one that offers more fairness and greater hope than that of an increasingly radical Democratic manifesto.

This is where the Republicans can show their dedication to the nation with a clear vision of what we might be and a goal for the minority party other than simply taking power for power's sake. Do they have a clear and unified message that will keep their caucus together and gain support across the country? If so, I certainly would like to hear it.

This approach worked for Ronald Reagan in dealing with the House Democrat leadership. Reagan knew how and when to give in gracefully while holding the line on his political principles. An 80 percent legislative victory is certainly better than none at all. Incrementalism is a useful term to describe this approach to advancing an agenda one step at a time. Perfect can be the enemy of good when speaking of Washington D.C.

This is my advice to the Republicans, for what it is worth. If Biden and the Democrats instead choose to pursue a "winner take all" policy of engagement, then that's their lookout . . . in 2022 if not before.

A Positive Thought

(Jan. 6) — Dark. Depressing. Frightening. These are just a few of the adjectives people are using to describe 2020 as it passes into a bad memory for all of us. Most, though, will follow with a more positive statement about what 2021 is expected to bring.

Perhaps this incipient optimism reflects the rolling out of a vaccine which we all hope will be effective at a nearly 100 percent rate. Or maybe it is just the optimism that is part of the American spirit breaking through the gloom.

The latter is what I want to believe but a recent Gallup poll suggests that I am wrong . . . again.

Every November since 2001, the Gallup organization has polled Americans on their sense of mental health. Now this is a self-assessment, not a clinical diagnosis, but it certainly provides insight in how Americans feel about themselves and their prospects moving forward.

What Gallup found is that in this year's poll the lowest percentage of Americans classify their mental health as good or excellent since polling started. The drop from last year was eight percentage points, which is more significant than the raw number would imply.

The drop was consistent across all demographic categories — gender, race, political affiliation, age, income and marital status. That is, consistent but for two outliers.

Democrats didn't move much in terms of their attitudes. Of course this polling was done immediately after the election so there is some post-election euphoria at work here, I'm sure. One wonders how these Democrats would respond now that Donald Trump has replaced Barack Obama as the most admired man in America, according to another recent Gallup poll.

What I wonder is why Republicans and Independents dropped by double digits. OK, so Joe Biden won the White House but nearly all the down ballot results showed Republican gains. I suspect it is a manifestation of our "winner take all" attitude about nearly everything these days.

There is some bad news for Democrats, however. Even now they still score lower in mental health attitudes than Republicans and Independents. The difference between the two parties is 12 percent even after a 15 percent drop by Republicans. Why do Democrats feel so much worse about themselves than Republicans? I shouldn't hazard a guess in print but I have an opinion or two, one of which is documented in Gallup's results.

The only group which actually improved its mental health assessment was regular church goers. These are people who attend worship services every week so maybe constantly hearing the message that a loving God is still in charge of His creation has taken hold. It's curious that monthly attenders dropped as much as non-attenders. Their base score is higher than the completely secular respondents, but still . . .

Republicans tend to be more religious than Democrats, or maybe it is that religious people are more likely to vote Republican than Democrat. Covid decrees by liberal Democrat governors restricting First Amendment religious freedom can only push this dichotomy further along, regardless of which is the chicken or the egg.

Additional Gallop findings instruct us that men are more confident of their mental health than women and married people more so than singles. Higher income people are more positive than those in the lower income categories but that gap narrowed in 2020.

Age is the confusing one. All groupings dropped by about the same percentage but the 50-64 are significantly more positive than those older and younger. The other groupings have about the same base scores, which doesn't make sense to me. In my experience, partially empirical at best, I find that Millennials are the most frightened by the pandemic. This is a generalization and everyone knows that all generalizations are false. But it is observable, even by someone who doesn't get out much these days.

Perhaps the most encouraging breakdown is the one between whites and non-whites. This gap, small to begin with, narrowed even more. Maybe

everything in this nation shouldn't get reduced to an unbridgeable chasm between the races, critical race theory or not.

When I mentioned this poll at a New Year's Eve socially responsible gathering of a handful of retired couples, the responses ranged from "Who cares?" to "Oh. Demographics." Maybe everyone is simply tired of the steady barrage of bad news and the political bickering it fosters.

And maybe, just maybe, we will use the advent of 2021 as a clarion call to take responsibility upon ourselves both individually and communally to make things better for us all. That sounds like a better plan than sitting around depressing ourselves even further.

I, for one, won't let a physical lockdown induce a psychological one. There is still a lot of good that can be done, mask or no mask. And most of it can be done safely at a six-foot distance.

A New but Old List of Resolutions

(Dec. 30) — I am not going to resolve in 2021 to exercise more or lose weight. Sure, I need to do both those things and will work on them, but I won't take the cheap way out and declare them to be my New Year resolutions. They are too easy to make and even easier to break.

Rather, I am looking inward at my character and resolve to focus on those positive aspects which ought to define it and personify it to others. I've identified nine personal attributes that bear improving. I think this would be a good list for everyone but I must begin with me.

Here is my list of nine resolutions. Just writing about them has given me a good start toward keeping them.

It's easy to love those closest but what about those who really get on your nerves? Love must be unconditional or it isn't love at all; it is little more than affectionate tolerance. Then there are those I don't even know, billions of them around the world. I already set aside one day each week to pray for those I don't know. Why just one day?

I had a work colleague who used to remind everyone that attitude is a choice and he chose to

be happy. Living a life of joy seems so much better than one of disappointment and disgruntlement. I will remind myself to enjoy the routine of everyday life, not least during the Covid lockdowns.

Everyone wishes for peace on earth, but the peace of the Christmas message also speaks to relationships among people. People of goodwill can disagree on politics, sports or whatever yet still exist peacefully with each other. I will try very, very hard to not start any arguments and to ratchet down any started by others. I will strive to ensure that my discussions with others exhibit more light than heat.

Most people, my wife excepted, consider me a patient person. Even so, I still must work on showing patience when others are in a hurry or when I want to hurry them along.

Lady MacBeth thought her husband was “too full of the milk of human kindness” but we all know how she turned out. Kindness is so much more rewarding than getting even or holding grudges. “A soft answer turneth away wrath,” in the inimitable style of the King James Version. Whenever I am about to respond in kind to a harsh word, I’ll remember the proverb.

Everyone wants to be good and do good but one’s true goodness can only be found in the eyes of others. I suspect that success on this one is dependent on progress with the other eight.

At risk of being immodest, I think I can safely say that those who know me trust me to keep my word. That’s not enough. Faithfulness requires me to go the extra mile to earn the confidence of others and instill in them the assurance that I will be there for them whenever they need someone.

I am not a violent or temperamental person but I still need to demonstrate more gentleness in my intercourse with others. It’s easy with my young grandchildren but I can be better at it with grown-ups too. An encouraging word, a warm smile and an understanding attitude are marks of gentleness.

The last is probably the most important. If I don’t improve my self control, I can’t possibly realize improvement in the other eight. My plan is

to recite this list when I feel control starting to slip.

These nine resolutions are ambitious and quite different from the typical list. They are inwardly focused yet with clear outward manifestation. They all must reside first in my heart, continually and sometimes they will pour out when the base part of my nature doesn’t want them to. I hope that is often.

As a first step toward improving my character, I will come clean and admit that I can’t claim pride of authorship for this list. It is nearly 2,000 years old.

But then, St. Paul was writing for the ages.

A Christmas Hope for All

(Dec. 23) — A good friend of mine, now sainted, was a professor of theology at our local Lutheran seminary. He had a brilliant mind that was manifested in a pastoral heart. He was known for his pithy statements, expressing profound points in a handful of words. Recently I was reminded of one such. It is quite apropos today, probably more so than when he said it.

“Hatred is simply chilled and hardened anger.”

Why write about hatred in the week of Christmas? Blame it on the book I am currently reviewing for the Indiana Policy Review’s quarterly Journal.

“Divided We Fall: America’s Secession Threat and How to Restore Our Nation” by journalist David French addresses the chasm that is widening between red and blue, urban and rural, coastal and inland. One frequently recurring word in French’s counterfactual scenarios is “rage.” Extremists on both ends of the ideological spectrum respond with rage at others’ political actions, rage that is all too infectious to contain once it starts. It is my friend’s “chilled and hardened anger” run amok.

This is the third book about a potential breakup of our union that I have reviewed, all projecting a dystopian future for America, should America even survive. Yet each also proposes a way out of this crisis. That way out is predicated

on a major attitudinal shift for all of us, a shift away from anger and hatred and intolerance and toward understanding and constructive engagement and kindness.

In a word: Hope.

What better time of year to talk about hope than Christmas? For us Christians it is a time to reflect on that ineffable miracle of God becoming flesh to redeem a rebellious creation. We may try to limit God's grace through our unkind thoughts, words and actions but God can't be marginalized by our failures. Even non-Christians benefit from the feeling of good will that comes about each year at this time.

If one finds all this too Christian to be universal, then recall the Greek myth of Pandora's box. After she unleashed all sort of evil into the world, with the best of intentions to be sure, Pandora was left with just one thing in the box — hope.

Whatever one's faith or lack thereof, this season should give us hope that we can rise above our basest inclinations. It must start in our hearts where we hold what is most dear, hearts that have room even for those with whom we disagree. The human condition requires that we open our hearts to those we want to shut out and our nation desperately needs for all of us to do so if we want to avoid the apocalyptic scenarios in French's book.

For my own mental health I put French's book aside until after Christmas. Instead, I watched the "Muppet Christmas Carol" with my youngest grandchild. I'm not sure what message a four-year-old took from it but I find something different to ponder each time I read the story or watch a movie based on it. This year I focused on the Cratchit family, impoverished by Victorian standards and certainly by our modern ones, yet thankful for and content with what blessings they received. Bob's Christmas dinner toast honoring Ebenezer Scrooge is instructive. We may find Scrooge despicable and past redemption but Bob sees good in the miser who provides him employment.

It is Tiny Tim, although facing a life of crippling pain and financial dependency, who sums it up best: "God bless us, every one!"

Or even better, as the angels proclaimed to the shepherds that night: "Glory to God in the highest and on the earth peace, good will toward men." (Luke 2:14 KJV)

Even though this is the darkest of my 70 Christmases, the simple message of the angels hasn't changed. We need peace and good will now more than ever. Looking back to that historical event of 2,000 years past is where we will find it. There is the source of my hope.

I know of no other place where it can be found.

A Light in the Covid Darkness

(Dec. 16) — I have avoided writing about Covid so far and intend to continue onward along this path . . . except for today. This column isn't so much about Covid per se but about the effect it is having on our daily lives.

First, I should admit that I neither understand nor care about the science behind it. I have lived my three score and nine years on this mortal coil without knowing anything medical and I have been quite content in my ignorance. What little I have heard or read seems confusing at best and often contradictory to what I heard last week. Worse, it has become politicized to the point that I don't trust scientists any more than I do politicians. And I trust the reporting of the national media even less.

Since it is now part of the American ethos to be polarized on every issue, it doesn't surprise me that Covid has its two extreme camps that attract nearly everyone I know. Here is my simplistic observation: Some people are in the Chicken Little camp. "The sky is falling and we must go and tell the king!" I have friends and family members who react this way. The other camp has Alfred E. Neuman of Mad Magazine as its poster child. "What? Me worry?" That's where you will find me.

Even though I am a scientific know-nothing, I do recognize that this is a dangerous environment we live in and that we have responsibility to

ourselves and our neighbors to keep everyone safe. So I wear a mask whenever I am out, which is as often as I can slip my wife's metaphorical ankle monitor and I avoid large crowds, which I do anyway even in the best of climates.

My greatest fear is the damage being done to our liberty under the Constitution as governmental officials assume nearly unlimited power to control people's lives. Too often this has proven arbitrary and discriminatory. Just ask someone in Michigan about that governor's selectively punitive shutdowns. Fortunately, the U.S. Supreme Court and other judicial entities have begun to roll back the most egregious of these usurpations but one wonders if they are merely closing the barn door behind a horse that has already stampeded away.

There is also the long-term economic disruption that may prove impossible to mend.

Favored businesses are allowed to stay open while others are closed by government fiat. How many people have lost their jobs permanently due to the whim of their state health officials?

Then there is the future inflation that must come from the Federal Reserve's running its printing presses 24x7 to provide enough money to cover all the government spending. Everything I learned in Econ 101 tells me this is a train wreck waiting to happen.

Yet, we soldier on. Many families will gather for Christmas despite the pronouncements of their hypocritical governors who manage their own travel desires just fine, thank you. Workers, at least those who are back on their jobs, will show up for their shifts. Healthcare staff will continue to minister to those with the virus, all the while not knowing if today is the day they test positive. Children will attend school, if their state and local officials allow it. And the faithful will worship and pray, congregationally or separately.

Determined resourcefulness is just one facet of the diamond that is American exceptionalism. It will shine through the Covid darkness in spite of all the self-serving posturing of our governing class.

Most have heard Charles Dickens' quote about the best and worst of times. He was writing about the horrors of the French Revolution yet told the story of some very noble-spirited people. Reading the novel's entire first paragraph, paradoxes notwithstanding, is instructive and should be motivational.

"It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of light, it was the season of darkness, it was the spring of hope, it was the winter of despair."

Is this our story?

I hope America fares better than did France in Dickens' novel. It's up to us as a community of individuals, not our government, to make it so.

A light shining in the darkness is one of Advent's powerful themes. Perhaps we flawed humans can reflect that perfect light, even if imperfectly and help make things just a little bit better for everyone.

Making Sense of English

(Dec. 9) — I used to find English class one of the most boring of all the subjects I suffered through in elementary and high school. I wanted nothing to do with it, even more so than those hated math classes.

It wasn't the teachers; it was the subject matter. The only part I liked was diagramming sentences, definitely the exercise all my classmates detested most. I was and still am, a contrarian at heart.

As a side note my wife taught language arts (a blatant subterfuge to hide what the subject matter really is) to grades two through eight in her career and she included diagramming as part of the instruction for older students. One former student, after getting a high school graduation gift from us, wrote his thank you note in a diagrammed sentence. That warmed the cockles of her teacher's heart.

The problem remains that English has to be the most difficult language for someone to learn, especially for those who try to do it as an adult.

Even most native speakers can't put together a grammatically correct sentence, let alone spell every word correctly. Just listen to any conversation today. Extra credit if you can identify the dangling participles.

Languages do change over time and informal speech sounds too awkward if rigorously held to grammatical purity. We all end sentences with prepositions in everyday speech but really shouldn't in writing, at least not if we want to get an A.

I will give a pass to sentence fragments such as the one I used a few paragraphs above, sentences ending in prepositions or beginning with conjunctions and other informalities that don't detract from meaning. My personal sensibilities scream stop to run-on sentences, commas separating a noun and its verb, and noun-verb disagreement.

Still, something needs to be done to restore grammatical sanity to the English language. The current potpourri of exceptions and special cases doesn't pass muster and needs to be brought up on charges before a linguistic supreme court.

Any bill of indictment of the English language will contain the following accusations at a minimum:

- Irregular verbs. Why do so many verbs violate the “-ed” ending for the past tense? Eat, ate; sleep, slept; speak, spoke; ad infinitum.
- Homophones. If they are spelled differently, why aren't they pronounced differently? Wood, would; hour, our; eye, I.
- Heteronyms. Now let's spell them the same way but pronounce them differently. When you see the word “lead” do you think of having followers or a base metal?
- Spelling-phonetic idiosyncrasies. Do we really need both “f” and “ph” to create the same sound? Why is the letter “g” pronounced two different ways? Try tutoring first grade beginning readers some time as they try to sound out new words. I have.
- Contronyms. This is my favorite category of nonsense, words that also mean their exact opposite. If flammable means likely to catch

fire, then inflammable should mean not so. Wrong. Forget all those Latin prefixes you learned. This category has even done damage to the Bible. When God created Eve and said a man will leave his parents and “cleave” to his wife, I'm reasonably certain He meant just the opposite of what one would use a butcher's cleaver for.

- Noun-verb disagreement. Since English is not a gendered language, the masculine has been commonly understood to take the place of unknown or mixed gender, at least until a group of busybodies decided such usage was potentially offensive to somebody, somewhere. I'm pushing for a constitutional amendment to prohibit using they as the noun when a single person is meant.

Did I mention irregular verbs?

Here's my modest proposal to bring rationality back into the English language: Whenever a toddler has his second birthday, assign a Ph.D. in English to follow him around for a full year, making notes of everything he says and the way he says it. All this data could then be analyzed by other highly educated people in computer science or mathematics or some such discipline. There are about four million two-year olds in the United States so this will provide gainful employment to a lot of people.

The result will be an English language that is no longer a memorized list of exceptions to rules that are confusing enough already. English classes will no longer be exercises in self-flagellation. Rather, in my brave new world our language will have a few simple rules that are always followed. The overarching principle is this: If that's the way a two year old first says it, that's the way we all will say it for the rest of our lives.

Best of all, it will sound the death knell for irregular verbs. Requiescat in pace.

Old Enough to Vote?

(Dec. 2) — A high school-aged friend of mine asked me a question which had never entered my mind. Should the voting age be lowered to 16? She

was working on a paper for her rhetoric class and that was the assigned topic.

The situation required a dodge, certainly not the formal rhetorical term her teacher would use for my maneuver, but it bought me a few moments to gather what thoughts I could. And there weren't many that came to mind.

That is, until my 69 year-old memory finally fired up. I was in high school and college when the movement to lower the age from 21 to 18 picked up steam and eventually became the law of the land through the ratification of the XXVI Amendment in 1971.

The rationale for this change was, quite simply, the Vietnam War and its associated draft. If a young man could be sent to Vietnam to fight for his country, shouldn't he have at least a theoretical right to participate in the national decision-making behind the war?

That argument held sway, but too late to affect my voting as I had turned 21 by then. I should point out that during that 18-21 interlude in my life, my political attachment matured from conservative Democrat (there still were some of those back then) to libertarian Republican. College is supposed to turn young people into liberal-progressives but it moved me in the opposite direction.

I explained to my young friend that being drafted was the tipping point back then and I couldn't think of any equally compelling issue today. She agreed.

She sent me the outline of her speech and I have to say I was impressed with the logical progression of her argument. It can be summed up this way: Young people under the age of 18 have few responsibilities of citizenship and have legal protections in place for much of their life's activities. They are still in their intellectual formative years and are more easily swayed by spurious appeals than those older. This she sees as a real danger, quoting Nancy Pelosi's statement that "it's really important to capture kids when they are in high school." Capture? She rightly recognizes this as just one more partisan political machination.

Another of her points is that high schoolers have "practice" voting options that provide a practical understanding of its importance and the need for it to be done intelligently. There was a time when schools were expected to form their charges into responsible citizens and exercises like mock elections were a rather effective tool for that. It's good to know that some of this still happens, but I wonder how much?

She covered the history of the voting franchise in America, reminding her listeners that it originally was restricted to property owners under the premise that they had the most invested in the nation and therefore the most at risk. Today, everyone pays some kind of tax — income, excise, sales, payroll, etc. — so this argument isn't quite so persuasive. Maybe it needs a new look, as data from the Congressional Budget Office show that only the top 20 percent of incomes in the United States pay more in federal taxes than they receive back in transfer payments. The lowest 60 percent receives at least \$2 back for every dollar paid in. How do you think that 60 percent will incline to vote?

The XXVI Amendment addressed only voting but it precipitated state action on other restrictions on the 18-21 age group. All but three states (Alabama, Mississippi and Nebraska) set their age of majority at 18, allowing a young person of that age to enter into contracts and such, as well as be subject to adult criminal prosecution.

One of the few hangers-on of the age 21 requirement and perhaps the most irritating to 18-year olds is state liquor laws which deem them too young to purchase or consume demon rum and its evil ilk. My friend did not touch on this in her speech and it is a subject for another day, a day well into the future as far as the grandfather in me is concerned.

It all comes down to a balancing of the privileges of citizenship over against its concomitant responsibilities. For 16-year olds, the balance is appropriate without voting rights. My high school friend is correct — there is no persuasive argument for further lowering the

voting age to 16. They just don't have enough skin in the game . . . yet.

We Can Be Thankful Even Now

(Nov. 23) — I listened in the other day while my wife read a Thanksgiving story to our grandchildren. It was the traditional story with Pilgrims and Squanto and a shared dinner. Then, the book was published in 1973 before political correctness was running amok.

This book, "The Pilgrims' First Thanksgiving" by Ann McGovern, paints an idyllic portrait of the first full year of the English settlement at Plymouth Rock. It is a look-back through rose-colored glasses, at least to an extent, but what is wrong with that?

Much of what we are taught in school about our history is presented in the best possible light in deference to our cultural heritage. Maybe it glosses over a few of the less reputable events in our past and focuses our attention on those which triumph our successes. Does anyone really care if George Washington chopped down a cherry tree? It is his inherent honesty which is taught in the story, an honesty that served him and his country well.

It doesn't all have to score 100 percent on the historical accuracy scale to be worthwhile to teach to our children. There are moral principles involved and there is a fabric to be woven that unites us as Americans. It is what makes us exceptional as a people, a people united by a creed rather than any tribal affiliation.

When we teach our children these anecdotes, the point is that they learn the lesson intended . . . lessons of moral rectitude, love of country and duty to neighbor. Heroes help us internalize these lessons by taking them to heart and incorporating them into our own character development. Why not have as your hero George Washington, Abraham Lincoln or any other president? It sure beats Colin Kaepernick or the current rapster.

Does it really matter that the truth may be stretched somewhat? Or that no attempt is made to balance the good with some ex post facto evil dug from somewhere in the evanescent past? We

don't need persistent moral equivocation in our legends. Judging those in the past by today's politically driven standards is neither intellectually honest nor helpful in unifying us around the core principles that define the United States of America.

Which brings to mind that iconic line from the movie "The Man Who Shot Liberty Valance": "When the legend becomes fact, print the legend." We need more legends that uplift us rather than tear us down.

I know, the current spoil-sport mentality wants us to be in perpetual purgatory for all the sins our forefathers committed and for which we must atone over and over. Find a crack in the statue and it gets torn down regardless of the overarching good the subject did in his life. Perfection is the standard, but it is a postmodern subjective one that becomes more and more radicalized almost on a daily basis.

Enough already. No one can dwell on the negative all the time without becoming irredeemably negative about everything. How do we set an example for our children and grandchildren if all we do is criticize and complain? How do we as Americans, beneficiaries of the best experiment in self-government ever, set an example to a world that looks to us for hope?

This Thanksgiving, I am going to forget my disappointment with the recent election and my increasing concern about Covid so that my grandchildren can continue to look to me as a role model for how to live a life of contentment and thankfulness. And Grandma will continue reading them wholesome, patriotic stories that honor family, neighbors, nation and God. And I really don't care how others will judge me for my 1950s naivete.

I will hold to my idealized vision of the first Thanksgiving, frolicking Pilgrim and Indian children playing while the adults shared what they had. And there's another lesson to be learned. They shared of their own accord, without a massive government taxation system to

redistribute the bounty. This came from their hearts, both Pilgrim and Indian.

That's my story and I'm sticking to it.

'Splitting' Off

(Nov. 18) — When did we as Americans plunge into the abyss of demonizing everyone with whom we disagree?

It wasn't this way for the first 30 years of my life. Some of the most fulfilling times of my undergraduate days were spent debating philosophy, religion and politics with friends of what was then the left wing. At least that beat spending time at the library.

We would fight it out at student government meetings and then repair to a local establishment with a rather casual attitude about Indiana liquor laws. We never thought of each other as evil or stupid, just misguided and well worth the time spent in intensive debate.

Not so anymore. Looking backward, my best guess as to when we began the descent into intolerance hell was the Robert Bork confirmation hearings for the Supreme Court. He was opposed and they made no secret about it, purely on political lines. The man was brilliant and would have left an intellectual mark on the Court as no one since, except possibly for Clarence Thomas. Yet the Senate Democrats "borked" him, as this maneuver came to be known. Most court nominees since then and certainly all put forth by Republican presidents, have faced either the threat of or the experience of being borked. Witness Brett Kavanaugh.

I've noticed this trend even among friends who otherwise are kind, reasonable people. This developed in my conservative circle of friends during the Obama years as his initiatives and pronouncements were judged based on the man without serious examination of their value. His motivation could never be pure so his proposals were to be opposed.

And then came Donald Trump.

It never seemed to matter what he said; it had to be opposed vociferously. After all he was "illegitimate" and totally evil. I'm not speaking

only of the Washington politicians or East coast media, who have lost all credibility with most of us in fly-over land. It was the opinion of progressives everywhere who preached this as an article of faith. The irony of this rabid opposition was that someone as personally despicable as Donald Trump could garner so many votes. If the elitists are reduced to slaving rage at the merest mention of his name, we deplorables conclude there must be something good hidden behind the bluster and verbal bullying.

Just look at the recent Pfizer announcement of an effective antidote to Covid. Immediately its efficacy was challenged by some of the usual suspects just because Trump trumpeted it (pun intended). Gov. Andrew Cuomo of New York, at once both the darling of the media for his non-Trump pandemic response while being the governor with about the worst virus track record in the nation, is against it for reasons that are at best obscure. If Trump says it is good, then it is perforce bad. Period.

What is it that has so corrupted us?

A op-ed in the Wall Street Journal instructs us that this phenomenon was first popularized by an inter-war psychoanalyst named Melanie Klein. In layman's terms, Klein described how we humans "split off" intolerable thoughts inconsistent with our prejudices. If we view someone as evil, he or she must be thoroughly evil and any redeeming qualities must be split off. Likewise, those we adore must have any deficiencies split off so as to not affect their pure goodness.

Klein posited that this keeps the world neat in the short term but leads to distorted reality and warps responses to the real world. To quote the article's author Andrew Hartz: "It makes conversation difficult [and] impairs relationships."

No kidding.

So the next time you are enduring a rant by someone from the other side, first take the time to do an honest introspection of any rants you may have delivered previously. If conscience gives you a pass, feel free to tell them they are "splitting."

And then you probably should split, in the hippie sense of the word. The discussion won't be getting friendlier any time soon.

Democracy as a Chimera

(Oct. 28) — Does my vote matter?

Yes and no. How's that for equivocation?

One can certainly argue that almost no election has ever been decided by a single vote. Therefore, my vote won't change anything so why bother? The risk of Covid exposure can be used as the excuse for staying home this year and absentee ballots are too much effort to request and return.

What, though, if I have been talking to my friends and we all arrived at the same conclusion and then let other circles of friends know that? How far could my influence spread? To enough recalcitrant voters that we may affect a close race?

Can democracy survive if a critical mass of voters are too discouraged to exercise their right? Does that make voting a duty rather than a right?

First, a philosophical consideration. In spite of what most may think, our nation's founding first principle is not democracy. America is founded on liberty flowing from natural rights as defined in the Constitution and protected by the rule of law. Democracy is a means to this end, one that Winston Churchill proclaimed as better than all others that have been tried.

The Greek philosopher Plato, residing in the world's first governing democracy, preferred a benevolent dictator or philosopher-king. Even in theory, this required a slew of prohibitions to ensure the despot's benevolence. I'm not aware of Plato's system ever being successfully implemented anywhere and one can easily understand why it must ultimately devolve into pure despotism. Power corrupts and absolute power corrupts absolutely according to Lord Acton. Sorry, Plato, but Churchill's observation is spot on.

So our founders wisely gave us a republican form of government with the advantages of

democracy playing out in regular elections. The exercise of democracy is the means to the end of protecting liberty in our commonwealth.

So back to the original question — does my vote matter? Maybe less than one wants to believe. Think back on the outcomes of past elections. When the mayor's office in your city changed political hands, did your garbage still get picked up? Did the police and fire departments continue to respond to calls? Did your local tax rate change appreciably, other than to keep heading inexorably northward?

Even at the national level, a change in the White House generally doesn't have seismic effects on our national policy. Has Donald Trump drained the swamp or did Lyndon Johnson eliminate poverty? Foreign policy has been constrained within a narrow band of the idealist-realist debate, although its inept administration in several administrations bears note. The embarrassing behavior of our senators and congressmen stays the same unless it can find a new depth of immaturity.

One can argue that it is in the appointment of federal judges that a president best can affect government direction into the future. Perhaps, but it is a sad commentary that we on both sides of the ideological continuum look to appointed judges to decide what laws govern us rather than to those in the other two branches elected for that very purpose.

So is our devotion to democracy a chimera, a self-delusion not unlike the shadows playing across the walls in Plato's cave?

I didn't mean for this column to head down into the abyss of nihilism. I am not a cynic at heart but it does get more difficult all the time and not just because of the inanity that defines national news coverage. People of all ideologies have become less contemplative and more determined to make a 30 second point. Maybe that is the influence of those same national news organizations worshipping at the altar of the sound bite.

It is at times like this that a lover of liberty needs to reflect on the republic our founders left

us and their charge to us to “keep it,” as Ben Franklin told a citizen standing outside the convention hall. Reflection, contemplation, deliberation — call it what you may but this is not the same as making a point at the office water cooler or the backyard barbeque.

Yes, I will vote next week as I always have but with Edmund Burke’s admonition about good men doing nothing pricking my conscience. I won’t expect much to change and will fervently hope that it doesn’t if I vote for the losing side. I’ve been there before, often enough.

After all, there is always a libertarian’s best friend in Washington — gridlock.

The Flag

(Oct. 21) — The American flag seems to be everywhere these days and I suppose that is a good thing. After all, the flag is a symbol of who we are and what we believe. We are a creedal nation, as George Will describes us.

My childhood recollection is that there was a federal law prohibiting the use of the flag and its image in any manner other than posted on a flagpole or hung according to strict guidelines. I don’t recall seeing any other uses when growing up back in the halcyon days of the Eisenhower administration.

Now one sees its being used for clothing, travel mugs, soccer chairs and even Covid masks. Granted, the people who purchase such items do so out of respect for the flag and to publicly display their commitment to its principles. They are proud to be American and want others to know it.

Still, these uses are technically illegal. My childhood memory is correct; there is a federal law proscribing such uses. The odd thing is that the federal law includes no penalties for violations. That is the open door to patriotic and respectful display regardless of what the law says. The flag as a symbol has become personalized to most of us here in the land of the “deplorables.” We respond blatant disrespect for the flag on national newscasts by displaying its image everywhere we can.

What happened during my seven decades of life to cause this? Could it have been the public flag burning that began during the Vietnam War? Remember Rick Monday’s outfield dash to rescue a flag that had been ignited by protestors at Dodger Stadium?

The American Legion, an organization of veterans who fought for this flag, continues to make respect for the flag its number one legislative priority. A constitutional amendment is introduced every congressional session but never goes anywhere. As a Son of the American Legion based on my father’s service in D-Day, I certainly understand that heartfelt determination to protect the flag even though the chances of a constitutional amendment are virtually nil.

The passions are certainly heating up now. The furnace got restoked by NFL quarterback Colin Kaepernick’s refusal to stand during pre-game national anthems and the aftershocks of that. Now kneeling is de regur at many professional sporting events. One might take these multi-millionaires more seriously if they did something tangible, such as donating significant percentages of the massive incomes they receive for playing little boys’ games to charitable causes that actually help the less fortunate.

This is the disconnect we have in our nation today. I go anywhere in public here in northeast Indiana, appropriately masked of course and I see illegal but patriotic displays of flag images. Then the national media show me another world entirely. The coastal elitists are quick to claim some kind of moral and intellectual superiority over us in fly-over land where we only care about “our religion and our guns,” just two among the many liberties the flag represents. We have become an underclass, relegated to a serf-like existence generally ignored by our betters unless the opportunity for ridicule arises.

So do well-intentioned people disrespect the flag when we wear it on our clothing? Technically, I suppose we do yet one can’t help but wonder why the federal law contains no penalties for violations. Maybe that’s why the American Legion and other patriotic organizations want a

constitutional amendment to sanction at least the most egregious actions of disrespect.

The conundrum for classical liberals like me is to reconcile the principles personified by Old Glory with the more visceral attitudes about treatment of the flag itself. Should it be illegal to wear the flag image as a shirt? Probably not, so perhaps that's why there is no enforcement of the federal law. Our First Amendment right to freedom of speech is the higher order "law" in this case.

What about the flag burners? Are they exercising their same right to freedom of speech? My brain says yes while my heart screams no. As usually is the case, I will go with what my brain tells me. The maintenance of liberty, all of it, is the reason we have a constitutional nation today.

But it wouldn't hurt for our schoolchildren to begin each day with the Pledge of Allegiance as their grandparents did. That may help them preserve their idealistic innocence long enough to ensure America remains "one nation under God" rather than the dystopian shouting match seen on 24-hour news channels.

Isn't that our role as a beacon of liberty? The whole world is watching indeed.

The Libertarian Vote

(Oct. 14) — What's a responsible citizen to do given the choices on election ballots these days?

I started following presidential elections as a grade-schooler back in 1960 but 2016 was the first one in which I felt neither candidate was worthy of occupying the White House. And I was not alone in that sentiment as it was also the first election on record in which both candidates polled higher negative numbers than positive.

And, sad to say, both candidates have proven the electorate right in their behavior since.

Here we go again. I didn't watch the first debate, holding to my resolve to ignore everything politicians say when in front of a TV camera. Friends, most of whom long ago made up their voting minds, tell me my decision to watch a baseball playoff game instead was the wise one.

I will vote, as I did in 2016, but that vote will be against the candidate and party that I see as the greater threat to liberty and prosperity. The lesser of two evils is still evil, according to Erasmus or some other great thinker, but one can't help but wonder if gradations in badness still matter. Maybe it's time to reread Dante's "Inferno" to learn the real differences among the nine circles in his vision of hell.

No, it is time for me to stop being a cynical curmudgeon and take a more positive outlook on my duty as a citizen and as a positive example to my grandchildren.

My colleague at the Indiana Policy Review, Leo Morris, wrote recently about voting for a third-party candidate in the Indiana gubernatorial election. I have always seen this tactic as self-defeating, almost guaranteed to produce the greater of the two evils.

Think of the number of votes Ross Perot received in 1992, nearly 20 percent of those cast. One can argue that the Perot voters were disenfranchised and disillusioned folks who probably just would have stayed home on election day if it weren't for the non-mainstream candidate. Perhaps that is true, given that Perot polled strongest among independents followed by Republicans. Democrat voters were least likely to switch to Perot. Did Perot contribute to or even assure George Bush's loss to Bill Clinton?

Prior to that election, a relative told me he was going to vote for Perot as a protest against Bush's reneging on his "no new taxes" promise. After Clinton won the election, I asked my relative how he felt about his decision. "I wouldn't have done it if I knew my vote would help Clinton win" was the response. This is a data set of one point but note that Perot's vote total exceeded the winner's margin in all but five states, so you do the math.

That's the conundrum, as Morris pointed out in his column. The United States is a two-party nation and has been most of its history with the current structure locked in since the Civil War era. No third-party candidate in my lifetime other than Perot has been viewed as a serious contender so the votes they get are really ineffective protest votes.

I don't know the answer even after reading Morris' nearly compelling argument which is and I simplify, Eric Holcomb has such a huge lead that voting for the Libertarian won't affect the outcome but may send a message. True, but will the right people hear the message and engage in appropriate introspection?

Still, it's better to cast a third-party vote than stay home because there are other races down-ballot, many of which give a clear choice or offer a candidate one can be enthused about supporting. I will go to the polls on Nov. 3, in person, but won't be a cheerful voter. Frightened might be the better adjective.

I hope Morris is right about Indiana's gubernatorial election being an effective opportunity to cast a third-party ballot. I will continue to be an optimist, if a skeptical one at times. We need to preserve our democracy, the only thing holding the totalitarian mob outside the walls. That, even when distasteful, takes the willing participation of those who love the liberty so many died to preserve.

But I reserve the right to remain a curmudgeon. My 69 years on this mortal coil give me that right. ♦

The New Feudalism

Growth-management laws and plans, which strictly regulate what people can and cannot do with their land in the name of controlling urban sprawl, do far more harm than good and should be repealed. To correct the problems created by growth management, states should restrict the authority of municipal governments, especially counties, to regulate land uses.

Some 13 states have growth-management laws that require local governments to attempt to contain urban growth. These laws take development rights from rural landowners and effectively create a "new feudalism" in which the government decides who gets to develop their land and how. The strictest laws are in California and Hawaii, followed by Oregon, Washington, New Jersey, and several Northeastern states.

Growth-management advocates say that their policies protect farms and open space, save energy and reduce air pollution, and reduce urban service costs. However, farms and open space hardly need saving, as the nation has an abundance of both. There are much better ways of saving energy and reducing pollution that cost less and don't make housing unaffordable. Finally, the costs of growth management are far greater than the costs of letting people live in densities that they prefer.

As compared to the trivial or nonexistent benefits of growth management, the costs are huge. Median home prices in growth-managed regions are typically two to four times more than those in unmanaged areas. Growth restrictions also dramatically increase home price volatility, making homeownership a riskier investment. Growth management slows regional growth, exacerbates income inequality, and particularly harms low-income families, especially minorities such as African Americans and Latinos.

The key to keeping housing affordable is exactly the opposite of what growth management prescribes: minimizing the regulation of vacant lands outside of incorporated cities. Allowing developers to build on those lands in response to market demand will also discourage cities from overregulation lest they unnecessarily push development outside the city.

— Randal O'Toole, *Cato Policy Analysis No. 802*, Oct. 18, 2020

John Gaski

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Paradise Lost: a History of the Next 200 Years

Author's note: The following historical document from the year 2221 came into the reporter's possession via a fortuitous tear in the fabric of the time-space continuum.

The socialist takeover of the United States in 2020-21 actually began half a century earlier when the left took over higher education, followed relentlessly over the years by capture of secondary and even primary schools. This allowed the liberal-Democrat-socialists to propagandize and indoctrinate America's youth in their own image and likeness for two whole generations. (The U.S. socialist-communist movement in the 20th century always predicted that its ultimate victory would be actualized through the liberal Democrat establishment, without Americans even knowing it was happening.)

Two other prongs of the liberal-Democrat-socialist (LibDemSoc hereafter) trident of national cognitive infrastructure sabotage were 1) literal dumbing-down of public school students so they would be vulnerable to leftist political sophistry and 2) flushing of moral values from curricula — because values-oriented citizens tended to vote conservative and Republican. Mission largely accomplished even before 2020, as many observers noted at the time and the contrived public ignorance advantage favoring Democrats in U.S. elections eventually became insurmountable.

Infiltration and commandeering of the mass media were also occurring by the same half-century-prior pivot point, but not yet activated. For instance, the ultra-liberal Walter Cronkite and his comrades at least tried to play their reporting half-straight and mask their bias and intentions. Long before 2020, though, the gloves came off, all pretenses were dropped and American voters were subjected to a near-monopoly of propaganda from conventional and even social media "news" sources functioning as shameless mouthpieces of the far left. As a result, conservatives and Republicans grew more beleaguered and, by 2020, that side's presidential candidate, Donald Trump, never had a chance.

Following the election of Trump's nominal opponent, Joe Biden, things happened fast. Of course, the Democrats had stolen and fabricated millions of votes, so we will never know who really won, but Biden was certified as victor. (A consensus of late-20th Century historians agreed that the U.S. Democrats did steal the 1960 presidential election through vote fraud. Apparently they maintained the same tactical tradition.) President Biden was not permitted to remain in office for long, though, removed under 25th-Amendment guise by his party and replaced with another figurehead, whose name is lost to history, by the LibDemSoc power structure. — including someone named George Soros whose identity is also murky to historians.

Specific events born of the 2020 election, leading to the demise of the United States, are covered in the following. As general prelude, the LibDemSoc strategy that destroyed the country, whether intentionally or not, was basically the same as used to gain the election — and the same used by communist and socialist forerunners in Russia and Germany about 100 and 90 years earlier, respectively: the Big Lie and mass violence. In this case, the two were often combined. For example, LibDemSoc riots before the critical election were blamed on the opponent and the brain-dead public bought the canard. Now, how it all played out:

- Statehood for the District of Columbia and Puerto Rico and packing of the Supreme Court, which gave the LibDemSoc amalgam absolute control over the whole federal government, were secondary issues. The kill shot was legalizing the 20 million illegal aliens, many of whom had been voting illegally already, as reliable and official LibDemSoc voters. This, a decisive stroke on a strategic par with the Enabling Act of 1933 Germany, made it impossible for any Republican to win at the national level ever again, establishing a permanent, one-party, leftist dictatorship that would have endured far into the future if the country had had a future. (While all this was being done, the hapless Repubs fulfilled the role of von Hindenburg.) U.S. citizens should have pondered the disastrous nature of every leftist dictatorship in world history before they voted for one (even if a slight majority did not).

- The LibDemSoc faction regarded the U.S. Constitution as a frivolous impediment so they shredded and neutered it, with the imprimatur of their partisan high court. Again, U.S. voters should have seen the long-standing LibDemSoc violent intolerance of dissent as precursor of the cancellation of freedom of speech, religion, press, assembly, etc. Naturally, all criticism of LibDemSoc ideology or policy came to be prosecuted as “hate speech,” as was much religious doctrine.

- The political revenge trials and re-education camps beginning in 2021 were reminiscent of the world’s other tyrannical models, but the poignant connection was lost on the ignorant Americans, we can infer. They were still slow to grasp the ruthlessness of a totalitarian order. In fact, the first political patron of a previous U.S. president (Barack Obama), a radical terrorist named Bill Ayers, had predicted about 30 million political “liquidations” necessary upon socialist takeover of America, but the populace ignored that harbinger as well. (Imagine: An American president closely associated with a terrorist and the nation’s people still didn’t get it!)

- • Even the LibDemSoc leaders were naïve, which led to their own undoing. Having collaborated with Russians to try to influence the 2016 election and then successfully colluding with the Chinese Communist Party in 2020, they foresaw a continued partnership. — blithely underestimating the world domination appetite of the CCP. China’s subsequent blitzkrieg bio-nuclear-cyber-electromagnetic attack on the U.S. left the remnants of the nation merely a Chinese raw materials colony until the present day. Why did the U.S. not retaliate? The LibDemSoc rulers really believed their country was evil and deserved the punishment of destruction. (These were people who had hated their own country since the 1960s and ’70s.) Besides, the military was disarmed unilaterally under Biden.

- • It remains astounding that the U.S. public as of 2020 did not put two and two together and perceive that China had unleashed the Covid virus upon the outside world entirely for the purpose of damaging Donald Trump and electing Joe Biden, who was actually on their payroll. A few years later when the re-engineered Covid weapon fatally infected America, perhaps some of the survivors realized what had been done to them. (Surviving Democrats never did. They kept blaming Donald Trump.) The Chinese Covid scheme, i.e., its attack on the U.S. political system and population, worked like a charm.

- An especially poetic touch has been China’s use of ISIS and al-Qaeda volunteers as U.S. territory street cops to control the few living descendants of the former population. (The tormented subjects, whose numbers are dwindling, might not use the word “poetic.” ISIS and al-Qaeda were natural choices for such duty because of their effective and enthusiastic work in the post-Islamization phase of the geography formerly known as Europe and mop-up operations after Iran’s thermonuclear annihilation of Israel in 2024. An appalling, corollary irony is that the prior Obama-Biden regime in the U.S. had given Iran the financial wherewithal to wage the attack that killed six

million Israeli Jews in the brief war that eliminated the country from the map. (The anti-Semitism of the Democrat party was only a widespread suspicion contemporaneously.)

Two centuries into what is called the Sino-Millennium — which Western vestiges think of as Dark Ages II — these realities are immaterial to most of the world. Yet we can still appreciate and admire the golden age that the originally constituted United States of America embodied and fostered. (Another Democrat tactic of the American period was to deny or belittle their country's unparalleled greatness. Historians still wrestle with how that approach could have been so politically effective domestically.)

Some modern scholars hold that the American tragedy merely reflects a routine case of the evolution, decline and fall of nations, i.e., how extreme affluence begets terminal weakness in the ending throes of a national life cycle. Yet it truly appears that it need not have happened to the U.S. The necessary condition, the tragic flaw, would seem to have been the left's oppressive subversion of public and higher education in 20th century America. If not for the abandonment of values and standards in the schooling of two successive generations of U.S. citizens just prior to their democracy's fall, that citizenry — a better-educated one — would not have ignorantly succumbed to the fatuous nostrums and blatant hoaxes of liberal Democrat-socialist politicians at such critical crossroad times, especially the fateful and fatal 2020 election. An honest media would have helped, too, but they were in league with the "Democrats" until too late.

Certainly the Covid weapon launched by the Chinese in the decisive run-up year had the

intended effect of roiling the U.S. election and the LibDemSoc allies benefited enough, temporarily, to blunder their country into doom. Indeed, the slow-motion national suicide wrought by the LibDemSoc cult became a literal case of assisted suicide. Incidentally, the new regime's celebratory dynamiting of the sacred Mount Rushmore memorial occurred at the exact temporal midpoint between Biden's inauguration and America's full and final termination in 2025.

Many lessons permeate the end of American history, such as how easily a great power can crumble. From our historical vantage point it is tempting to wish to ask American voters of that early 21st Century era, if we could, "How could you be so stupid?" Alas, we know the answer: They couldn't help it. Their soon-to-be dictators—the last domestic American rulers—made them that way, at least enough of them and that condition not only set the process in motion but sealed their fate.

R.I.P., U.S.A. You really had something special, the closest thing to a real Shangri-La or utopia that our world will ever see, which we, the "honest historian underground," continue to admire vicariously.

Respectfully submitted,

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Backgrounders

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U.S. Citizenship in a Bull Market

(Feb. 26) — During the years I taught ethics at Butler University, I asked my students what word they heard most. The word? Diversity. I also asked them what their parents said to them when they did something stupid with a bunch of friends. I requested they finish this sentence: “If your friends jumped off . . .” Around 95 percent said a ‘bridge,’ “roof” or “cliff.”

There was little diversity. However, when I was young and did something stupid with friends, my Mom asked me, “If your friends jumped off the Brooklyn Bridge, would you do that, too?” She had narrowed the jump to one, single structure. She was born in Germany and came over on the boat. The Brooklyn Bridge meant something to all those immigrants from Europe. It meant hope. It meant a new life. The bridge meant freedom. Coming to our shores and becoming an American citizen was highly valued.

How much is it valued today? Several answers avail themselves.

The easiest way and likely the least satisfying, is to look at naturalization fees. In 1989, the naturalization fee was \$60. The fee went to \$90 in 1991, \$95 in 1994, \$225 in 1999, \$260 in 2002, \$320 in 2003 and \$595 plus a biometric fee, for fingerprinting costs, of \$80 in 2007. In 2014, the naturalization fee was 640 plus an \$85 biometric fee. On July 31, 2020, the filing fee was announced as \$1,170, but the cost met with resistance and was scrapped. It is currently at \$725, \$640 for filing plus the \$85 biometric fee. So, the simple answer is \$725, a 1,200

percent increase in 31 years. The value of U.S. citizenship has increased dramatically.

Yet, people appear happy to pay the fees associated with naturalization. Between 2008 and 2017, the naturalized population varied from 620,000 immigrants to a little bit more than one million annually. In 2017, 707,000 immigrants were naturalized. Naturalized citizens appear to know that being a legal permanent resident (LPR) costs more, at \$1,285, than naturalization fees. As well, the LPR “green card” must be renewed every 10 years. Currently, the renewal fee is \$540. It pays to go through the naturalization process rather than acquiring a green card.

Data show that getting naturalized pays in other ways, too. The Migration Policy Institute (MPI) observed that, “Naturalized citizens are, on average, better educated than immigrants who have not become citizens. In 2017, 36 percent of naturalized adults (ages 25 and older) possessed a bachelor’s degree, compared with 26 percent of noncitizen and 32 percent of native-born adults. At the same time, 19 percent of naturalized immigrant adults had not completed high school — a smaller share than among non-citizens (37 percent) but a larger one than among the U.S. born (9 percent).” So inasmuch as education and economic success are intertwined, naturalization makes financial sense.

Indeed, the MPI stated that, as opposed to LPRs, “Naturalized citizens also fare comparatively well on important economic outcomes. In 2017, the median earnings for naturalized men and women (\$52,300 and \$42,500, respectively) were higher than median earnings for non-citizens (\$35,700 for men and \$28,500 for women) and on par with those of U.S.-born individuals (\$52,300 and \$42,000). Median household income for naturalized citizens (\$66,000) was higher than for households headed by both non-citizens (\$47,300) and the U.S. born (\$60,800).” The data from the MPI suggest that citizenship results in an \$5,000 annual gain for citizenship over green card holders. For American-born citizens, the aggregated total is

even higher. Over a 40-year working life, that is a \$200,000 difference.

Much of the difference between naturalized citizens and green-card holders, as researchers such as Ayelet Sachar notes, involves the characteristics of certain immigrants. Sachar said that “the ultra-rich from the rest of the world . . . are willing to dish out hundreds of thousands of dollars to gain a freshly-minted passport in their new ‘home country’” and criticized “a world where not all passports are treated equally at border crossings.” Sachar, while disturbed that some immigrants come with advantages and are treated differently, at least helps answer the question regarding “what for many is the most sacrosanct non-market good: membership in a political community.” In his words, citizenship in countries like America are worth “hundreds of thousands of dollars.” Given the preceding data, Sachar, in a backhanded way, is correct.

Finally, naturalized citizens have notably higher homeownership rates than non-citizens. Similar to the native born, 66 percent of naturalized migrants lived in owned housing units in 2017, compared with 35 percent of non-citizens. Investigating this disparity uncovers the great value of citizenship, namely, the protection of individual rights, for instance property rights. Our country has stability of law, the product of a legal system that relies on *stare decisis*, Latin for “let the decision stand.” *Stare decisis* enables the law to be stable and predictable. Many immigrants would live in America because their governments rely not on the rule of law, but on the will of a ruler. In the U.S., though, laws and actions of government that do not show discretion or do not reflect the law are considered “arbitrary and capricious.”

Perhaps the greatest example of the value of stability and predictability involved the presidential election of 2000. After two recounts following the procedures established by law in Florida, a court case was brought before the Supreme Court. It ruled that the law was followed and that any more recounting would depend on who was counting the ballots.

Naturally, the media were upset that President Bush had won, so they took it upon themselves to do a recount. Three different newspapers did the counting, all of their recounts showed that Bush had won, but interestingly, each newspaper had Bush winning by a different amount . . . it depended on who did the counting. The newspaper recount was arbitrary and capricious.

So, how much is the presidency worth? Citizens have a share of that value.

Jason Arp, for nine years a trader in mortgaged-backed securities for Bank of America, was reelected last year to his second term representing the 4th District on the Fort Wayne City Council. Arp has served on the Redevelopment Commission, the Community Legacy Investment Committee and as co-chair of the Finance Committee of the Common Council. He wrote this at the request of the foundation.



Is Citizenship Still Worth Something?

“Citizenship is what makes a republic; monarchies can get along without it.” — Mark Twain

(Feb. 4) — Has the value of American citizenship degraded in recent years?

It is true that official costs do not reflect any reduction in the official value of U.S. citizenship. A recent report in USA Today shows that the price the U.S. charges for application for citizenship jumped in October from \$640 to \$1,170.

And not everyone can apply directly and immediately for citizenship. An ABC News report found that those wishing to immigrate can pay attorney fees of over \$15,000 in an attempt to gain a green card.

A 2012 research paper by Sankar Mukhopadhyay of the University of Nevada looked at immigration from India to the United States from 1998 to 2008. He estimates that American citizenship is now worth about \$12,000 a year to such immigrants.

Unfortunately, this type of data is not regularly updated and while these official-channel prices seem to be on the rise, perhaps they miss the

point. Is there a way to better quantify the intrinsic value of citizenship over time?

Jeremy Bentham, the English enlightenment philosopher, said that secure private property rights are “the noblest triumph of humanity over itself.” Tom Bethell’s “Noblest Triumph” expands on this theme to stress that human flourishing only occurs where there is security in private property.

So citizenship where property rights are secure would seem to have a higher value. If that is the case, the U.S. may eventually fall behind.

The Cato Institute finds that we have dropped to 17th on its index of human freedoms, which includes a section on the legal aspects of secure property. We now are just behind England and slightly ahead of places like Iceland and Lithuania.

More to the point here, a related Fraser Institute scale finds that a place like Switzerland, now issuing one of the most coveted citizenships in the world, took major steps legislatively over the past four decades to protect property rights.

Most remarkable is the improvement that the scale shows in prosperity and property rights in the former Soviet Union during this period. But places like Venezuela, where nobody wants to live, have nearly jettisoned property rights altogether (after having had some of the world’s strongest at the start of the survey period in 1970).

To test this out, I contacted a friend who immigrated to the U.S. from eastern Europe in the early 1990s. He has become a citizen, earned a Ph.D., built a lucrative career and met and married his wife in America. His experience would be helpful in assessing my model.

My model doesn’t put a price on U.S. citizenship per se but attempts to say comparatively whether it has appreciated or depreciated in relation to property rights. For instance, it shows that over the last half century American citizenship has become more valuable to a Venezuelan, living where property rights have grown unstable and less valuable to a Russian where the situation has improved.

Surprisingly, the friend refused my invitation to be quoted. You see, growing up behind the Iron Curtain he recognizes certain dangerous socio-political changes that natives here may not recognize. He no longer feels free to share his opinion in America.

In sum, the recent questionable election results, the potential threat of being labeled a domestic terrorist and being put out of work or otherwise “canceled,” property and all, have lowered his valuation of American citizenship.

That says more than my quantitative model ever could.

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The GOP Betrayal of the Middle Class

(Feb. 18) — When one ponders the treachery of Republicans in the aftermath of the recent stolen election, one wonders what purpose they serve? It was dormant Republican-controlled state legislatures in many of the “battleground” states, after all, that allowed the changes in election law, perpetrated by scurrilous Democrats and their lawyers that led to the whole debacle in the first place. Some rose up after the fact, but by then it was too late.

Where were they before?

Republican appointed judges, in many cases, including Trump appointees on the Supreme Court, joined in the perfidy and refused to hear legitimate cases brought to their courts regarding the election fiasco. Texas, joined by 17 other states, brought a suit against Pennsylvania, Georgia, Michigan and Wisconsin, regarding unlawful changes in election law in those states. The Supreme Court had original jurisdiction, but the recent Trump appointees and Chief Justice John Roberts had no interest. Their cowardice thus enshrined Democrat election fraud for

perpetuity, when they could have ended it. It will make it even more difficult for Republicans to win future national elections.

Nice job, Justices.

With the attack on the Capitol on Jan. 6, many Republicans properly expressed outrage, but then were all too willing to join Democrats in their scorched-earth rhetoric. President Trump clearly did not incite the riots. Rather, he urged supporters to “peacefully and patriotically make your voices heard.” The attacks were pre-planned, with agent provocateurs present from Antifa and Black Lives Matter. Time lines have shown the riots started well before President Trump finished his speech.

These same Republicans, furthermore, were silent for six months of sustained left-wing terrorist, insurrectionist violence, the torching of our cities and attacks and murder of innocent bystanders and police. Prominent Democrats such as President Joe Biden, Nancy Pelosi, Chuck Schumer, Kamala Harris and many others, incited and endorsed it. Here, most Republicans were mute, with some even providing aid and comfort to the enemy.

On Jan. 13, 10 Republicans in the House joined Democrats to impeach Trump for “incitement of insurrection,” led by third ranking House Republican, Liz Cheney of Wyoming, making Trump the first President to be impeached twice. Cheney further said that “Trump summoned this mob . . . and lit the flame of this attack.” She called it the “greatest betrayal” of a U.S. president ever. But there was no trial, hearings, witnesses, cross examination, evidence presented or due process of any kind.

It was not a hearing. It was a purge.

Eleven Republican Senators led by Ted Cruz, said they would oppose the certification of the electoral college vote. Sen. Josh Hawley had already indicated as such. They called for an electoral commission to investigate electoral fraud in several states, citing an 1877 precedent. On Jan. 6, after the attack on the Capitol, six of the 12 reneged on their commitment to oppose the certification, including one Mike Braun of Indiana, my senator. But the Capitol riot and

electoral fraud supposedly had nothing to do with one another.

House Republican minority leader, Kevin McCarthy protected Cheney from criticism and kept her in her position as chairman of the House Republican Conference. McCarthy, a political chameleon, also said the Trump bore responsibility for the violence at the capitol. House Republicans then secretly voted to retain Cheney in leadership despite her vote, rebuking Trump supporters. Republican Senate leader, Mitch McConnell, also defended Cheney saying she was “a leader with deep convictions and the courage to act on them.”

Right and so was Barack Obama.

Rep. Adam Kinzinger (R-IL), formerly a Tea Party guy, but now a favorite of leftist organs of propaganda, also voted to impeach Trump and is forming a PAC to pull the GOP away from Trump.

When Sen. Rand Paul called for a vote on the constitutionality of impeaching a former president, five Republicans voted in favor of it. Mitch McConnell did not, but earlier indicated that he favored impeachment, hoping the party would make a clean break with Trump. Seven Republican senators ultimately voted with the Democrats to convict Trump. McConnell, although voting to acquit, blamed Trump for the riot and said his actions were “unconscionable.”

McConnell’s wife, Elaine Chao, Secretary of Transportation in the Trump cabinet, along with Education Secretary Betsy DeVos, jumped ship on Jan. 8, two days after the capitol attack, abandoning Trump with a mere 12 days left in his presidency. Chao wrote that she was “deeply troubled” by the “entirely avoidable” events at the capitol. Chao’s family, has a successful shipping company with deep ties with China’s ruling elite in the Communist Party.

These, of course, were only recent betrayals. When the Republicans enjoyed federal monopoly power during the first two years of Trump’s administration, they passed tax cuts. This was not the burning issue of the day. It was important to help Trump unleash the economy, but less critical than other policy matters.

The cardinal issues in 2016 for Trump and Republicans, what Trump ran on, were eliminating Obamacare, ending illegal immigration and reforming legal immigration. It was to secure the southern border, reduce legal immigration and switch to a merit-based system, little or none of which was done. Because the Ryan-McConnell-cheap labor wing of the GOP blocked them.

Ditto when Republicans under George W. Bush had federal monopoly power for six years (2000-2006). The result of the Bush years: protracted wars without victory, doubling the national debt, massive new federal programs, stimulus and bailouts, ten million illegal aliens — and 8 years of Obama.

And, oh yeah, some tax cuts.

When Republican voters first nominated the outsider Trump from a crowded field of 17 well-qualified GOP standard bearers and then elected him in 2016, they effectively impeached the Republican party. But the GOP leadership didn't get it. They misread the MAGA movement and were oblivious to their role in its formation. They defended the idols of free trade and markets, corporate tax cuts and maximum profits as American industry moved to China and as a result eviscerated middle America and our workers. China stole our jobs and technology. Republicans didn't mind.

GOP elites, corporatists, useful idiots, RINOs busily feathering their nests, junior partners in the liberal establishment, wanted to eliminate Trumpism and consign it to the dustbin of history. They were comfortable with the status quo and their place at the table. Globalism was their thing. Little Michael Bloombergs. Get rid of Trump and things will be OK again. Nationalism, patriotism and secure borders were anathema to them.

Republicans mumbled pathetically as the absurd leftist narrative of sedition and incitement of violence and insurrection, with endless Nazi and racist references, ran unimpeded. Or when Democrats unconstitutionally impeached a President even though out of office. They cowered as fascist Big Tech oligarchs shut down free

speech, removed a President from their platforms and joined openly and incestuously with leftist media puppets, the Democrat Party and Big Government. When the Left destroyed careers and lives for “incorrect” thoughts, they looked away. As Democrats moved the Overton window ever more leftward, they remained silent. When cultural Marxists knocked down cultural pillars like traditional marriage or school prayer, or taught Critical Race Theory in our schools and allowed men in our daughter's bathrooms, they nodded amiably. As our woke military pushed for women in combat and paid for sex change operations, they didn't object. When millions of third world immigrants invaded our country every year, burdening our schools and public systems, providing cheap labor to corporations while stealing jobs from American citizens and flipping red states to blue, they encouraged more. Quisling Republicans went along with the lockdowns, mask mandates and boundless stimulus. They stammered pitifully when the deep state spied on and undermined our President.

They and their liberal elite friends have ruined our institutions — and destroyed our country. And we don't recognize it anymore. The MAGA remnant is all that is left.

And they don't have a clue.

President Trump refused to be a “good loser.” He was not Romney or McCain. He was not perfect, but he was the best we had. He put America First. He fought back as viciously as the Left. And so, they hounded him. And the RINOs abandoned him.

But their mandate from heaven has been broken.

As we impeached the Republican party with Trump's nomination, now we must convict them.

Good riddance, Vichy Republicans.

You have let our glorious country slip through your greedy fingers. We can hardly stand you.

There are patriots who will defend President Trump, Trumpism, the MAGA movement and the nation. They must transform the GOP into an effective political vehicle that guards the founding, protects the base and confronts the Marxist Left.

It was still possible to save the country.

Richard Moss, M.D., a surgeon practicing in Jasper, Indiana, was a candidate for Congress in 2016 and 2018. He has written “A Surgeon’s Odyssey” and “Matilda’s Triumph,” available on amazon.com. Contact him at richardmossmd.com or Richard Moss, M.D. on Facebook, Twitter and Instagram.

Chanukah, Christmas and Western Civilization

(Dec. 10) — Chanukah, the festival of lights, is a Jewish holiday that commemorates the victory of the Maccabees (or Hasmoneans) over the powerful armies of the Seleucid (Greek) Empire under King Antiochus IV. King Antiochus, in 167 BC, in a show of force, forbade important Jewish observances such as keeping the Sabbath and circumcision and dedicated the ancient temple in Jerusalem to Zeus.

In the town of Modi’in, Antiochus’ soldiers forced a village elder named Matityahu to sacrifice a pig before a pagan altar. Matityahu refused. When another Jew complied, he killed him and another Greek official. This sparked a three-year rebellion against the Greeks and their Jewish allies, some of whom accepted Greek or Hellenic culture. Matityahu and his sons, the Maccabees, fought to maintain the ancient ways of the covenant. At first, the Maccabees and their motley fighters employed guerilla tactics but eventually formed regular forces and routed the Greeks. In 164 BC, the Maccabees entered Jerusalem and rededicated the temple, removing pagan influences, thus the name “Chanukah” or rededication.

It was a most unlikely victory. But because of it Judaism survived. Without this victory, history would have been profoundly altered. In the absence of Judaism, Christianity, which followed more than a century later, would never have emerged.

Chanukah is a victory of religious liberty, of the weak over the strong, of righteousness over tyranny, of light over darkness, a miracle. But there was another miracle. Jewish tradition holds

that when it was time to light the Menorah in the Temple, there was only enough pure oil for a single day, but it lasted eight days after which it was replenished. And the men that had been soldiers and were now priests and scribes knew that their victory over the mighty Greek army was not just by force of arms but through divine providence, that God walked among the defenders of Judaism.

After the Greeks fell away, there was a brief interlude of Jewish independence in Israel but then the Romans conquered the Holy Land in 63 BC (Pompey). Life under Roman rule was difficult and there was another rebellion in 70 AD. General Vespasian destroyed the Jewish kingdom and King David’s ancient capital fell for a second time. Many Jews died or were enslaved. There rose again a savior in 135 AD, Bar Kochba, but in the end his rebellion too crumbled before Rome’s might (Emperor Hadrian). Jerusalem and the Temple were ploughed under with salt and hundreds of thousands of Jews were slaughtered. Jerusalem was resettled. Rome renamed Israel, Palestina, reaching back to Israel’s ancient foes the Philistines to conceal its Jewish past. The exiles went forth as slaves and rootless wanderers. And the long night began.

But the Chanukah flame continued to burn in the hearts of the Jewish people who dreamed of returning to Israel and Jerusalem. For 2,000 years it burned in villages and cities across the seas and the continents. And the exiles returned to reclaim their patrimony. In 1948, out of the ashes of the Holocaust, the modern state of Israel was born, its fledgling forces defeating the five Arab armies that attacked it at the moment of its birth with the intent of annihilation — another miracle. And so the Chanukah lights continued to burn in Israel, sometimes flickering but still illuminating, nearly 70 years later.

With Christmas upon us, there is also a light that burns for Christians, under assault in the West by the secular left and around the globe especially within the Muslim world. It is symbolic that in the darkest time of the year, Christian teaching tells that the logos or the word was made

flesh in the form of a newborn baby, the baby Jesus, a Jew, under a star, a light for the world to drive away the darkness and bring redemption and hope.

That Chanukah and Christmas are closely linked in the calendar is fitting for the message they each bring. The two faiths, Judaism and Christianity, taken together as the Judeo-Christian tradition, is the foundation of Western and American civilization. Western nations are the greatest in the world because they are informed by Judeo-Christian principles. It is in the West where human rights, liberty, the rule of law, democracy, music and the arts, science and technology have flourished and where slavery was ended. These are the nations that inhabitants from the rest of the world seek to live. It is in Western nations where citizens are most free and enjoy the greatest prosperity. It is not an accident.

We must dedicate ourselves to preserving America, the West and Western civilization, by preserving its Judeo-Christian tradition. The light of Chanukah and Christmas must continue to burn and illumine the night, pushing away the darkness that is always present, the norm for most of history. They should guide us and our nation and the West for all time. It distinguishes us from the rest: our values, our devotion to truth, knowledge, goodness, beauty and reason, the belief in the sanctity of the individual made in the image of God, while rejecting the moral and cultural relativism of the post-modern left and the totalitarian threat of unreformed Islam. We must rededicate ourselves in our current battle as the Maccabees did against the Greeks and as Israel did against the Arab armies that sought its destruction in 1948 and has done ever since against its many enemies.

The spirit of Chanukah and Christmas should inspire us. Happy Chanukah and Merry Christmas to all.

A Personal Brush with the Cancel Culture

(Oct. 13) — I contend that the term “cancel culture” is far too mannerly and tame. It scarcely

captures the degree of hatred the Left and its social media zealots unleash with any transgression from woke orthodoxy. Even doctrinaire liberals, tried and true “progressives” with a lifetime of fidelity, have felt the sting of leftist vengeance after betraying the cause on a single, isolated point. Individuals have been disgraced, careers ended, livelihoods wrecked and reputations trashed over minor infractions of the progressive canon. And that is how they treat former friends and allies. Conservative foes are drawn and quartered outright in broad daylight.

I recently found myself the target of leftist vitriol and experienced the full fury of “cancel culture.” The events and tactics are worth reviewing.

I produced a 50-second video in my backyard with my 25-year-old son. I placed two Trump-Pence signs in front of us, an American flag behind us. I spoke of my love of country, the Constitution and the Bill of Rights, in particular our Second Amendment. I said that we were not looking for trouble but would not run from it and I tossed out a challenge to BLM (Black Lives Matter, the organization). I closed by saying that I liked President Trump. Of note, my son and I were holding our respective AR-15s. Not pointing them, mind you, just holding them.

The context, of course, is a four-month siege on America’s cities, the violence, rioting and arson occurring since the George Floyd incident on May 25. Many of us seethe at this ongoing disorder and the unwillingness of Democrat politicians governing these cities and states to control it. Also, it is galling to find our dominant institutions supporting radical street thugs.

Into this maelstrom I threw my 50-second video, posting on Facebook and Twitter pages. The next morning, I was seeing patients in my medical practice when one of my employees who monitors my social media noticed tens of thousands of views and thousands of comments, reactions and shares. By the end of the day, it was going “viral,” with both supporters and detractors responding and sharing. The insults, hatred and threats, however, were extreme.

“I’d rather die from cancer than have you as a doctor,” one cheerful commentator mentioned, among many other choice statements far more appalling than that.

Then came the menacing comments and “doxing” of my home and office as detractors posted my name and address on Facebook and Twitter. Individuals I had never met called my office, disparaging my work as a physician. Some asked for the office manager, attempting to pressure my employer into firing me. As I am self-employed, that ploy did not work.

The attackers took to my Google business page and left nasty comments and one-star reviews to damage my reputation and practice. There were threatening and derogatory calls to my local hospital, which had to increase security. The hecklers contacted my State Medical Board, prodding them to revoke my medical license. There were also plans for a demonstration at my house that same week on Friday at six p.m.

On the first night of the video, my son, who appeared in the video, was concerned because of the threats and doxing. He worried about the safety of our home and family, but also the impact on his career. At his request, I deleted the video. It did not help him. The next day, he lost his job. Furthermore, it had already been “screen captured” and spread by others throughout the internet despite removing it from my page.

On Friday evening at six o’clock, the beginning of the Jewish Sabbath, four police cars were outside my house to provide protection. I met with the officers and thanked them. The protesters did not show.

And after all of that, my practice remains busy. I live my life as always, but with greater awareness of my surroundings. I have installed security cameras. And, yes, I carry.

There is a great divide in the country today. And our opponents have declared war. Consider that, in this case, there was my 50-second video. Patriotic, pro-American, pro-Second Amendment and, perhaps, a bit provocative. But, merely a video.

On the other side, there have been four months of continuous burning, looting, assault and murder in our cities. There have been calls for defunding and abolishing the police. Democrat politicians, local, state and national, rather than condemn the mayhem and violence encourage it, as do their media allies. So, too, the academy, Hollywood, corporate America and professional athletes. BLM and Antifa, the Marxist perpetrators of the turmoil, with the open support of our principal institutions and the Democrat Party, call for “burning down the system.” They deface synagogues and churches and refer to Jesus as a “white supremacist.”

Yet, in this contest, hardly equivalent, my otherwise harmless little video was sufficient cause to denounce and threaten me in the vilest ways, including attacks against me personally, my home and family, reputation, career and livelihood. This, even as the same malcontents say nothing about the radicals destroying our cities.

We are in the midst of an assault on our Republic, a Marxist Revolution under the guise of “racial justice.” Who knows what will come after the election in November? The passions today are no less extreme than they were in 1860. Both times, Democrats were attempting to dismantle the nation.

To summarize, we are well beyond cancel culture. The proper term is “crush and destroy culture.” But it is worse than that. It is an insurrection and the enemy has taken over our leading institutions. Unwittingly, though, these forces of darkness have roused the sleeping giant. Patriots and citizens, modern-day Paul Reveres, have organized and pushed back. We’ve seen this in Kenosha, Oregon, Ohio, Colorado, Seattle, Staten Island and elsewhere, including outside Walter Reed Medical Center during President Trump’s brief hospitalization.

Thousands whom I had never met, rose to defend me in the social media and telephone blitz against me. We outnumber them. We can and must defeat, these, the enemies of civilization.

Margaret Menge is a veteran journalist now residing in Bloomington. She has reported for the Miami Herald, Columbia Journalism Review, InsideSources, Breitbart, the New York Observer and the American Conservative. Menge also worked as an editor for the Miami Herald Company and UPI.



Hoosier Votes Canceled

(Nov. 29) — What does Indiana have to do with the allegations of widespread fraud in the presidential election in several Democrat-controlled cities?

Quite a lot, if you think about it.

It's likely that the 1.7 million Hoosiers who voted for Donald Trump for President this year were disenfranchised, their votes canceled out by the more than 1 million fraudulent votes that appear to have been counted this year in swing states.

We still don't know exactly how many illegal votes were cast. But we're starting to get a rough idea.

In two counties in Pennsylvania alone, according to numerous witnesses who testified under penalty of perjury on Wednesday in Gettysburg, Pennsylvania, 682,770 mail-in ballots were processed behind closed doors or where Republican observers couldn't see them and another 700,000 mail-in ballots that were counted toward the vote totals were apparently never sent out. No one knows where they came from. Also, 8,000 mail-in ballots were cast under the names of people who are no longer living and more than 30,000 people showed up and voted in-person at the polls using the names of people who are deceased.

In Delaware County, south of Philadelphia, a poll watcher, a former Naval commander and data scientist named Gregory Stenstrom, testified that what he saw was an elections process that was "forensically destructive" — with no way to ever verify results. He said he saw USB cards randomly inserted into machines, adding 50,000 votes and at the end of the night, 47 of them went missing. That evening, he and several other observers were

locked out of the vote-counting center for five hours and were only admitted after getting help from an attorney.

"I think it's impossible to verify the validity of about 100,000 to 120,000 votes," he told the Pennsylvania legislators. He meant just in Delaware County alone.

And then there was the testimony of an attorney who observed poll workers at the convention center in Philadelphia, where the absentee ballots were being processed, sitting and filling out stacks of ballots over the course of several days. He and the other observers were told these were ballots being replicated because the machines had rejected the original ballots. No observer was able to get close enough to see how they were marking the ballots, or for which candidate.

In his statement before the Pennsylvania Senate Majority Policy Committee, Trump lawyer Rudy Giuliani suggested these actions were all carried out as part of a "common plan" that was implemented in several cities controlled by Democrats, including Pittsburgh, Philadelphia, Detroit, Milwaukee and Las Vegas.

The plan, he said, appeared to have "several dimensions to it" and "happened roughly the same way in Michigan, Wisconsin, Nevada, Arizona and Georgia." The primary means of the plan, he said, were mail-in or absentee ballots.

"What's the chance that on the morning of November 3 or 4, when they started the count, that in each one of those places, the Democrat leadership of these highly controlled Democrat cities that have some history for corruption — and in the case of Philadelphia, a long history of voter fraud; I can show you the convictions, I don't think I have to — What are the odds that they're all going to wake up with the same idea?" he asked. "After years and years of always examining together absentee ballots . . . All of a sudden, in a year in which we have a couple million of them per state, we're not going to allow any Republicans to see them? The person in Philly figures that out? Pittsburgh? Detroit? Milwaukee? Las Vegas, Nevada? Or is it more likely that this was a common plan, that maybe

started with the whole idea of having mail ballots because it gives you a much wider range to cheat?”

Giuliani said as he and the rest of the Trump legal team move from state to state, making their case, Americans would hear the same or similar allegations of similar behavior on the part of election officials and poll workers in these cities.

In Wisconsin, the Trump campaign is challenging 238,420 votes cast by people who were told by county clerks to claim that they were “indefinitely confined” – thereby exempting them from Wisconsin’s strict voter ID law.

In Georgia, 96,600 absentee ballots were sent out, but no records exist that they were received back, yet they were counted, presumably for Biden. Attorney Sidney Powell in her Georgia lawsuit is asking the judge to throw these ballots out.

In Michigan, witnesses report “tens of thousands” of new ballots being brought into the convention center in Detroit where absentee ballots were being counted at around 4:30 a.m. and other witnesses say a second group of boxes containing “several thousand” new ballots were brought in around 9 p.m. All appeared to be for Biden.

The total of fraudulent votes appears to be somewhere close to 2 million, just in a few states.

The Indiana Connection

But there’s another set of allegations, which deal with manipulation of the voting machines through electronic means.

And these also apply to Indiana, for we use some of these same machines and have been under the same misapprehensions about the security of these machines.

It is time to wake up.

An Unresponsive Indiana Government

Editor’s Note: Trying to determine the nature of official oversight of Indiana voting machines, on Nov. 17 the author phoned Jay Bagga, a computer science professor at Ball State University who, along with Ball State criminal science professor Bryan Byers, runs VSTOP. VSTOP, which stands for Voting Systems Technical Oversight Program, is responsible for testing and recommending which voting machines the Indiana Election Commission should certify and approve for use in the state. Bagga did not return the call. Instead, the author received an email from vstopsupport@bsu.edu that was signed only “The VSTOP Team” saying that as a common practice, all media inquiries are directed to Valerie Warycha, director of communications for Secretary of State Connie Lawson. Warycha was copied on the email.

The author replied to all, saying she had already left messages for Ms. Warycha but had not heard back and urged VSTOP to be responsive to questions about voting systems in the state. She did not receive a reply and never heard from Warycha. In the 2018 race for Secretary of State, Jim Harper, Lawson’s Democratic challenger, had urged the state to conduct risk-limiting audits after all elections. The nonprofit organization Verified Voting refers to risk-limiting audits, in which paper ballots are hand-counted in random precincts, as “one of the pillars of cyber security.” The Secretary of State’s 2020 manual on elections administration, produced for county clerks, says: “The Secretary of State may designate counties as risk-

There are no “safe and secure” voting machines.

It doesn’t matter what the vendors say. They are selling a product. It is in their interest – indeed, it is essential to the survival of their business – that they get us to believe that their product is secure.

It’s not.

We know this because the New York Times published an article on Feb. 21, 2018, entitled, “The Myth of the Hacker-Proof Voting Machine.” It focused on the case of a county in rural Pennsylvania that was using Election Systems & Software (ES&S) voting machines that

were not supposed to be connected to the Internet. But after an issue during one election in which many voters reported that the machine had “flipped” their votes, the county called in a computer science professor from Carnegie Mellon University. He opened up one of the voting machines and found out that although local election officials were 100 percent sure it was not, the computer was in fact connected to the Internet and so was able to be controlled from anywhere in the world essentially.

ES&S was forced to admit it had lied for years and sold hundreds of machines outfitted with remote-access software, without telling states or local election officials.

We also know that the machines are not secure from testimony from experts who have come forward since the election. One, a former Army colonel and an expert in electronic warfare named Phil Waldron who testified in Gettysburg on Nov. 25, was blunt:

“The voting systems in the U.S. and in Pennsylvania, were built to be manipulated,” he said. “They’ve been used around the world and stolen elections around the world, in Venezuela, Italy, Argentina, Singapore, Bolivia, as close as two weeks ago.”

He went on to explain that Dominion and ES&S systems have a “common DNA” — a similar “code” and “function” to the Smartmatic system developed in Venezuela and used by Hugo Chavez to manipulate the vote and secure his re-election.

“These systems are not what you’ve been told,” said Waldron. “They are connected to the Internet and servers outside the U.S. . . . The voting record is able to be modified and/or deleted by operators, administrators and outside threats.”

The Indiana Secretary of State’s office lists five companies whose voting machines have been approved for use in Indiana. They are: Dominion, ES&S, Hart InterCivic, Microvote and Unisyn.

All five are in use in Indiana.

We don’t know if any of these machines have been hacked or manipulated by anyone on site or

anyone in another state or even country. We don’t know if they’ve been used to turn an election, to make a loser win and a winner lose.

Even an examination of the machine might not reveal this.

A Johns Hopkins University professor of computer science said he conducts experiments, where he manipulates the code in a voting machine and then challenges his (presumably bright) students to see if they can find it. In most cases, they can’t.

The Remedy

So what is to be done?

The thing that is to be done is the hardest thing — it’s to insist upon justice, for ourselves and for all Americans who cast legitimate votes and whose right it is to pick their leader.

It’s to insist on justice for whoever planned and participated in violating election laws and casting or counting ballots they knew were fraudulent.

Time is running short, but there is still time. We must insist that states where evidence shows more fraudulent votes than the margin of victory redo the election, with every state election law followed this time, with every vote counted with a Republican and a Democrat looking over the shoulder.

Here in Indiana, we must immediately review the voting machines approved for use in our state and stop using machines that have features considered fundamentally unsafe. All touchscreen machines should probably be scrapped and those that don’t involve paper ballots marked by the voter himself or herself should be replaced as soon as possible.

Also, we should amend our state laws to require counties to do risk-limiting audits after every election, before they certify their results. We can no longer afford to have blind faith in machines. We must check the numbers they produce by hand-counting paper ballots in randomly selected precincts — at least 10 percent of them and more if it’s a close vote.

And we should require proof of citizenship to register to vote. It is astonishing that no state has

yet done this and that there has been so little talk of doing it after four years of news about supposed “foreign interference” in our elections. Thousands of noncitizens vote in every election in the United States. The Public Interest Legal Foundation has given proof of this. It must stop.

Finally, we should also dispense with the stupidity of early voting. There is no way to safeguard machines when people are voting over several weeks. We gave in to a lie peddled by the Democratic Party that having only one day to vote disenfranchised anyone. It never did. Make Election Day a holiday, make everyone show up with a state-issued ID and be done with it. Those who really can’t make it to the polls can vote absentee.

It’s time to get serious. We have to secure our elections.

In the words of a poll watcher who testified in Gettysburg on Wednesday: “Without election integrity, we are just another banana republic.”

Who Owns Indiana’s Voting Machines?

(Nov. 17) – The question of who owns voting machines and the software they run on has resurfaced since the Nov. 3 election with the Trump campaign pointing fingers at Smartmatic, which was started by three Venezuelans.

One company that has escaped scrutiny thus far is Hart InterCivic, the third-largest maker of voting machines in the United States, which makes the voting machines used in seven Indiana counties: Cass, Gibson, Harrison, Monroe, Ohio, Washington and Wayne, as well as several counties in southern Michigan, two in Pennsylvania and many in California and Texas.

Hart InterCivic, unbeknownst to . . . pretty much everybody . . . was recently acquired by an investment company founded by the son of Clinton associate Strobe Talbott, who helped distribute the Steele dossier – seen by many on the Right as a concocted effort to tie President Donald Trump to the Russian government and to overturn the results of the 2016 presidential election.

Why this was not announced anywhere will surely be a topic for conversation going forward and perhaps result in a push for more transparency about the ownership of machines that count the votes and determine the winners in every American election.

A little background on Hart InterCivic: The company is based in Austin, Texas and was founded in 1912 as a commercial printer involved in printing ballots for Texas counties. In the 1990s, Hart purchased three election-services companies and thus got into the business of manufacturing electronic vote-tallying equipment.

In 2011, Hart InterCivic was purchased by a Miami-based private equity firm called HIG and in July was sold to a group backed by Enlightenment Capital.

Enlightenment Capital is an investment company founded in 2012 by Devin Talbott, age 44 and defense expert Pierre Chao. It is based in Chevy Chase, Maryland, a wealthy suburb of Washington, D.C.

Devin Talbott is the son of Strobe Talbott, who was ambassador-at-large, Russia advisor and then deputy secretary of state under President Bill Clinton from 1993 to 2001 and the president of the Brookings Institution, Washington’s premier liberal think tank, from 2002 until 2017. It was recently revealed that a Russian citizen who worked at Brookings under Talbott and went on to work for Christopher Steele – Igor Danchenko – was the main or perhaps the only Russian source of information on Trump and Russia in the Steele dossier. It was also reported that Talbott obtained the dossier from Steele and helped distribute it inside the United States – making him a key figure in the Russia collusion narrative that gripped American politics for much of President Donald Trump’s first three years in office.

The son, now the managing director of Enlightenment Capital, has also been politically involved. Devin Talbott made 86 political contributions in this election cycle, according to Federal Election Commission records, including to the Biden campaign, the Lincoln Project, the Democratic Party of Wisconsin, the Michigan

Democratic State Central Committee and the Mark Kelly for Senate campaign in Arizona.

Devin Talbott did not return calls and messages seeking comment. Hart InterCivic also did not return several calls asking who owns the company and also did not reply to email messages. HIG did reply to emails, confirming they sold Hart InterCivic but said it was to a manager group and that they were unaware of Enlightenment Capital's involvement.

Bloomberg's Corporate Action Calendar records that Enlightenment Capital acquired Hart on July 3, 2020 and Axios confirmed this on Nov. 16.

According to its website, Enlightenment Capital invests in defense-related companies, most of which are involved in information technology, data analytics, machine learning, cloud services and intelligence. One of those companies is Tyler Technologies, which produces software that is used by election officials to display voting results.

Enlightenment Capital does not list Hart InterCivics on its website among the companies it is invested in.

The lobbyist for Hart InterCivic, Sam Derheimer, also did not respond to messages left for him. Derheimer sits on the Election Infrastructure Sector Coordinating Council, which advises the Department of Homeland Security on election integrity, and on Twitter and on his Facebook page, took credit for helping draft the Nov. 12 statement calling this year's presidential election "the most secure in American history." The statement seemed dismissive, or at least premature, given that there certainly hadn't been enough time to run down and examine allegations of fraud, irregularities and violations of election law in several states.

It will probably come as a surprise to most Americans to learn that the people who own and run voting machine companies are not prohibited from being involved in politics, though most people would agree that it doesn't contribute to confidence in the system.

"It damages these companies if their owners are partisan actors," says Dan Wallach, a Rice

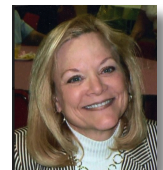
University professor of computer science who focuses on election security. Even hacked machines can pass certifications, he said. "When you don't have security and you have partisan ownership, it's bad news."

And it's fair to ask why the high-finance son of Strobe Talbott would want to buy a voting machine company.

"It's a tiny little market," says Wallach, adding that the voting business is so limited that it would be a "round-off error" on the balance sheet of a big tech company like Apple.

No one was answering calls at the Indiana Secretary of State's Election Division on Tuesday and a junior staffer who returned a call said he didn't know whether the state, which certifies and approves voting machines for use by counties, ever inquires as to who owns the companies that make the machines. Hart InterCivic voting machines are used in the entire state of Hawaii and in select counties in Pennsylvania, Michigan, Minnesota, North Carolina, California, Texas, New Jersey, Washington, Tennessee, Indiana, Kentucky, Ohio, Missouri and Idaho.

Donna Volmerding, a member of the Indiana Policy Review Foundation and editor of "the Fort Wayne Lutheran" for 30 years, is now a freelance writer and editor.



Joe Biden and the Truth

(Oct. 17) — The election of 2020 is the most critical in our lifetimes. I read the position of my local newspaper and I must share another viewpoint: Joe Biden has disdain for the truth.

He has lied about his stance on fracking. On March 15, 2019, he said he wanted "no more subsidies for (the) fossil fuel industry. No more drilling on federal lands. No more drilling, including offshore. No ability for the oil industry to continue to drill, period." On September 6, 2019, Biden said, "I guarantee you we're going to end fossil fuel." In April 2019, vice presidential candidate Kamala Harris said, "There's no question I'm in favor of banning fracking." But

during the vice-presidential debate, Harris said that she and Joe are very clear — they will not ban fracking.

He said he graduated in the top half of his law class at the University of Syracuse law school. In truth, he graduated at the bottom half of his law class (76th out of 85). He stated that he was the only one in his class to receive a full academic scholarship. Not true. He said he graduated with three degrees; nope, he graduated with one. He said he was named outstanding political science student; he was not.

He has plagiarized several notables, including Hubert Humphrey, Robert F. Kennedy and British politician Neal Kinnock.

He said he attended a historically black college or university (HBCU). “I got started out of an HBCU, Delaware State,” Biden said, a claim denied by a representative of the school.

The questionable ethics of Biden and his family.

Author Peter Schweizer, in his book, “Profiles in Corruption,” states that Biden is the most corrupt vice president ever. He speaks of “the Biden five,” comprised of son Hunter, younger brothers James and Frank, sister Valerie and daughter Ashley. Through a complicated tangle of taxpayer-funded loans and grants, business dealings and consulting fees, these five family members received millions of dollars, cashing in during the Obama administration.

Biden and his vice-presidential candidate, Kamala Harris, refuse to state if they will pack (expand) the Supreme Court.

In 1983, Biden said that FDR’s attempt to pack SCOTUS was “a bone-head (sic) idea” and a “terrible, terrible mistake to make.” Even the late Justice Ruth Bader Ginsburg was opposed to packing the court. Now, Biden states that voters don’t deserve to know what he will do. During the primaries, Harris said, “I am open to increasing the number of people on the Supreme Court.”

Biden foments violence.

As Antifa riots, burns and destroys our cities and bullies citizens, Biden stated that Antifa is just “an idea.” (No, Joe, that’s the tooth fairy.) He has not denounced the riots, looting and

destruction in our major cities. In fact, staffers for Biden and Harris bailed out an alleged child abuser through the Minnesota Freedom Fund.

Biden wants to remove all borders and have U.S. taxpayers pay for healthcare for all illegals. What could go wrong?

Biden wants to enact the Green New Deal, which would essentially ban the internal combustion engine, impede air travel and basically eradicate natural gas for more expensive renewables.

These extremists are not your parents’ Democrat party. No, these new Dems are militant Marxists who want to destroy America and its Constitution. Our country is at a crossroads. Will we choose to live in “the best hope of earth” (Abraham Lincoln) or a reincarnation of Venezuela?

Dan Eichenberger, M.D., a physician executive and healthcare consultant, most recently guided the merger of Floyd Memorial Hospital and Health Services and Baptist Health. He is a recipient of Indiana University Southeast’s Chancellors’ Medallion.



Locke’s Foundation Is at Risk this Election

(Oct. 9) — Never in our lifetime have we witnessed, first-hand, how easy it has been to manipulate and control the minds and thoughts of a populace. The Coronavirus pandemic enabled media and political entities to create and perpetuate a meta-narrative leading to entire countries’ mind-control. Allen Ginsberg stated, “Whoever controls the media, the images, controls the culture,” and Jim Morrison quoted something similar when he said, “Whoever controls the media, controls the mind.” In a matter of six months, a significant portion of the American population has relinquished liberties based on a false narrative perpetuated by near 24-7 media brainwashing.

These past six months portrays a concerning future for some of the primary principles of liberty our country was founded upon. There are several examples in history where the concept of liberty

has been brought to the forefront in light of some tyrannical rule or trend. We may be witnessing another, as local and state officials impinge on our foundational liberties espoused by Locke and eschewed by many of our Founding Fathers.

Locke proposed and wrote about governments being subservient to the people with a duty to protect life, liberty and property. Locke's writings were radical ideas when most societies existed as monarchies or dictatorships where individuals were subservient to the leadership. Locke believed in limited but representative governments, the rule of law and the right for people to rebel if government violated individual rights. Locke expanded these ideas in his "Second Treatise Concerning Civil Government." Locke originally published these first two treatises anonymously because of their radical propositions and direct opposition to the time's established norms.

Locke's writings inspired Thomas Jefferson and George Mason, James Madison and many people throughout Asia, Europe and Latin America. Thomas Paine's ideas about revolution came from Locke's writings and Ben Franklin used his writings as part of self-education. Locke grounded his thinking and premises on ancient Jewish teaching that moral and natural laws applied to everyone. Jim Powell summarized many of these thoughts in his article published in the Foundation for Economic Education in which he quoted Locke's writings: "Reason, which is that Law, teaches all Mankind, who would but consult it, that being all equal and independent, no one ought to harm another in his Life, Health,

Liberty or Possessions." Locke believed that liberty is directly tied to private property rights and stated, "every Man has a Property in his own Person. This, no Body has any Right to but

himself. The Labour of his Body and the Work of his Hands, we may say, are properly his."

He continues: "The great and chief end therefore, of Mens uniting into Commonwealths and putting themselves under Government, is the Preservation of their Property."

Our Founding Fathers utilized Locke's teachings and Christian principles to establish the foundation of the United States. The theological doctrines of the Bible are not explicitly woven into the fabric of government because the non-establishment clause of the First Amendment prohibits such a thing. However, the Biblical view of the world (the existence of God who remains active in the world and human history, the inherent sinfulness of Man, the authority of the Scripture, the existence of absolute objective morality and God-given transcendent rights) were the philosophical foundation of the Constitution and should remain protected and safeguarded.

The pandemic and other crises in the recent past demonstrate how overreaching governments will use the opportunity to establish new powers over economic and social affairs, limiting our liberties. History demonstrates the powers garnered during the crises are rarely relinquished. Our liberties are most important during a crisis, not in times of relative calm.

Placing constitutional originalist judges onto the Supreme Court and appellate courts are our best chance of limiting infringements on our Liberties and maintaining the Christian principles our nation was founded upon. The 2018 election gave the Republican party a clear majority in the Senate to support and advance these judicial appointees. The Senate should not relinquish this mandate from the electorate under the pressure from the opposition. ♦

The Bookshelf

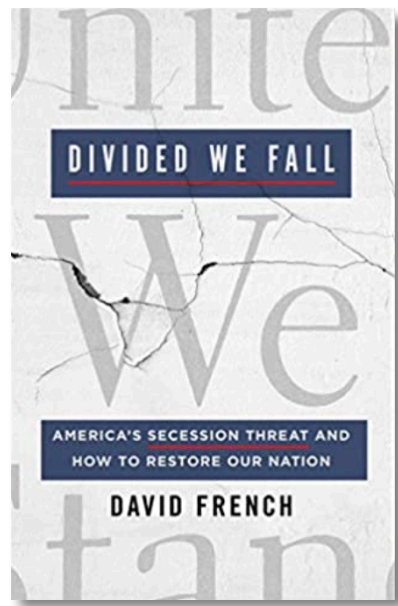
Divided We Fall

I have a nearly immutable rule not to read any book recommended to me by someone else. It's partly a defensive strategy as I have dozens of books stacked up in my study or on a library future list. I can't read them all but they all are of more interest to me than what someone else thinks I should read. At least I tell myself that.

I made an exception last winter for a recommendation by a colleague at the foundation and I'm glad I did . . . sort of. "Divided We Fall: America's Secession Threat and How to Restore Our Nation" (St. Martin's Press 2020, 276 pages plus notes, \$22 hardcover) by David French could be just another apocalyptic prediction for America's crack up. It is that, presenting two secessionist scenarios as the worst-case outcomes but then offers a glimmer of hope for changing future history . . . but only a glimmer.

The two scenarios are secessions by California and Texas but for quite different reasons. Both are based on secession movements currently active in those states, one from the far left and the other from the far right. Either or both, in French's mind, lead to a World War III as anti-American nations take advantage of the world's last superpower's breakup.

French leads up to his doomsday scenario with a review of the political mess we are in. Simply put, we are a nation of haters — focusing on what we dislike more than what we like. Think sports. We all have seen the bumper stickers that reads, "My favorite team is Purdue and whoever is playing IU," or vice versa. Why do we cheer for teams to lose? I was a volunteer assistant coach at the college level for nearly 30 years and never understood that mentality.



French argues that we are in an existential crisis not unlike what the nation faced in the 1860s and 1930s. The first led to the bloodiest war in our history and the second to an irreversible transfer of power to the national government from the states and the people.

The reason I liked this book is the things I learned. One was the psychological term for why we tend to gravitate to the most extreme in our group. According to a University of Chicago law professor's study, there is no

truth to the myth that we make better decisions with group input because we tend to place ourselves in like-minded groups. And why do those affinity groups become more and more homogenous? That's called "The Big Sort" after a book by the same name. What David French has done is provide handles for phenomena that we all see happening at an ever-accelerating speed.

French's prescription for our disease doesn't come with a guaranteed cure. Regardless of the odds against, our only hope is to practice tolerance as properly understood and not as the extreme left has defined it. He uses the political science term of pluralism to explain it, a pluralism that defends the rights of others while defending the right of communities to govern themselves. In a word, federalism as envisioned by the Founding Fathers. French points to Madison's Federal Paper No. 10 as the bible for achieving healthy pluralism, one where culture is preserved and individual rights are protected.

This is where the rubber hits the road, according to French. Both sides of the ideological spectrum use federalism when it suits and oppose it when not. Take immigration. California instructs its law enforcement to refuse to cooperate with federal immigration efforts and Arizona tells its police to enhance federal efforts. Does true adherence to the federalist principle demand acquiescence to both states' actions?

French writes that federalism is simply a tactic these days, not a principle. After all, each side wants to win on an issue-by-issue basis.

Can this pessimistic observation become a prediction for our future? It is at this point that I, sort of, wish I never read this book. French sees the true divisiveness in America fundamentally is not right-left or progressive-classical liberal but between decency and indecency. The only hope he offers is based on the prophet Hosea's prescription for three cardinal virtues — justice, mercy, humility. Alas, we are not there now and the trend is not encouraging.

His prescription will not be popular among radical social justice warriors on the left nor among Trump idolizers on the right. Me, I will defer to the genius of James Madison when it comes to what America needs to be a successful republic under the rule of law. It's time to reread Federalist No. 10.

Recommendation: If you are as tired as I of reading about the coming secession crisis, you may still find this worth the time spent. It reads quickly and his future history scenarios are both intriguing and frightening.

The Virginia Dynasty

When I first memorized the list of American presidents back in grade school, I also memorized their home states so I immediately noted that Virginia seemed to have a lock on the office in the republic's earliest years. Historian Lynne Cheney has addressed the putative dynastic implications of the Washington-Jefferson-Madison-Monroe quartet in "The Virginia Dynasty: Four Presidents and the Creation of the American Nation" (Viking 2020, 352 pages plus notes, \$16 hardcover).

Cheney, wife of former Vice President Dick Cheney, recently published an authoritative biography of James Madison so she comes to this topic honestly. She gives adequate background

information about the four men's formative years and the ethos they shared as Virginia planters, although not of the top tier in terms of land or income. She then deals with each president's administration in turn with focus on those intersections of policy and events that engaged all four.

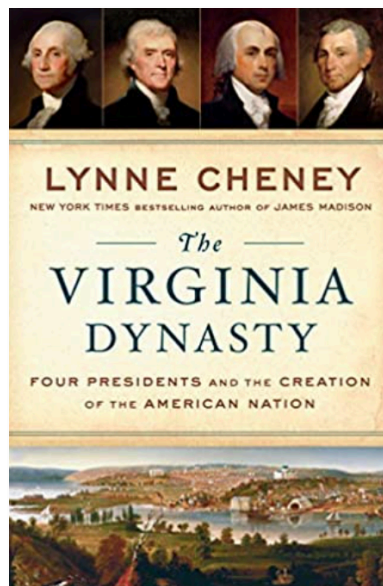
Cheney blames George Washington's claim of executive privilege over the submission of presidential documents as the final breach of their Virginian unity, such as it existed. Each of the other three, it must be noted, benefited from Washington's precedent while they occupied the White House. One of the delightful ironies of the book is Cheney's illustration of how each strengthened the office of president after taking office, in spite of their republican objections during Washington's two terms. Madison, for

example, proposed a standing army establishment, a large navy and a national bank, all of which were anathemas to the Republicans during the Washington administration. There's a lesson in there somewhere.

Too often I tend to think of Jefferson and Madison as two sides of the same coin. Cheney challenges this conceit, in this book and even more so in her Madison biography. They did complement each other well, with Madison giving practical thought to issues and Jefferson's ability to turn a phrase his contribution to

the partnership. Jeffersonians will probably disagree with this insight of Cheney's, seeing the relationship as teacher-disciple rather than one of equals.

I found James Monroe to be the cypher in the group. His career began as a junior officer in the Revolutionary army and an admirer of George Washington. He became estranged from Washington late in the war and eventually joined the Jefferson-Madison orbit as a means of



advancing his diplomatic career, although becoming estranged from them as well. He especially resented Madison, whom he viewed as a barrier to his own advancement. He was someone quick to recognize a slight and react to it, a trait he shared with Washington but without the Washingtonian self-control.

While the book's title is catching, Cheney does not make the case for a true dynasty. She gives appropriate attention to the disagreements among the four, Jefferson's resignation from the Washington cabinet to enter public opposition just being one example of this. Perhaps the saddest was the permanent rupture of the Washington-Madison friendship that had done so much to found our nation on a solid philosophical and pragmatically workable basis.

Recommendation: Worth the read for its perspective on the four's interaction but as a supplement to more comprehensive histories of the era and these men.

The Patriots

Winston Groom is perhaps best known for his novel "Forrest Gump" but he has also written a significant body of non-fiction, most notably in the military history category. Having read some of those, I decided to look at his most recent history, "The Patriots: Alexander Hamilton, Thomas Jefferson, John Adams and the Making of America" (National Geographic Partners 2020, 375 pages [;id notes, \$19 hardcover).

His theme is that these three men, who were absolutely essential for the creation of the United States, should have become such bitter enemies. "It is a sad irony of history that at one time they were on such friendly terms — particularly Jefferson and Adams — and that their divergence in political thought led first to discomfort, then distrust, then mistrust and at last hatred." Groom

develops this theme but not as well as one would have hoped.

Most of the book is a chapter-by-chapter parallel survey of each man's life, first one then the next and the next in order although not in strict chronological order. Their interactions are liberally interspersed within each chapter, especially those that show common interest and warmth of friendship.

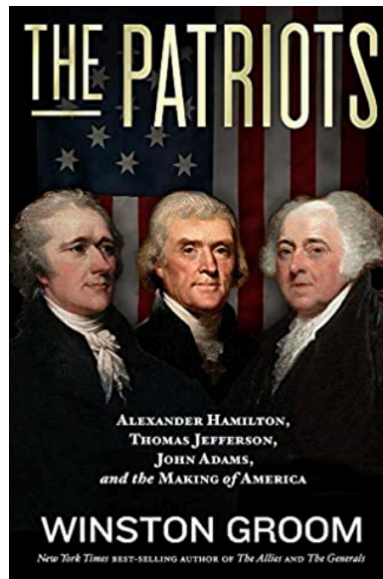
There are some interesting anecdotes that I either did not know or had forgotten. One such is Jefferson's proposing to President George Washington that the Post Office be moved from Hamilton's Treasury to Jefferson's State Department, ostensibly to gain an advantage in his political battle with the too-powerful Treasury secretary. Washington wisely declined.

Why did Groom pick these three Founders for treatment? They represented three groupings of political thought, certainly, but they also represented the three major regions of the new nation — Adams New England, Hamilton the Middle States and Jefferson the South. These were the three economic nexus of America — shipping and trade, finance and commerce and plantation agriculture. Not a coincidence, surely.

Jefferson and Adams reconciled long after both left government with a friendly exchange of letters to rekindle the old relationship of respect and mutual admiration. One wonders

if the same could have happened with Hamilton and the other two had he lived a natural lifespan. Although mentioned only in passing, I believe the greatest tragedy of the 1790s was the rift between Hamilton and Madison, the two primary authors of the Federalist Papers. A real shame, but at least it happened after the Constitution was ratified.

Recommendation: Serious students of the Founding Fathers will find nothing new in this



book but it gives the casual reader a concise overview of the three and the cause of their political battles.

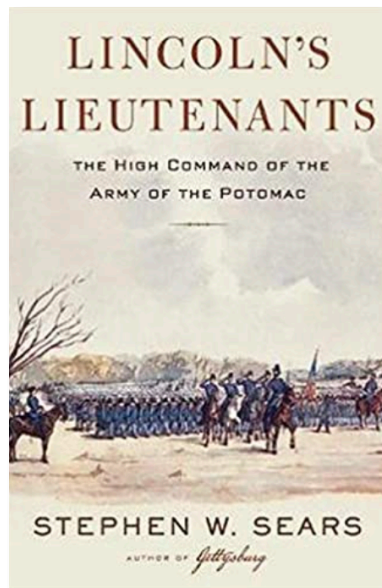
Lincoln's Lieutenants

Much has been written about the dysfunctionality of the Confederate high command during the Civil War, not least by her own generals who continued to fight the war long after the shooting stopped. The Lost Cause myth, the deification of Lee and the excoriation of Longstreet as the man who lost the war all contributed to a slew of books written from a southern perspective and even with a sympathetic bent. Then there is historian Stephen Sears who has devoted much of his scholarship to the Union side, especially General George McClellan.

"Lincoln's Lieutenants: The High Command of the Army of the Potomac" (Houghton Mifflin Harcourt 2017, 766 pages plus extensive notes, \$22 hardcover) is Sears' most recent book focused, as the title clearly states, on the Union side but not with Lincoln as the primary actor. That role belongs to McClellan.

This is a tale of personal pettiness, professional jealousy and back-stabbing of the highest order. One wonders after reading the book how the Union ever won. Credit for that is given to Lincoln's perseverance in the early dark years and the relentless persistence of U. S. Grant, although Grant's tenure as general-in-chief is almost an afterthought.

There is plenty of military history here but the appeal of the book is in the interrelationships among the Union's top generals and their proclivity to put personal gain above the nation's cause. It is fascinating to read about the energy wasted in internecine



battles within the high command, including disobedience of orders and even a stillborn plot by the McClellan faction to undertake a military coup in defense of their mistreated hero.

Despite the fact that Sears is McClellan's biographer, he does not whitewash Little Mac's unfortunate character traits and lack of qualification for field command. McClellan, who felt himself egregiously sinned against, was in fact the sinner in his relationship to his commander-in-chief, as Sears

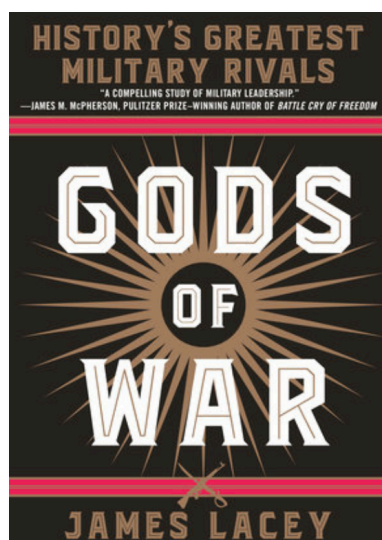
documents extensively. One wonders how a modern psychiatrist would diagnose him. Paranoid, for sure, although I have no professional credentials to conclude that. He saw enemies everywhere, including in the White House and he was convinced he was always outnumbered by his opponents.

Recommendation: Civil War buffs should read this as is true for all of Sears' work. Management theorists will also find it an interesting case study. It is lengthy, though.

Gods of War

What constitutes military genius? How does one identify the great captains of history? All military historians, professional or academic or avocational, have their favorites and don't expect consensus any time soon.

James Lacey and Williamson Murray, both with military service time and teaching credentials, have a unique take on this. In their collaborative effort, "Gods of War: History's Greatest Military Rivals" (Bantam Books 2020, 367 pages plus notes, \$21 hardcover), they argue that a key to understanding true genius is to examine those few times in history

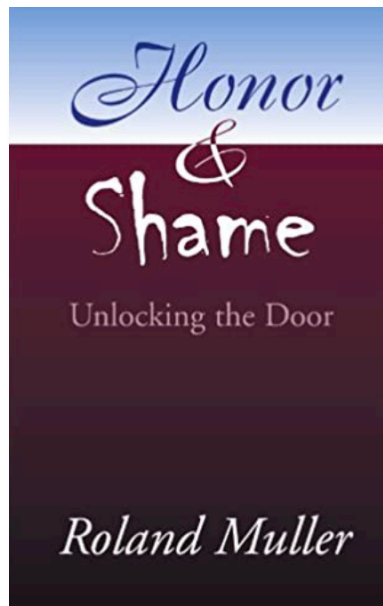


when two great commanders went up against each other. In the six case studies provided, you won't find Alexander the Great, Gustav Adolf, the Duke of Marlborough or Frederick the Great; they were never tested against an equal. Instead the authors offer comparisons between Scipio and Hannibal, Caesar and Pompey, Richard the Lionheart and Saladin, Napoleon and Wellington, Lee and Grant and Rommel, Montgomery and Patton.

Each case study gives a brief background on the protagonists, emphasizing their education and early military training. Each, the authors emphasize, was a product of his time and constrained by culture and technology. Yet they all shared an appreciation of the military art and were masters of its application.

Where they differed was in a strategic sense of their nation's war goals and the best way to achieve them. For example Hannibal knew how to defeat Roman armies but not how to conquer Rome. His adversary Scipio set his goal as Carthage, not Hannibal's army. Scipio received the sobriquet Africanus and Hannibal received exile. This was the same advantage that Grant held over Lee and that Patton held over Montgomery.

This is where an understanding of national will is essential. Rome never negotiated, no matter how many battles were lost, something quite the opposite of the Carthaginian strategy negotiating a power sharing arrangement across the Mediterranean. The Confederacy never established a coherent strategy to achieve its war goal of independence. Lincoln found in Grant a general who understood that destruction of the South's economy and therefore its will and ability to resist, was the key. And then the Germans, outstanding at tactics and operations, have never managed a strategic view of their wars.



An interesting premise is the authors' assertion that the era of great captains is gone. With national mobilizations of millions of combatants fighting across thousands of miles, no single military genius is possible . . . or even desired. Rather, a well-educated military bureaucracy is needed to manage it all. That is a good thing, provided the civilian leadership knows what it is about when undertaking war. You can form your own conclusion on the likelihood of that.

Recommendation: Interesting and easy to read. I disagreed with a few of their assertions, but then they have studied this more than I.

Honor and Shame

"Honor and Shame: Unlocking the Door" (Xlibris 2000, 124 pages with brief notes, \$18 softcover) by Roland Muller was loaned to me by my pastor who was using it as a resource in his doctoral program.

It is written as background material for Christian missionaries in Arab-Muslim nations. What intrigued me and I think will be interesting to the foundation membership, is its discussion of different cultural paradigms extant in today's world. Each cultural type is illustrated as an either-or dichotomy of motivation for action and reaction. The United States and other western democracies fall into the guilt-innocence category as their citizens assume a rule of law and the requirement to abide by these laws or suffer sanctions. The individual is of primary importance as each must take responsibility for his own actions and, perversely, can feel no responsibility for society at large.

Muslim and other eastern cultures live under an honor-shame principle in which individual right and wrong are less important to the effect an action has on the larger group. This is why, according to Muller, these cultures approve of

families executing members who shamed them, such as daughters who have premarital sex.

The third paradigm is fear-power found in animistic and less advanced societies. Voodoo is one example of this.

Muller points to mankind's fall in the Garden of Eden as the origin of all three paradigms as Adam and Eve felt guilt, shame and fear when faced by an angry God. He then briefly traces each of these through history using scriptural and other examples.

He makes the case that no nation holds to only one of these worldviews but generally one is dominant. For example, even though guilt-innocence is the primary American worldview, honor-shame is making inroads in part due to immigration but also pushed by modern culture. Think of teenagers and their need to be seen as "cool" and their deathly fear of being seen as "uncool" by their peers. This, claims Muller, is the honor-shame paradigm gaining a foothold in American culture.

I'm not sure of Muller's argument that ancient Rome was based on a power-fear paradigm until the emperors facilitated the shift to guilt-innocence by their strict application of Roman law. My reading of the republican period of Roman history was more honor-shame than power-fear. Think of Lucretia's suicide for one but I'm probably picking nits.

Recommendation: Quick read but thought provoking regarding its implications for American foreign policy even though that was not the author's intent.

How the States Got Their Shapes

People, by that I mean my wife and all my friends, accuse me of knowing too much irrelevant historical trivia. I don't find anything trivial about it; I find it metaphysically rewarding. So I knew I had to read a book that recently came to my attention.

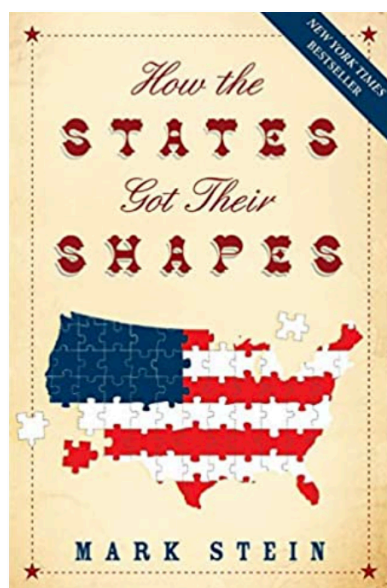
"How the States Got Their Shapes" (Smithsonian Books 2008, 304 pages plus notes, \$14 hardcover) by Mark Stein is just filled with one man's trivia, another man's factual treasures.

Stein is a playwright and screen writer, an odd background for an historical book's author and his writing style shows through. It's not academic or probably not even what high school English teachers want to see. In other words it reads quickly.

Stein begins with historical references to the various treaties that added land mass to English colonies and then the nation. His first chapter is entitled "Don't Skip This," and I recommend following that advice. It sets the stage for the rest of the book which is organized on a state-by-state basis in alphabetical order.

One learns that Congress' intent was to charter the new states to be as equal in size as possible. When possible lines of longitude and latitude were designated to run across all the new lands, at least so long as geography did not get in the way. Or national politics. Or local interests. Or surveyor mistakes. Still, one can look at the map and recognize these lines even when they appear to divert for no apparent reason. How many Hoosier school children have despaired over recognizing which state outline is Colorado and which is Wyoming?

This is where the individual state chapters come in handy. Why doesn't Indiana's northern border line up with Ohio's as Congress intended? The reason is obvious, at least after the fact: Indiana's leaders wanted access to Lake Michigan so the border was shifted north. Another Indiana tidbit is her western border, which was supposed to run due north from Vincennes. Geography got in the way once again as the Wabash River did not align itself with the wishes of Congress. Ohio's northern border was angled to include the Maumee



River's mouth at Lake Erie, an adjustment Michigan did not appreciate. The two states actually went to war over this in 1835, the only casualty being a Michigan sheriff.

California and Texas violated all the congressional rules for valid historical reasons, maybe the root cause of both states' being royal "you know whats" in national politics. There is a lot more like this in the book.

Stein followed this book with a sequel, "The People behind the Border Lines," about, well, you can figure it out.

Recommendation: It never made the best-seller list but I liked it. Then, I'm not normal.

— Mark Franke

The Expanse of Covid Edicts

The eviction moratorium, which the Centers for Disease Control and Prevention (CDC) originally issued in September, was renewed by Congress in December, then extended again by the Biden administration. It is based on a breathtakingly broad reading of the CDC director's authority to "take such measures" he "deems reasonably necessary" to stop the interstate spread of communicable diseases.

The CDC reasoned that evicted tenants might "become homeless" or "move into close quarters in shared housing," thereby increasing the risk of virus transmission. That rationale suggests the CDC's authority is vast, encompassing any policy that is plausibly related to disease control, including business closures and a national stay-at-home order as well as the face mask requirement that Biden ultimately decided could not be imposed by executive fiat.

Even with congressional approval, Judge J. Campbell Barker of the U.S. District Court for the Eastern District of Texas ruled last week, blocking the enforcement of rent obligations exceeds the federal government's authority to regulate interstate commerce. Barker noted that the blanket ban on evictions, which the government claimed it could impose even in the absence of a public health threat like Covid-19, was historically unprecedented, did not involve interstate commerce, and was not necessary to enforce a broader scheme of economic regulation.

Barker emphasized that the case had no bearing on the constitutionality of state or local eviction regulations. His ruling hinged on the distinction between the federal government, which has no more authority than the Constitution grants, and the states, which retain a broad "police power" that extends much further.

The challenge to Arizona Gov. Doug Ducey's Covid-19 rules, by contrast, is based on the division of powers between the governor and the legislature. Arizona State University law professor Ilan Wurman, who represents a group of bar owners, argues that Ducey's restrictions, which forced his clients to close their businesses for a total of nearly five months and continue to threaten their livelihoods, amount to unconstitutional legislation by the executive branch.

Ducey's regulations are based on a statute that purports to grant him "all police power" during an emergency that he alone has the authority to declare. As Ducey reads that law, Wurman notes, "the Governor is empowered to do anything that in his mind is necessary to resolve the emergency."

— Jacob Sullum in the March 3, 2021, *Reason Magazine*



Thomas Hoepker, Sept. 11, 2001

The Outstater

Does Your Vote Matter, Really Matter?

“The Constitution, written by men with some experience of actual government, assumes that the chief executive will work to be king, the Parliament will scheme to sell off the silverware and the judiciary will consider itself Olympian and do everything it can to much improve (destroy) the work of the other two branches. — David Mamet, “Why I am no Longer a Brain-dead Liberal”

(Feb. 14) — You realize now that it can be considered seditious, if not an outright admission of domestic terrorism leading to insurrection, to ask whether the 2020 presidential election was “stolen.” Are you allowed, though, to ask whether future elections might be stolen?

Good question, for without a thorough forensic examination of this last election we can have no idea how vulnerable we are in future elections. And please know that Indiana is not exempt in this regard, more about which in a moment.

During a stint as a U.S. Senate staffer, I attended several meetings with experts on election fraud. The setting was the contentious election for the legislative assembly of El Salvador. The Senate Foreign Relationship Committee had reason to believe that agents of the Soviet Union would try to fix the vote.

The experts listed a dizzying number of ways that elections are stolen in democracies throughout the world. They recommended that El Salvador install the most extreme methods to ensure integrity — photo identification, physical registration with signatures, thumb prints, secret inks, etc. (They would have laughed at the thought of mailing blank ballots to unknown addresses.)

Why didn’t we take such measures in U.S. elections? The answer was that the democratic process here in 1982 was uncommonly honest, Chicago and the Rio Grande Valley exempted.

Well, so much for that.

Even ignoring the 2020 debacle, American election fraud has become more common — commonplace even. The columnist Ann Coulter and others document numerous verified high profile cases beginning with the election of Lyndon Johnson to the U.S. Senate in 1947. Most recently, they include the 2000 Missouri senatorial election, the 2004 Washington gubernatorial election and the 2008 Minnesota senatorial election (100 convictions there for voter fraud).

According to the Electoral Integrity Project, the U.S. now is tied with Mexico for voter integrity, if that tells you anything. Among the factors that counted us down were no voter ID, mail-in ballots, duplicate registration, election observers being prevented from observing, unreliable voting machines, the media calling results while some areas are still voting and voter fraud not being prosecuted reliably.

In Indiana, regarding voting machines, we have no idea what we are dealing with. In research for the foundation, Margaret Menge was unable to get the Governor or the Secretary of State to verify the nature of official oversight of machines here.

Menge phoned Jay Bagga, a computer science professor at Ball State University who, along with criminal science professor Bryan Byers, runs VSTOP (Voting Systems Technical Oversight Program). That is the firm responsible for testing and recommending which voting machines the

Indiana Election Commission should certify and approve. Bagga did not return the call.

In addition, the Secretary of State's 2020 manual on elections administration produced for county clerks says: "The Secretary of State may designate counties as risk-limiting audit pilot counties." Menge, however, could not get confirmation from the Secretary of State as to whether that is being done.

It is obviously important that citizens believe their votes are being counted accurately. That, however, is rarely the case in many supposed democracies. The result is low voter turnout, a historic marker of a banana republic.

People don't bother to vote when they distrust the process. Democracy is a civic religion in such places, something that requires irrational faith. (Totalitarian "democracies" perversely require 100 percent voter participation in the attempt to prove they are not totalitarian.)

In that El Salvador election mentioned earlier voter turnout, if memory serves, was double the previous percentage. The difference was that the U.S. stepped in to ensure there would be an honest-to-goodness election.

The average turnout for presidential elections in the U.S. since 2000 has been about 60 percent. But with all the talk of voting irregularities, you might want to watch that percentage in coming years to determine which direction we are going — functional democracy or civic religion.

There are those in America today, call them cynics, who think that all of the talk in Washington about protecting democracy has more to do with legitimizing the rule of an elite class made up of both Republican and Democratic power players. Elections, they say, are no longer representative; they are more like 19th century tent revivals, complete with prearranged "cures."

The case of the cynics grew stronger this last year. It won't be proved wrong until we are allowed to look at evidence presented at court and supported by testimony under oath.

Save Yourself, Indianapolis

(Feb. 12) — I tell the story a lot but events keep making it more applicable, the latest being the Indianapolis crime spike and the mayor's pathetic response.

The San Francisco earthquake of 1989 caused 63 deaths, 3,800 injuries and an estimated \$6 billion in damage. A film crew happened on a policeman picking his way down a rubble-filled street.

He was yelling up to apartment windows, "Nobody's coming to help you." It was his warning that quake victims shouldn't wait, that they should find water and tend to the injured immediately. It is arguable that he saved more lives than the emergency crews arriving hours or even days later.

Someone should be walking the streets of Far Eastside and Near North Indianapolis with the same message. "Nobody is coming to help; save yourselves."

Rick Snyder of the Indianapolis Fraternal Order of Police reported this week that the city is in the midst of a crime wave of earthquake proportions. At least 157 have been shot or stabbed and 29 killed in the first 40 days of the year, a pace that will exceed last year's record of mayhem.

The city's reaction is to round up the usual soft-headed corporate executives and schedule some "emergency" community meetings. What will come of that is a long list of recommendations in another long report to the mayor that includes everything but what would actually work, to wit, the arrest and prosecution of violent criminals regardless of their skin pigment or any explanation of root causes or extenuating circumstances.

Being mad at society, please understand, is not a new criminal rationale. It is the default criminal rationale and one against which our poorer neighborhoods deserve protection.

Seven years ago Indianapolis went through the same cycle — rising crime, agonizing reappraisal and ineffective response. The foundation

dedicated its 2015 fall quarterly journal to describing the city's plan to save young black men. And despite some healthy skepticism, we wanted the resulting task force to succeed.

The leading program was called, catchily, "Your Life Matters (YLM)." It brought in a \$100,000-a-year director from St. Louis, as we recall, to make certain everything clicked into place.

At the time, we asked Patrick Oetting of the Poverty Cure Initiative of the Acton Institute to take a look at the project. Sadly, he found it a pretentious campaign inspired by the usual do-good drivel, one seemingly timed to the Obama presidential election campaign.

Oetting's analysis showed the YLM plan to be simplistic, hurried and narrow, especially so when you consider the challenges facing black youth. Most disappointing was the YLM indifference to the traditional but also innovative role of the up-by-your-bootstraps black churches, the successes of which are well documented dating back to the riots of the 1960s and 1970s.

According to a companion essay written for the foundation and reprinted in that same 2015 journal, Dr. Marvin Olasky, author of "Compassionate Conservatism," small and simple Christian churches, not mayoral task forces, hold the key to raising young black men from urban malaise.

And finally, Oetting noted that Pope John Paul II had focused on the church's role in his 1991 encyclical *Centesimus Annus* applying the Principle of Subsidiarity, that nothing should be done by a larger and more complex organization that can be done as well by a smaller and simpler organization.

That was not something the social-engineering agencies, do-good nonprofits and corporate suits in Indianapolis wanted to hear. Neither "church" nor "Christian" could be found in the YLM report to the mayor.

It concluded instead that the disproportionate number of young black men involved in Indianapolis crime was an unfortunate result of

their poor life chances (racism) and only secondarily with growing up in a familial and spiritual vacuum. It attempted to define the chosen behavior of troubled young black men as a disadvantage.

The solution — wait for it — was more money. "We must invest strategically in best-practice programs that are targeted to comprehensively serve black males and hold program operators accountable for achieving measurable outcomes (in equality)," the report said in the best grant-speak. "This will involve public buy-in through a collaborative effort of various partnerships and adequate funding."

This in a nation that has spent \$22 trillion on its Great Society. The social commentator Heather Mac Donald reflects the frustration of many:

"One might have thought that more than 50 years of civil rights legislation; the banishing of Jim Crow segregation; the ubiquity of racial preferences throughout corporate America, higher education and government; trillions of dollars of tax dollars attempting to close the academic achievement gap; and the election of black politicians by white voting districts would have reduced inequity, not increased it."

As for accountability, if the YLM program had a plan for somehow slowing the historic increase in young blacks murdering blacks we could not find the documentation in that 100-page report to the mayor. Mostly, it logged disjointed activity. There wasn't enough factual detail to even learn from any failure — merely another program to stroke corporate guilt and pad the pockets of professional virtucrats, some of whom only happened to be black.

YLM supporters may say that the mayhem has only increased because of the "economic, civic and interpersonal stress" from the coronavirus pandemic and its "frustration, anger, trauma and mental-health challenges." But Mac Donald notes that crime fell during the first months of the pandemic shutdowns, both in the U.S. and globally, only to rise again in the U.S. only as drive-by shootings resumed.

Last month another program promising to rescue Indianapolis blacks was spotlighted in the Indianapolis Star, the think tank for this sort of thing. It quoted Ihotep Adisa, executive director of something called the Kheprw Institute. Kheprw's mission is "wealth-building" in the black community. He believes that there should be pathways not just for blacks but only for blacks of the proper philosophical bent.

Like the man said, nobody is coming to help.

The 'Good Intentions Paving Company' Rolls On

(Feb. 5) — We feel lucky to get through a Super Bowl these days without seeing a commercial that includes a corporate message shaming us to mind our political correctness.

The copywriters for Nike and Budweiser can say what they may but Joseph Epstein, past editor of the American Scholar, has written brilliantly about "the good intentions paving company," a critique of the ever-expanding rules of political correctness. This particular form of idiocy has rolled over Indiana to the point that serious discussion is impossible.

Before getting into that, here is Epstein's summary of the menace before us:

("It) makes it impossible to tell the truth about any aspect of identity politics without being thought crude, insensitive, or downright villainous. One cannot say without being thought a homophobe that no one really knows the origin of homosexuality and that the homosexual life can be hard. One cannot counter the Black Lives Matter movement (without being thought a racist) by saying that black lives do indeed matter, which is all the more reason it is a greater tragedy that in the city of Chicago thousands of black gang members have killed other blacks while in recent years there have been vastly fewer police killings of black men and women throughout the country. Nor is one able to suggest without being thought misogynist that men do some things better than women as women do some things better than men . . . Political correctness has made conversation on

News Alert: Aliens and Climate Change

(Jan. 29) — As a service to the membership, we will provide regular updates on the concern expressed yesterday by MSNBC host Joy Reid that if aliens ever attacked earth it might be because humans had failed to fight climate change.

any of these and many other subjects all but impossible and in doing so has added substantially to, if not caused, resentment, anger and divisiveness across the land."

To revisit cases we have been following here, nobody knows whether the thousands of students from China at I.U. and Purdue, all of whom have sworn allegiance to the Communist Chinese Party, are being monitored for security concerns. Could that be because the amount of foreign tuition equals that from the state itself? Or is it because any concern would equate with racism? In either case, it begs the question of who controls our universities.

Nor will anyone ask whether the state's recently installed first "chief equity, inclusion and opportunity officer" has comments in her background that would disqualify her in regard to equity, inclusion and opportunity. The staff members in the governor's press office aren't returning phone calls.

And why should they? These are questions that lead nowhere anyone in officialdom wants to go. In fact, no facts are allowed today in large swaths of the public square.

It is no surprise then that approval of Congress now stands at about 10 percent; that of state legislatures cannot be much higher.

The system is broken and the electorate is suspicious. Yet, nobody who reads the daily dispatches from the Statehouse news bureaus would know that. Storylines develop suddenly only to disappear a few days later without explanation as actual events overtake them. The predictive value of journalism, essential to democracy, approaches zero.

Lawsuits, official investigations, profound inquiries and urgent demands are announced daily but nothing ever seems to happen. Nobody can be sure that some group's sense of identity won't be offended, throwing sound policy out the window (effective crime control being especially affected).

Meanwhile, Epstein's reality of resentment, anger and divisiveness builds. The brows of the supposedly influential have developed odd, unattractive lines. Everybody knows this cannot continue but nobody has an idea of what to do about it — other than to repeat the mantric, factional hooey that is political correctness.

Tonight, keep your "mute" button handy.

Political Identity Meets 'The News'

(Feb. 1) — What if a cabinet-level appointee by the Indiana governor made “radical, homophobic and racially divisive” comments when she was in her late 20s?

In today's media environment, there would be serious inquiries, right? Well, not apparently if that person fills a historic post as the state's first “chief equity, inclusion and opportunity officer.”

All of that was in a report last week from REAL News Michiana, a blog out of South Bend. The reporter, Clifton French, tells us that he has been unable to get a response from the governor's office or even so much as a “no comment” from the press office. Nor can our search find any other news outlets investigating the charge independently.

OK, maybe there's an explanation. Perhaps the officer has a mea culpa blaming improprieties on her youth, one in which we all could sympathize. Maybe her words don't mean what we think they mean. Maybe the tweets are posted on a fake web site, although French is convincing that they are authentic and that they were taken down soon after he started asking questions.

In any case, the nature of the comments displayed in screen shots from the alleged Twitter account are shocking, especially for someone now in charge of monitoring the ethical conduct of

Indiana government. They demand an official response.

That is what troubles us here, that such an obvious news story can be squelched. It feeds a cynical conviction that there is much in Indiana, even of clear public interest, that can be placed off limits by the silent decrees of official and media chieftains.

If we cannot get to the truth of a simple tweet, we don't live in freedom, we live in fantasy.

A Sad Gubernatorial Comparison

(Jan. 28) — Let's see if you can remember when Gov. Eric Holcomb said this:

“With the radical left now in control of Washington, your governor is your last line of defense. As governor, I will defend your right to be free of socialism and tyranny. Your Second Amendment right to keep your family safe and your freedom of speech and religious liberty. Our state needs a leader with the courage to do what's right, not what's politically correct or convenient.”

That's right. Never. Those were the words of Sarah Huckabee Sanders, former White House press secretary, announcing this week that she will enter the Republican primary for Arkansas governor.

Governor Holcomb meanwhile is likely upset by news that black Hoosiers are less likely to get a free vaccination against Covid than whites (85.1 percent versus 84.8 percent). Earlier, in his state-of-the-state address, he risked the slander of generations of Hoosiers by commingling equality of opportunity and equality of results.

Indeed, after 52 years of affirmative action, he named the state's first-ever “chief equity, inclusion and opportunity officer,” whatever any of that means. This from the state's first governor to accept as a serious question whether Indiana should change its name to avoid offending Native Americans.

Applauded by a China think tank as one of the 20 “most friendly” U.S. governors, Holcomb was

photographed only months before the outbreak of the Wuhan virus accepting a gift from a Communist official during a junket there — the very picture of pusillanimity (getting to be a favorite word around here).

It must be true that we get the politicians we deserve.

Making Murder Respectable

(Jan 18) — Here is a proposal to help bring us back together after this week's bizarre inauguration. It involves restraint and precision in the use of our words, something that George Orwell encouraged in his "Politics and the English Language."

"Political language — and with variations this is true of all political parties, from Conservatives to Anarchists — is designed to make lies sound truthful and murder respectable and to give an appearance of solidity to pure wind," was the great man's conclusion.

For starters, we can honor Orwell by retiring the word, "democracy," which he rightly observed has become dishonest, meaning whatever the user chooses it to mean, used by even tinhorn dictators to justify their tinhorn dictates.

Next, we can throw away "hypocrisy" in its political context. The word has been misused and overused to ruin. It means the practice of claiming to have moral standards or beliefs to which one's own behavior does not conform. It is a pretense itself, however, that somewhere in modern politics there is a moral standard or belief.

Likewise, we can no longer justify the use of "bombshell" implying that something profound has been revealed that will change the course of the day's discussion or even the historic arch. It can, however, continue to be used to describe actual bombshells thrown during our "largely peaceful" riots.

Similarly, in the discussion of speech freedom, the phrase warning against "shouting fire in a crowded theater" is no longer helpful considering that so many at least political theaters seem to be on fire these days. Justice Oliver Wendell Holmes

emphasized the word "falsely" in his famous 1928 opinion: "The most stringent protection of free speech would not protect a man in *falsely* shouting fire in a theatre and causing a panic."

Use of "the people's house" for the U.S. House of Representatives if not the White House is pretentious knowing that opinion surveys show Capitol Hill has an approval rating equal only to the number of drunk or otherwise addled citizens wandering around at any given time.

"Congressional investigation" is now understood to mean that something untoward has been unearthed and those directly or indirectly responsible need the political cover of a process, preferably lengthy, designed to avoid any meaningful conclusion.

Finally, George Carlin has been proved inarguably correct that the use of "bipartisan" means nothing more than that some larger-than-usual deception is being carried out.

Senator Young Makes the Case for Senator Young

(Jan. 13) — Indiana Sen. Todd Young in a widely circulated column this week unpacked some Lincolnesque but tired bromides on his way to addressing the calamity that is America. We are not enemies but friends and fellow Americans, he instructs. That and we should do less shouting and more listening.

The senator's homily, though, hid a personal concern, one to be examined in a moment.

First, we may indeed all be "Americans" in an ever-expanding sense of citizenship or in the halcyon vision of a speech writer. But there is a growing number, soon to be a majority it is said, perhaps an entire generation or two, that doesn't believe in the defining principles of the nation. They are inventing their own as yet unofficial version. And there are many who are OK with hyphenating their nationality, an indication they feel the straightforward label "American" needs qualification.

The political leaders are making it clear they intend to build a new America from the ground

up, from scratch, upside down even. They say so daily in the New York Times and the Washington Post. Indeed, the rhetoric hints that they would change the name of the country to something else entirely, a name less offensive to the new politics — Marxico perhaps.

That, Senator Young, would make them technically and decidedly not Americans — un-Americans, in fact — and not all that friendly either.

As far as listening goes, some of us have heard enough. It is loud and clear that the new Democrat Party has pulled together otherwise disparate groups whose only common interest is envy and hatred of white people, particularly old ones.

“The Democratic coalition is built on shared genetics,” Tucker Carlson said last night. “The basic idea is that everyone who is not a straight white man must be united as one in unshakable solidarity.”

The coalition members pretend in romantic fashion they are fighting an oppressive social-justice system. But no middle class white person who has applied for a small-business loan or tried to get their son passed the registrar of an elite college sees it that way.

During this the Black Lives Matter Era, the number of deaths by murder in the U.S. has increased over 40 percent in the years 2014 to 2020, with several thousand more incremental homicides since the death of George Floyd. Yet, the push is for reduced policing and for housing policies that export crime to new neighborhoods.

The outgoing President of the United States, now just another old white guy, is prohibited from talking to his supporters on an Internet, a medium that although innovative is just another communication utility, a high-tech phone system.

And we hear serious talk of administering vaccines and other healthcare benefits with a non-white preference. Finally, the state’s largest newspaper, the Indianapolis Star, is polling its staff to make sure there is a sufficient number not only of women and people of color but those who

identify as “gender fluid,” “non-binary” and “two-spirited.”

And still to be faced is the wrath of a Biden-Harris administration and talk of a cultural “cleansing.” If straight white males are selfish tyrants clinging ruthlessly to unearned privilege, they are doing a spectacularly bad job of it.

What concerns Senator Young in all of this is that it represents a huge change in his political world, a change in which he may not prevail regardless of his cocktail party empathy. Angelo Codevilla of the Claremont Institute poses the situation this way:

“What is to be done with a political system in which no one any longer believes? This is a revolutionary question because America’s ruling class largely destroyed, along with its own credibility, the respect for truth and the culture of restraint that had made the American people unique stewards of freedom and prosperity.”

If half the nation doubts that elections will be held fairly, then the system is broken. The concern between the lines of Senator Young’s article is that he himself will be seen as broken, that his “can’t we all be friends” approach will be understood to be so much pusillanimous twaddle, that more forceful positions are being formulated even within his own political circle.

Todd Young believes that would be bad for America.

Of course he does.

Big Indiana Firms Are Wide Awake

“There is nothing that will give power to the (Equal Employment Opportunity Commission) to require hiring, firing and promotion to meet a racial ‘quota.’” — Sen. Hubert Humphrey in promising that the 1964 Civil Rights Act would lead only to nondiscrimination and not to social engineering.

(Jan. 8) — Indiana companies that want to be listed on at least one of the New York stock exchanges will want to check the chromosome

arrangements and melanin levels in their board rooms. East Coast lunacy is headed our way.

NASDAQ filed a proposal this week with the U.S. Securities and Exchange Commission that would require companies on its exchange to have at least one board member who self-identifies as an underrepresented minority, woman or a member of the LGBTQ community. The exchange defined “underrepresented” as an individual who self-identifies as black or African American, Hispanic or Latino, Asian, Native American (including Native Alaskan or Hawaiian), Pacific Islander or someone who is two or more races. If you happen to be a trans Eskimo with Latino roots living on the south side, you can write your own ticket.

The saddest aspect of this story is that a large number of Indiana corporations, including the Indy Chamber of Commerce, is not bothered by it. Indeed, this week the Indianapolis Star listed the city’s many socially hip corporations and their various umbrella organizations in a congratulatory article, “Indiana Businesses Vowed Action After George Floyd’s Death. Here’s What They’re Doing.”

The article lauds a trend that the political theorist James Burnham predicted 70 years ago. He said there would be a gradual shift away from private owners and toward corporate and government managers.

Well, the shift has shifted. We are there. And this corporate elite justifies its newly realized power by subscribing to an ideology of self-professed altruism that requires the rest of us to confess and reform. Edward Welsch, writing in this month’s *Chronicles* magazine, explains:

“The therapeutic managerial ideology is based on the idea that the American people, especially the Middle Americans of red states, need to have their mentality reformed. The therapists must root out any last vestige of ethnic preference or resistance to foreign immigration, which, in the case of those of European ancestry, is to be considered racism.”

These companies believe along with the Star that urban unrest can be lessened if we accept a certain premise, that is, racial diversity should be set proportionally across all social and economic fields regardless of other factors. The general discussion is called Diversity-Inclusion-Equity or DIE.

Because certain races turn out to be favored for one reason or another, all of that is little more than racism itself, a fashionable kind. It also is a formula for societal as well as economic disaster, complicating such basic functions as effective law enforcement.

Last weekend, Indianapolis nudged Chicago in per capita incidents classified as “violent.” That is according to Rick Snyder of the Fraternal Order of Police. Snyder, who has been warning that crime in the city is rampant, notes that last year saw a record 245 Indianapolis homicides, a 45 percent increase over 2019.

Nationally, the typical increase year over year since 1960 has been less than 13 percent. Indianapolis now has more murders per 100,000 than Chicago (28.5 to 28.4) and way more than New York City (5.4).

The Star, though, has its own expert, Ihotep Adisa, executive director of something called the Kheprw Institute. Kheprw’s mission is “wealth-building” in the black community.

Make of him what you will, activists like Mr. Adisa get things done these days. He is cautiously optimistic that shaming companies over George Floyd’s death will improve something somehow and he won’t be fooled by any Uncle Toms.

“We should be taking a really critical look at everybody that says Black Lives Matter. What are you doing within your institutions, what are you doing at a personal level to demonstrate that black lives do matter?” Mr. Adisa told the Star, adding: “If the folks we put in those spaces have the same philosophical orientations as the previous folks, all you’ve done was just added some color to the room. You haven’t really addressed authentic and real change.”

At best, it is problematic how the crime statistics will be changed by pressuring companies into hiring diversity officers, capitalizing the name of certain ethnic groups, rewriting personnel manuals, caging donations to inner-city nonprofits, virtue-signaling in press releases, applying de facto race quotas to management positions or jumping through any of the Kheprw Institute's philosophical hoops.

At worst, it is just riot protection money. Tom Wolfe indulged in a bit of impolitic after the urban turmoil of the 1960s by describing such demands as "Mau-Mauing the flak catchers."

What is certain is that to the degree Indiana companies link hiring and promotion, not to mention board positions, to factors other than productivity it will reduce profitability and competitiveness — and without saving or even improving any black lives outside the small circle of DIE apparatchiks.

For be reminded that productivity is what corporations do — and ultimately, in a free market at least, it is all they do. They cannot "care" in the same way an individual proprietor might. In 1967, when the fire bombs began to fly in Newark, Detroit and New Jersey, the big corporations stepped on each other getting out of town. Some of them, interestingly, relocated to relatively calm Indianapolis.

So if the Chamber of Commerce and the other groups applauded by the Star want to do something to attract investment in the Indianapolis economy, a large and important part of which is the black community, they should join the objections to the NASDAQ filing. They might include a caveat that Indiana won't be muscling anyone's business into wasting resources pretending to solve intractable social-justice problems, ones defined by activists without any practical knowledge of how the world works.

Equity: An Unequal Scorecard

(Dec. 28) — Although the debate over as to whether equality should be "of opportunity" or "of results" (we lost), there are doubts that still nag.

The bullet points below reflect our random thoughts denying the winning side's promise of a better society:

- There is a rise of diversity "officers" at every level from elementary school to university. We are told that the school board of prestigious Park Tudor in Indianapolis hired one even though the school is 20 percent "minority." Our local branch of Purdue University announced the appointment of one last week. And a diversity "czar" was named last month to oversee all of state government.

Set aside for now the role of political officers in socialist history. Let's address the job description itself. The purpose of the modern diversity officer is not to create opportunity per se. It is to advance those who have not advanced otherwise — and for undetermined reasons. We say undetermined because the diversity officer does not justify his or her recommendations, decrees and judgments with evidence of actual prejudice or even unfairness. All that is needed is the statistical disparity itself. It is wrong or at least insufficient for a water faucet, for sake of example, to be available to anyone and everyone at any time. It must be made available in demographic order and in social and cultural categories determined by the diversity officers themselves. That is a formula for resentment-fed autocracy, not individual prosperity and well-being.

- Along those lines it is useful to review the work of the economist Thomas Sowell, who has said so many wise words on education that it is hard to choose a quote. Here is a start: "Each new generation born is in effect an invasion of civilization by little barbarians, who must be civilized before it is too late." One of his early statistical observations was that a characteristic of groups that did well in school relative to other groups was the seemingly obvious parental admonition, "Do what the teacher tells you to do." That proved true even in households where the parents spoke no English.

- Professional titles have crept upward to appropriate achievement. TakiMag posits that if you stop someone in a hospital wearing a white

coat, it may be the janitor. So many employees wear white coats now that doctors no longer consider them distinctive, even the long ones reserved for staff physicians. And the Army recently discounted the special forces beret to worthlessness by allowing even sad sacks in the motor pool to wear one. The person in your high school class voted most likely to be an executive secretary now has “Vice President in Charge of Appointments” on her name plate. Finally, there is a company, Books by the Foot, that will fill your bookshelf to impress Zoom meetings.

- Michelle Obama has shamed a generation with the accusation that white flight to the suburbs during her childhood was caused by racial prejudice, a viewpoint that seems to have defined her personality. William Voegeli of the Claremont Review of Books wonders if it had anything to do with young Michelle (née Robinson). He thinks that crime rather than pigment was the motivating factor: “Some whites who fled South Shore (Obama’s Chicago neighborhood) and communities like it in the decades after World War II were prejudiced. Others were simply observant — of rising crime, devastating riots, deteriorating public schools, vanishing business opportunities and plunging property values.”

A political corollary holds that the prejudice was built into the big city administrations (most of them Democrat). Once blacks moved into a neighborhood, city hall turned its back on its civic responsibilities. How, though, do we explain the plight of these same neighborhoods once a city is run by black elected officials? In any case, Voegeli argues that to state Ms. Obama’s position is to demonstrate its unreality: Did whites really have a moral duty to risk solvency and family by staying in a dangerous neighborhood?

- A friend graduated 40 years ago from a prestigious university with a Ph.D. and the highest of recommendations. In all those years he has never been fully employed in his chosen field. His career coincided with an “equality” push in universities throughout the nation. Women and minorities filled the positions for which he

arduously trained. My friend was not damaged; he raised a fine family and made his mark in many other ways. The question, however, is whether academia was damaged. At West Point, for example, where the social-justice method of selection has been the rule for a couple of decades, Joint Force Quarterly found that two-thirds of today’s officers would be in the bottom one-third of the class of 1980. A generation selected by whimsy can produce a heap of stupid.

- On the topic of the military, it is tough duty pretending that women are equal to men in combat. True, there are individual women who can hold their own but they are too few to meaningfully contribute to a modern fighting force. Nor are they needed, there being plenty of willing and capable men available even in a post-draft army. Nonetheless, the political mood demands that accommodations be made (emergency leave for shipboard pregnancies, etc.). The most costly, though, may be paid in something as critical as fighting reach. Because too few female recruits could throw a grenade farther than the blast range, it was thought there would have to be two classes of grenades. The U.S. Army, always resourceful, solved that potentially costly logistic problem by lifting the requirement that recruits throw a grenade any particular distance.

That last makes the point neatly: If we are determined to self-destruct, mandating precise numerical diversity will work as well as anything.

Pigmented Vaccinations

(Dec. 20) — There is a scary sound to the reported debate within the Center for Disease Control as to whether blacks as a group should receive the Covid vaccine ahead of the elderly. It would be a matter of social justice, the argument goes.

Congressmen and government employees, as always, have their own rationale for special treatment.

But it all resembles the plot of a dystopian novel, not reasoned policy. American medicine’s characteristic has been its humanity.

Even in the heat of battle, medics apply triage not by rank, unit insignia or specialty but by whose life can be saved.

Now we understand that public policy is life and death.

It always has been, actually.

The Anglo-Saxon Survival Manual

(Dec. 19) — With inauguration (fortification) ceremonies in the works, many are reaching for historical analogies for the 2020 U.S. presidential election. They range wildly from the reign of Commodus to the Council of Trent to the Civil War to the 1960 defeat of Richard Nixon.

There is one, however, that best reflects the challenges facing our nation. It is the Battle of Hastings, in which William, the Duke of Normandy, narrowly defeated the Anglo-Saxon King Harold Godwinson. And yes, he used trickery to win the day.

Granted, the differences are many between a campaign fought with votes, legal and illegal and one almost a thousand years earlier fought with swords, arrows, cavalry charges and feigned retreats. The outcome, however, was exactly the same — individual sovereignty was lost.

Some talk about “coming together” and “letting democracy work.” Good for them, but half the nation now thinks its votes were stolen. And in a constitutional republic if you doubt that your individual vote will be fairly counted and if the courts do not argue on your behalf, then you have no way of ensuring that your rulers obey “the law of the land.”

That is Common Law, a Norse idea dating back more than 11 centuries. It is what was at stake at Hastings, the rule of law over men, the assertion that even kings and presidents are subject to the laws of property and the individual. It is the single force in what we know as Western Civilization, something the ignorant now dismiss as “white privilege.”

Unique in the world at the time, the Common Law was something shared by Englishmen of whatever origin and group. It was lost after

Hastings under what came to be known as “the Norman yoke.” Here is the historian Paul Johnson on its connection with the founding of the United States:

“The rule of law in England went back even beyond Magna Carta, to Anglo-Saxon times, to the laws of King Alfred and the Witanmagots, the ancient precursor of Massachusetts’ Assembly and Virginia’s House of Burgesses. William the Conqueror had attempted to impose what Lord Chief Justice Coke, the great early 17th-century authority on the law, had called ‘the Norman Yoke.’ But he had been frustrated. So, in time, had Charles I been frustrated, when he tried to reimpose it, by the Long Parliament. Now (in the American colonies), in its arrogance and complacency, the English parliament, forgetting the lessons of the past, was trying to impose the Norman Yoke on free-born Americans, to take away their cherished rule of law and undermine the rights they enjoyed under it with as much justice as any Englishman.”

Old stuff? Maybe, but imagine life without absolute private property or individual and religious liberty. No, wait, you don’t have to imagine. That describes much of the world today, including to a degree Western Europe, so beloved in Washington these days. And it was in its most extreme form what William the Conqueror imposed on England beginning in 1066.

The purpose of historical analogies is not to drudge up the past but to prepare for the future. The past is prologue, or some of us believe. In this particular argument, history points to the hope of revolution, defined by the British historian Daniel Hannan as “a full turn of the wheel, a restoration of that which had been placed the wrong way up.”

So yes, in our Foothold Project and other activities we are planning a revolution — one in the manner of the Anglo-Saxons after Hasting, one accomplished without arms or violence or even high-powered politics.

Prayer will have a lot to do with it, certainly, but also just going about our business at ground level, projecting the genius of Common Law in

our clubs, councils, associations and, importantly, in our most local elections. That is how the English freed themselves. It is how we will have to do it as well. Hannan again:

“The Norman kings might have seen themselves as absolute sovereigns, entitled to dispose as they pleased of every square inch of land in the realm. But they couldn’t extirpate the notion of the law as the property of the nation, the protector of the individual. Nor could they eliminate the idea of important decisions being taken at public meetings. These subterranean trickles, these provincial rivulets, eventually flowed together to form a torrent that smashed the dam of royal absolutism.”

The only improvement we can make on that strategy is time frame. It took the English a hundred years to win their revolution. Surely with the speed of the Internet and a modern highways system we can do it in four.

The Indy Star Needs Your Pennies

(*Dec. 17*) — The Indianapolis Star has declared itself a charity of sorts. The executive editor in the midst of the pandemic sent an appeal for readers to give her money because . . . well, because she needs it.

“Our company and IndyStar staff are facing the same economic realities that many of you are living,” explained Katrice Hardy in an extraordinary message. “Even as we provide you with invaluable information so you can make good decisions for yourself and your family, we have had to take unpaid days off.”

She went on to list stories that the Star had provided “free” to Internet readers despite months of furloughs. They included a tear-jerker fundraiser for a local hospital, the assignment of more than a dozen reporters and photographers to cover the funeral of a black police officer and a save-the-planet campaign to clean up the White River.

An earlier editorial made a similar plea, saying, “Philanthropy cannot — and should not try to —

solve all the issues facing the news industry, but it can play a role.”

The self-absorption reminded us of a favorite skit on Saturday Night Live. Al Franken asked viewers to send him money and receipts (tax exemptions) because . . . well, because he was Al Franken. In fact, he declared it the “Decade of Al Franken.” An excerpt:

“When you see a news report, you’ll be thinking, ‘I wonder what Al Franken thinks about this thing?’ ‘I wonder how this inflation thing is hurting Al Franken?’ And you women will be thinking, ‘What can I wear that will please Al Franken?’ or ‘What can I not wear?’ I know a lot of you out there are thinking, ‘Why Al Franken?’ Well, because I thought of it and I’m on TV, so I’ve already gotten the jump on you.”

Returning to the Star’s more serious plea for charity, the assumption is that the newspaper is a hometown business deserving hometown loyalty. Unmentioned are years of circulation-crushing columns and articles by a revolving group of Gannett hacks shipped here from Baltimore, Toledo and other failing cities to tell the residents of central Indiana what racists they are. A demand of the paper’s guild would result inadvertently in some members being fired so that more diverse hires could be made (if that tells you anything about the newsroom zeitgeist).

A capable business desk could explain that in a free market businesses prosper not because customers feel sorry for them but that they provide a good or service. Nor is it enough that a staff is diverse in some precise numerical way. Rather, the Star is in trouble because it isn’t organized to provide the desired service or good. And don’t blame it on the Internet; the Star’s output is rejected there as well.

The sorry truth is that fewer and fewer Hoosiers care what the Star thinks. The day after it closes there will be another information system, print or digital, perhaps owned by an individual proprietor with a hometown readership in mind. Its staff will be paid for keeping Hoosiers informed of breaking

events, prepared for the week ahead and voting intelligently while not insulting their views or way of life.

Following Up: Students From China

(Dec. 13) — Last summer the Indiana Policy Review released a series of papers reporting on the 3,000 students from China enrolled at Indiana University and why they were more of a national-security concern than typical foreign students. This Friday, a congressman-elect, a former member of the House Committee on Foreign Affairs, described such students as acting “like a spy network.”

First, some background on why students from China deserve a careful look. Charles Lee is a Chinese dissident who came to the United States in 1991 to attend Harvard Medical School and was imprisoned in China for three years when he went back. He now lives in New Jersey where he helps lead the Tuidang movement, to educate Chinese about the true nature of communism.

He told us that China strictly controls who gets to go abroad and who does not. “Here’s the thing,” he said in a phone interview in June, “If you are a Chinese student inside China and he or she views something against Communist Party, he’s not going to be able to get out. He going to be in trouble, unless he confess, you know sort of confess, you know write something, ‘I will never criticize Communist Party’ or something like that . . .”

Lee says almost all students from China — most likely 99 percent, he says — have either been in the Young Pioneers or the Youth League, two Chinese Communist Party (CCP) organizations for young people.

The cost for a foreign undergraduate student to attend IU is about \$53,408 a year, our white paper estimated. This is the amount of money that IU estimates they’ll need for nine months of school and living expenses. It includes \$38,314 for tuition and fees (the same amount that out-of-state students pay), plus \$11,263 for room and board, \$1,585 for health insurance and \$2,246 for books and miscellaneous expenses.

In the 2019-2020 academic year, students from China together paid just over \$80 million to IU Bloomington in tuition and fees alone. This is close to half the total amount of funding that IU Bloomington gets from the state of Indiana each year, which is around \$200 million.

This boost to the IU budget comes at a cost. Representative-elect Darrell Issa of California told Fox News Friday that it amounts to a spy network, part of the same national-security threat that Secretary of State Mike Pompeo warned governors and university trustees about last year.

“China has a three-tiered program,” Issa told Fox News. “They have professional spies, they have their various companies that they send over that act like spies and then they have a network of tens of thousands of students, who are, in fact, interrogated when they go home for the summer and whose families are still in China.”

“You put that all together, it’s not just a few spies,” Issa continued, “it’s hundreds of thousands of people that act like spies that are coordinated by China. It’s aggressive. It isn’t just looking at government. It’s also looking at every part of our enterprise, every part of our business operations.”

Of concern here is why after almost six months there has been no response from Indiana University or Purdue University (with similar enrollment numbers). Margaret Menge, the author of the foundation’s primary paper, had to file a lawsuit against IU to get even basic background material.

Obviously, the IU budget would take an \$80-million hit if students from China were denied admission. And the IU campus culture is generally sympathetic to China to the point that sino-critics are shouted down during campus talks.

But the official silence on the CCP connection cannot be dismissed as a matter of routine public-relations reticence. Indiana citizens deserve to know whether their large state universities are doing their part to vet overseas students, particularly those pledged to a hostile power.

National security is not something that the president of IU can compromise to pad a budget.

Holcomb Names his ‘Equity’ Officer

“The single most exciting thing you encounter in government is competence, because it is so rare.” — Daniel Patrick Moynihan

(Dec. 8) — Eric Holcomb’s job seems to be to make the imagined world of his ruling political class palatable to us common zeks. As such, he is making a mess of it — particularly in the intractable matter of race relations.

A couple of weeks ago he named the state’s first-ever Chief Equity, Inclusion and Opportunity Officer, a guilt merchant out of that crucible of failed moral superiority, the modern university community. She immediately proclaimed that “this is an incredible opportunity to drive cultural change across state government workplaces and essential state services by increasing equity and inclusion.”

Hogwash. Culture is not defined by decree. Ask the Normans. And something as elusive as human equity cannot be achieved by fiat. Thomas Sowell wisely observed that children raised by the same parents are rarely equal. Indeed, none of us is equal to ourselves one day to the next.

Yet, for political appearance, Governor Holcomb would simplify this most complex issue. (If he is curious as to exactly how complex, we recommend Dr. Maryann O. Keating’s most recent analysis.) Holcomb has done nothing but issue a press release and add a layer of accounting to an already bloated government structure, one that now must count bureaucrats by skin pigment or some other irrelevant criterion.

For to prove his new cabinet-level appointment has made Indiana more inclusive, the governor must set the ratio of inclusive to non-inclusive. And if you think Indiana government is ineffective now, wait until it operates with every tenth person or so selected for employment or benefit by a factor detached from merit, contribution or even need.

Once the applause for the Chief Equity, Inclusion and Opportunity Officer subsides, the sorry fact will remain that there are groups of

Hoosiers falling behind not just in state government but because of state government.

The social commentator Heather Mac Donald has made available a wealth of data on this point. It is enough to note here that the Brookings Institute estimates that the number of students in the group of primary concern to the new equity commissar has as few as 1,000 individuals nationwide with SAT scores of 750 or above.

Mac Donald rightly doubts that such a number can proportionally fill the executive ranks in medicine, science, finance (or government) without lowering meritocratic standards.

Perhaps, then, we don’t need a Chief Equity, Inclusion and Opportunity Officer but rather a gimlet-eyed assessment of what government can do (and refrain from doing) to get the melding pot melding again.

We can begin by challenging schools that institutionalize failure while denigrating Western Civilization. Then we can move on to reversing five decades of weakening families, eroding self-reliance and fostering dependency on the state. Finally, there is surely something the governor can do to lower the practical barriers to the middle class for all of us, that is, removing licensing and permit regulations, encouraging neighborhood businesses, lowering regressive taxation and so forth.

Pretending that “equity and inclusion” can be managed bureaucratically in a free society is folly based on fallacy. Sadly, it reflects Governor Holcomb’s bent in other areas — healthcare, education and economics, to name a few.

Indiana will be lucky to survive him and his first-ever Chief Equity, Inclusion and Opportunity Officer.

The Does and Don’ts of 2021

(Dec. 3) — We are accused here of being against all laws, even those that would require us to wear swatches of cloth over our mouth and nose as a medical fashion. That is unfair. Below we list a few government actions that have our wholehearted support, some of them laws and

others resolutions. The issues range from campaign ribbons to Half Windsors. And yes, a few positions sound harsh but, hey, to paraphrase the proclaimed president, governing can be messy.

- To wear “aviator” sun glasses you are required to have been an aviator (a pilot in the U.S. Navy) and need eyewear designed to cut glare when looking down at vast expanses of ocean.
- Young men with a three-day beard should be either vagrant, independently wealthy or otherwise signaling that they are indifferent to finding indoor work.
- Anyone who became a journalist after April 9, 1976, isn’t one.
- Baseball caps are to be worn as designed, with the bill forward, unless you are 10 years old and not very bright.
- The term military “veteran” is reserved for those who have seen combat; others should be thanked for their service but be designated paid volunteers contributing to the national defense in clerical and supplemental ways.
- It is illegal to accuse a Democrat of wrongdoing, especially when it involves his or her reelection.
- Rap music isn’t.
- Whether Sasquatch exists or Elvis is alive are legitimate avenues of congressional investigation.
- Camouflage attire is restricted to deer hunters and members of long-range reconnaissance patrols.
- The opinions of celebrities are not covered by the First Amendment.
- Assertions that a budget will be balanced must be accompanied by a laugh track.
- All men are required to know how to tie a Half Windsor whether they ever intend to wear a necktie.
- Those who have moved here recently from the East or West Coast should be prepared to explain themselves.

- The promise to “fight for you” in political campaigns is restricted to those candidates who have put themselves at physical risk in defense of their stated convictions.
- Sports commentary is restricted to describing events on the field of play. (A caveat: No purpose is served interviewing players or coaches on why they won or lost.)
- Anyone referring to Jimmy Carter, George W. Bush or George H.W. Bush as “an honest and dignified man who made a pretty good president” loses the right to drive on the public roads.
- The careers of military men who wear a dozen medals or more are frozen at the rank of O-3 (colonel or captain).
- Overrating the Notre Dame football team during the season is a misdemeanor; off-season it is a felony.
- Opinion surveys of Americans younger than age 25 are commendable gestures of faith in the next generation, but taking the results seriously is a felony.
- Professional wrestling is the only thing that is exactly as it seems.

Equivocations

We would be in favor of restricting the democratic franchise to those who own property except that the concept of “property” has been so eroded that it would be nonsensical.

Likewise, we would be for congressional term limits except that Congress would be in charge of defining “term.”

Guy Montag Lives

“Former Reality TV Show Host’s Son Tests Positive for Covid-19” — Yahoo reporting that Donald Trump, Jr., had tested positive for the virus

(Nov. 26) — The thought occurs that the reason criticism of journalism has so little effect is that it is directed at individuals who aren’t actually journalists. The profession has changed

into something else entirely, something beyond recognition or accountability and without value.

Indeed, the big-time journalist today serves a purpose only in fiction. No, not as he might imagine himself as Robert Redford in “All the President’s Men.” Rather, as the protagonist in Ray Bradbury’s classic dystopian novel “Fahrenheit 451.”

He is fireman Guy Montag, a flawed and conflicted hero belonging to a profession that once fought fires and saved lives but now burns down any house in which he finds thoughts/books (along with the people inside the house). His supervisor, Captain Beatty, explains how that came about:

“There you have it, Montag. It didn’t come from the government down. There was no dictum, no declaration, no censorship, to start with, no! Technology, mass exploitation and minority pressure carried the trick, thank God. Today, thanks to them, you can stay happy all the time, you are allowed to read comics, the good old confessions, or trade journals.”

The Captain, with prescience, rationalizes his destructive profession as a boon to society:

“Colored people don’t like “Little Black Sambo.” Burn it. White people don’t feel good about “Uncle Tom’s Cabin.” Burn it. Someone’s written a book on tobacco and cancer of the lungs? The cigarette people are weeping? Burn the book. . . . If you don’t want a house built, hide the nails and wood. If you don’t want a man unhappy politically, don’t give him two sides to a question to worry him; give him one. Better yet, give him none.”

Does living out the details of a gloomy 1950s novel seem a waste of time to you? If so, how can we do better in 2021? C.S. Lewis had some ideas about that — two of them in particular.

He recommended writing letters to the hometown papers, most of which still honor the canons of the profession. And there is a good chance your letters will be well received if you follow Thomas Sowell’s advice to run your arguments through a three-part filter: 1)

compared with what; 2) at what cost; and 3) on what evidence. It also helps if you remember the admonitions of your fifth-grade teacher to keep your words kind, necessary and perfectly accurate.

Lewis also recommended strengthening relationships with our neighbors and immediate community. We don’t need mass media to build person-to-person bridges that will carry honest exchanges of opinion and perhaps an evangelical opportunity or two for sharing what we believe to be true in this world.

Interestingly, Lewis said he never read the major newspapers of his day.

“Why would anyone?” he asked.

Exactly.

How to Destroy Your City

“This life’s hard, but it’s harder if you’re stupid.” — the character Jackie Brown in the 1971 novel “The Friends of Eddie Coyle” by George Higgins.

(Nov. 19) — If you want your Indiana city to prosper these next few years, there is something you can do. Write your councilman, your party chairman, the prosecuting attorney or anyone else you deem in charge. Tell them you don’t want to be treated “equally.”

Wait, don’t get upset, the word no longer means what you think it means. Understanding the new equality, to be defined in a moment, is especially important in regard to public safety, that which keeps our cities law-abiding, productive and worthy of investment. And none of that, please know, is a given. Heather Mac Donald of the Manhattan Institute warns that In coming years there will be pressure put on cities to:

- Collect ethnic and racial data on stops and arrests in preparation for filing profiling lawsuits;
- Condition federal grants on the race of new officers;
- End cash bail and eliminate the threat of jail for recurrent failure to pay fines; and

- Litigate against school districts that suspend certain groups of students at higher rates than others.

Most disruptive, career attorneys in the Justice Department will descend on your city to open civil rights investigations into your police department. They will not need credible evidence that any constitutional right has been violated.

“Those investigations invariably result in settlements that place police departments under the control of a non-elected federal monitor and a federal judge,” Mac Donald says. “Monitors will collect taxpayer-funded fees while they hold your police departments to draconian deadlines and mindless paper-pushing mandates for years on end.”

This destroys what makes a department trustworthy and effective. For when you replace local control, merit standards and rule of law with decrees from virtucrats and their diversity auditors, the idea of public safety becomes an abstract.

As a result, your most experienced and steadfast local officers will leave in dismay. In Minneapolis, for example, where such policies prevail, 100 employees in the police department have resigned so far this year, with an additional 20 percent filing for leave.

The officers will tell you that the reason is a false narrative, that arrests and prosecution are a matter of prejudice and not of criminal activity. That is demonstrably false. The data disproving it is locked in the files of your local police department. Too politically sensitive, they will tell you. Ask your councilman to make it public, specifically the testimony of witnesses and victims in the most disadvantaged sections of your city. Their testimony is that crime is the product of identifiable groups and not of systemic racism.

Earlier we said that the meaning of “equality” had changed. It once meant equality of opportunity, the onus being on the individual to make good decisions. Now we have what abnormal psychology would recognize as an externalization of personal responsibility. The government is given the authority to command

equal results regardless of personal choices. It tries to do that by balancing reward and punishment on an ever-shifting scale of good intentions gone bad.

For those in the favored group of the moment, failure is rationalized and deviancy is defined down (to use Sen. Patrick Moynihan’s phrase). But those outside of it, those who obey and enforce the law . . . well, they’re just so many chumps.

Leave it to the historians and philosophers to explain in the larger sense what happens to a society when human nature is so twisted out of shape. For now, know just this: The economy and quality of life in Indiana cities that reject law and order for a contorted definition of equality will decline. That bodes ill for current and future citizens, of whatever color and ethnic background.

If you doubt it, ask around in Chicago, Seattle, Minneapolis, Portland and Kenosha.

A Flaccid Indiana GOP

(Nov. 10) — The Indiana GOP is celebrating that the Party’s Black and Hispanic vote increased slightly Nov. 3. The leadership, however, might have stopped patting itself on the back long enough to join a lawsuit seeking to ensure that those Black and Hispanic votes will matter.

Indiana was not among 10 states that filed an amicus brief asking the Supreme Court to overturn a partisan ruling that extended the deadline for mail-in ballots.

Neighboring Kentucky gets it. “What happens in other states during a presidential election matters to Kentuckians because we are electing our president and vice president,” said the Kentucky Attorney General. “This is not about courts dictating who wins or loses, but about transparency and rule of law issues.”

This, friends, is not rocket science. First, the U.S. may be the only functioning democracy that allows the willy-nilly mailing of ballots to a random unverified electorate. Second, that policy tips over into insanity when you allow a governor, not a legislature or a constitution, to change the

rules for how and when ballots are gathered and counted — and to do so only weeks before the election.

The issue is not whether an old fraud like Joe Biden can be denied the White House but whether we (whites, blacks and browns) are going to be afforded the benefit of election laws. For if we are not, then we will find ourselves one day soon voting one last time.

It is dismaying that the Indiana Republican Party is on record being reticent about all of that. What do they do in Indianapolis anyway?

Biden Has His Mandate; We Have Ours

(Nov. 7) — To be clear, the concern here is with Hoosier Republican representation and the most conservative of it at that. Modern Democrats can be assumed to be venal and Joe Biden, who has proclaimed himself president, is as good an example as you will find.

But in Indiana, the land of the ever-so-conservatively postured Dan Coats and Eric Holcomb, there is no shortage of Republicans who claim to be “fighting” for our liberty and against the Bidens of the world. Indeed, they have given you every reason to believe they would do anything humanly possible to protect your constitutional rights — except, as it turns out, endanger their own status on Capitol Hill.

That truth comes hard. It is difficult to admit that all of our votes have been for naught, but when someone says they are going to “fight” it is reasonable to assume that a degree of personal risk is involved.

These last few months we learned differently. The Republican Party has known since September exactly what danger the new voting rules entailed. But we heard only the crickets as blank election ballots were scattered over the landscape.

That held true even after our Margaret Menge showed that Indiana voting machines were no more secure than Philadelphia ones. (See “Who owns Indiana Voting Machines?” and “Indiana Votes Were Canceled.” Every Hoosier city councilman last week should have been asking his

or her legislator and election board about voter security. And where were the investigative reporters at the Indianapolis Star and Fort Wayne Journal Gazette? Again, crickets.

Yes, the politicians, as always, claim they had no direct responsibility for many of these changes, especially in the targeted swing states. So what did we expect of them?

Well, considering that a loss of the democratic franchise, short of a foreign invasion, is the most serious threat to our liberty, we expected a courageous stand of some sort — heroic even, a hunger strike chained to the columns of the Supreme Court for starters.

For we sent them to Washington to be on watch for just this kind of treasonous crap.

But it was our necks, I guess, not their pensioned, fully staffed, insured, catered, rule-exempt, expense-accounted, franked and privileged ones. Now they are making lame noises about the need to reform the voting process. Ya think?

Some of you have known these fellows from the days they first began political careers in humble corners of their districts on salaries that we were continually assured were modest.

But in four or five election cycles, they are in a Georgetown townhouse, summering on the Gulf and climbing aboard junkets to Bangkok or the south of France. And those are the dedicated ones.

Still others make it a point to wear old flannel and drive pickups or motorcycles when they are in the district. Please know, though, that today’s politicians have made a science of gratuity. Ask yourself if you have ever heard of one returning to Indiana in search of honest work to make ends meet like the rest of us.

Why not? How do you become independently wealthy on \$174,000 a year in Washington, D.C., one of the most expensive cities in the world? These are people, be reminded, with few marketable skills other than cunning.

Earlier, I touched on what I consider a key distinction. When a Democrat campaigns as an obvious crook and is elected nonetheless, well, that is on us. “Democracy is sometimes messy,”

Joe Biden, one of those crooks, reminded us a few days ago. That is what Democrats do — win office and stay there by any means necessary, however messy. And this presidential election is as messy as it gets. But power is their goal, not decorum.

Again, though, shouldn't Republicans be different? What about those conservatives who promised to fight for us but didn't?

Ditch them. After these horrible few week, we can no longer indulge the charade of electing people who say they will represent us as friends and neighbors but spend their careers 450 miles away casting omnibus votes and maneuvering for reward and title in the artificial world of Capitol Hill.

The president of the Claremont Institute agrees: "After the last six months, the last thirty years — the last damned century — conservatives and Republicans who lack steely resolve need to be called out and cast aside for those who will fight."

Members of Indiana's political class might want to bring that up at the next meeting of their reelection committee.

Yes, They Study Stupidity

(Oct. 29) — As I sit paralyzed with fear over a national election of Armageddon proportion, it is no comfort to realize that even my vote for mayor was for naught. City Hall has gone stupid.

I don't use the word lightly. Stupid is when a councilman mentions offhand it would be a fine thing if the city attracted more investment and suddenly there is a tax-driven downtown boondoggle whose silent partners will eventually buy it at a bankruptcy auction for one-third its \$250 million cost.

Or when a councilman suggests that the police could use a bit more supervision and suddenly there is an unelected citizen board in charge of law enforcement and strangers are painting BLM slogans on the walls of the bank.

Lucky for us there is an actual field of research on stupid policy. It is called "cascade analysis," the study of poor decisions caused when available information is so limited it gives the false

impression that everyone is on the same page. Stupidity, please know, doesn't just pool there, it cascades.

"When people are free to do as they please, they usually imitate each other," is the way the philosopher Eric Hoffer explained it in an earlier era. An updated example is from Chicago University where professors Cass Sunstein and Timur Kurn studied the famous Love Canal "disaster."

A leak was found at an abandoned waste dump in upstate New York, a leak determined to be too small to constitute a health threat. Nonetheless, a local hysteric, Lois Gibbs, imagined she and her neighbors were being poisoned. People started reporting random illnesses they believed were caused by the nearby waste dump. Newspapers and politicians went ape.

The ensuing cascade is described by Vincent Harinam and David Kopel, writing for Quillette:

"Soon, anyone who dared to question the unscientific assertions that Love Canal was a disaster was vilified for not caring about sick children. The government evacuated everyone from the Love Canal neighborhood. Hysterical reporting in local and national media spread the terror."

The authors link recent cascades to the dynamics of the new digital and broadcast journalism where "clicks" and viewers are more important than subscriptions:

"While there is plenty of political bias in the news media, the controlling bias is viewership bias. If Sean Hannity, Rachel Maddow and Don Lemon could attract higher ratings (and thus, more advertising revenue) by reporting accurately, they would. But instead, it's more profitable to trigger availability cascades."

The New York Times won a Pulitzer Prize with an "informational" cascade, pegging the beginning of the nation at 1619, the year a slave ship landing on the East Coast. Overlooked, however, was that slavery was not only endemic throughout the world back then but among the indigenous on this continent. "The economy of the Comanche

empire, based in central Texas, was based on human predation and the slave trade; the Comanches sold captured Indians, Mexicans, New Mexicans and other Americans to any willing buyer,” the article notes.

And there is the “reputational” cascade on gun crime. The Pew Research Center reports that even though more than half of Americans believe that gun crimes have increased they are in fact down 49 percent from a 1993 peak.

“Availability cascades can produce grossly inaccurate perceptions of problems. The less we think for ourselves and the more we go along with whatever information is available, the more distorted our understanding of the world becomes,” the Quillette writers conclude.

In my little corner of the world, a cascade typically begins when someone on council rediscovers a long-standing, intractable problem for which they demand immediate resolution. Normally, this would blend harmlessly into a larger, prioritized, more diverse and thereby more constrained discussion. Without a local media willing to put the problem in context, however, or weigh costs and benefits, available information is in short supply. The cascade picks up speed, tumbles over the precipice and crashes onto the “solutions” below.

Given that process, the rare public-policy success is the one that never tempts a cascade by coming before council or crossing an editor’s desk.

Adjust your democratic expectations accordingly.

Newspapers: Subsidizing an Anachronism

“Top management is discouraged and saddened and middle management is drinking too much. Morale in the newsroom is fair, because of the recent raises, but the shining brows of the copy boys, traditional emblems of energy and hope, have begun to display odd, unattractive lines. At every level, people want management to stop what it is doing before it is too late.” — Donald Barthelme in the New Yorker, 1980

Oct. 23) — When the conversation at the morning coffee turns to the local newspaper, the complaint isn’t about bias anymore, it’s about fraud, as in “wrongful or criminal deception intended to result in financial or personal gain.”

The definition, let it be clear, is not applied to the smaller community newspapers that have maintained legitimacy despite hard times — heroically so. Rather, it is applied to the metropolitan dailies, namely the Indianapolis Star and the Fort Wayne Journal Gazette. There you will find an elaborate hoax under way, a Wizard of Oz behind a screen.

The two newspapers, one owned by Gannett Inc. and the other by the Inskeep family, are trying to convince us they are something they are not, that is, an honest hometown paper. Speculation says that is important to them for two reasons: First, to justify their status under the state’s legal-notice law (more later); and second to pad their financial profile for any leveraged buyout.

As with any fraud, the facts are obscured. These newspapers no longer promote audited, unqualified circulation figures. Consider that Editor & Publisher reported just after World War II that a Fort Wayne newspaper had 120 percent market penetration, meaning that it was considered essential enough for many to subscribe both at home and at the office. Today, look down your street mid week and count the one or two morning newspapers plopped in the driveways.

Advertising lineage is visibly down, but just as important is the change in the nature of the advertising. Gone are the small commercial advertisers that attested to the economic vitality of a community and to a proud relationship with the local newspaper. Now there is large institutional advertising — hospitals, utilities, big corporations and the like — whose intent appears to be political rather than commercial.

Are they buying protection from negative media stories and editorials or paying for boosterish coverage? If so, this the new journalism. In contrast, a typical day at the traditional hometown dailies included an irate

advertiser or politician bursting through the front door to threaten bodily harm (see Mark Twain's "Journalism in Tennessee"). Today, you are challenged to find a single word critical of the big local advertisers or their favorite projects.

It is reported that the staff at the Indianapolis Star has fallen from 200 to 70 in 20 years. Compare that with the staff of a statewide metro daily in the 1980s of 500 or more, a small town in itself. Newspapers back then made up the largest manufacturing sector in the nation.

The Inskeep family in Fort Wayne to its credit has maintained a modicum of staffing. The noticeable decline, though, has been in influence. The paper is read only by the perversely curious and the hard-core liberal.

It made strategic sense for a Republican city councilman to boycott the Journal Gazette during the most recent city election. He declined to meet for the customary endorsement grilling, spending his time walking his district. He was reelected despite being outspent more than two to one.

Come to think of it, what would be the result of an opinion survey that asked likely voters whether they were more likely or less likely to choose a candidate endorsed by either of these newspapers?

Finally, the two newspapers fail a traditional test of readership: Whether you can find out what the police siren last night was all about. Or try to find the cause of a fire or the obituary of a prominent neighbor. The New York Times at its peak covered Sunday sermons.

A friend asks the defining question: "If you cannot learn the name of the new pastor at your neighbor's church or that the nice young woman at the bank got married last weekend, or that the date of the Home Extension Club meeting has been changed, what really is the value of a newspaper?"

This all will come unraveled if the Legislature ever gets around to reforming the outdated Public Notice Advertising Law, which requires legal notices be published in local newspapers.

Rep. Wendy McNamara of Evansville would do just that. She argues that the fees for sheriff's sales

are notably suspect. "I believe newspapers throughout the state of Indiana are using (Indiana's public notice requirement for sheriff's sales) as a subsidy," McNamara told the Evansville Courier & Press. "There is no rhyme, no explanation and no reason given for why such a disparity exists between charging for these ads. And especially these ads – well, this business, I should say – have become kind of a cottage industry."

Again, the smaller dailies, the real newspapers, can make the case that they are a tribune earning the allegiance of their community. The metropolitan dailies cannot — and good riddance to them.

Reverse Municipal Engineering

"Don't just do something, stand there." — the White Rabbit in Walt Disney's "Alice in Wonderland"

(Oct. 6) — Public policy got a lot simpler this last year with money and people fleeing the insanities of progressive states like New York, New Jersey, Illinois and California. Opportunity is ours in Indiana if we can only sit still and avoid their mistakes.

Joel Kotkin, a professor of urban studies writing in the current issue of City Journal, lays the groundwork: "Most Americans don't favor defunding police or instituting race quotas; they are wary of the costs connected with the Green New Deal and of allowing Washington to control local zoning. Many are already voting with their feet, fleeing places that promote these ideas and seeking out areas aligned with more recognizable American values."

So this is easy. if anyone in New York City or southern California is doing it, you don't want to. And you don't have to sort through the conflicting policy studies; it's just a matter of going down this list and setting policy contrarily:

- Taxation — The old saw, "Tax what you want less of," applies here. Indiana law allows cities to repeal the business personal property tax. With the tax gone, city councils aren't

tempted to waste political energy playing favorites. Tax rebates and exemptions are eliminated. The schemers and frauds are defunded. Investors, both existing and potential, know that they are getting a fair shake independent of City Hall influence.

- Families — Support all policies that encourage the formation of two-parent families with strong connections to a church as well as independent civic groups (scouting troops, 4-H, shortwave radio clubs, peaceful motorcycle gangs and so on). Discourage all that do not.

- Quotas — Diversity should be understood to be of thought and not of pigment, gender or any other of the apparently infinite nuances in the human condition. Identity politics is for banana republics, not constitutional ones. “Content of character” is the thing. Equality of opportunity is lost in the pursuit of equality of results.

- Machine Politics — Eschew public-private “partnerships” where the so-called private investor is guaranteed his profit up front. That is a signal of desperation, not progress. The “private” part of the equation always turns out to be simply the economy and the “public” part is the government. They cannot be joined without inviting corruption and creating the crony capitalist version of a political machine.

- The Weather — Someone at City Hall needs to admit to the citizenry that the Green New Deal is hysteria. Its initiatives are merely wealth transfers to a new bureaucracy. It has nothing to do with changing the climate now or in the distant future. And you can begin by getting rid of expensive recycling programs that complicate an essential and otherwise efficient community service.

- Zoning — Washington has no business messing with local zoning, specifically in residential areas. “Affordable” housing is where people can afford to live. Indeed, the zoning establishment should be dismantled entirely. If a property owner wants to convert his house into a restaurant, corner grocery or ice cream shop — or anything else acceptable to

his immediate neighbors — he should be able to do so. Zoning laws operate not to protect property or lifestyle but to channel wealth into influential hands. Reduce them to the minimum. While you’re at it, allow neighbors to invest in each other’s businesses tax free.

- Crime — This is the heaviest tax that can be levied on a community. Attack it with a strategy addressing that reality rather than schedule meetings so everyone can share their feelings. Murders have increased 84 percent this year in my city. Nationally, the mass shootings more than doubled during the “Summer of George” as the media portrayed all cops as bad guys. Nobody is surprised.

- Regulation — Government is good at precious few things, primarily having to do with protecting individuals and their pursuit of happiness; it stinks at all the rest. Civic failure is certain if the people making the decisions bear no responsibility for the outcome. City Hall can quit regulating and managing everything that moves and it can sell the golf courses, utilities, graveyards and other assorted properties and businesses picked up along the way.

- Unions — If fiscal health is a goal, then public-sector collective bargaining must be brought to heel. Police departments and fire departments, the salaries of which amount to 80 percent of most city budgets, need to be made efficient enough to pay professional wages without handing over management prerogatives to union chiefs. Did we mention ballooning pensions?

Finally, take care of the aesthetics. Keep your historic statues upright and your downtown free of official graffiti (commissioned BLM murals and such). The first is a signal to investors fleeing the failed states that there is no adult supervision in your city; the second tells them that the soft-headed are running the show here too.

And while everybody is arguing about all that, get rid of Daylight Savings Time . — *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 32nd year